



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Diana Martinez, Principal Planner, diana.martinez@slcgov.com or 801-535-7215
Date: July 27, 2022
Re: PLNPCM2022-00394 - Conditional Use – Detached Accessory Dwelling Unit (ADU)

Conditional Use

PROPERTY ADDRESS: 939 E. 1700 S.
PARCEL ID: 16-17-181-017-0000
MASTER PLAN: Sugar House Master Plan
ZONING DISTRICT: R-1-5,000 (Single Family Residential)

REQUEST:

Morgan Zack, representing the property owners, is requesting Conditional Use approval to build a detached accessory dwelling unit (ADU), approximately 640 square feet in size and 12'1" tall, that will be located in the northeast corner of the rear yard at approximately 939 East 1700 South. The subject property is approximately 0.16 acres (6,969 square feet) in size and is in the R-1-5,000 Residential District.

RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the request generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the request with the following condition:

- The applicant obtains a demolition permit for the existing garage prior to obtaining a building permit for the construction of the accessory dwelling unit.

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July 27, 2022

PROJECT DESCRIPTION

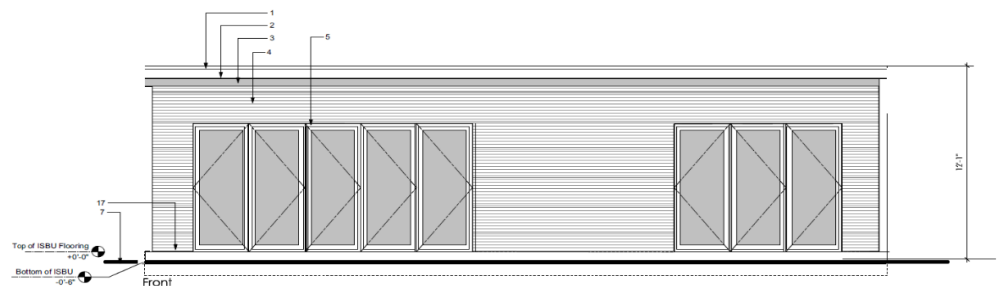


The proposal is for new construction of a detached accessory dwelling unit (ADU) to be placed in the northeast corner of the property at 939 E. 1700 So. The height of the ADU is proposed at 12'1" tall and approximately 640 square feet in size. The subject property is approximately 0.16 acres (6,969 square feet) in size and is in the R-1-5,000 Residential District.

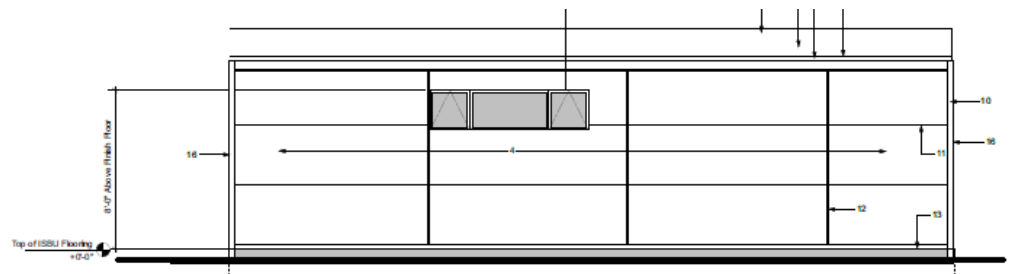
The applicant is proposing three parking spaces in the driveway, one being for the ADU. There is on-street parking in front of the main dwelling that can be used.

The proposed ADU's materials will have cement board panels and corrugated steel walls, with metal trim. The windows and main entrance doors will be vinyl window and vinyl folding door systems. Windows will be on the east side elevation and the north side elevation. There are no windows or door proposed for the south side elevation (side facing the main dwelling). The main dwelling materials are mostly brick and some wood features.

*Accessory Dwelling Unit
- West elevation*



*Accessory Dwelling Unit
- East elevation*



There is currently an existing garage on the property in the rear yard. The applicant has stated that it will be demolished in order for the construction of the proposed ADU.

NEXT STEPS

Approval of the Conditional Use

If the request is approved, the applicant will also need to comply with all zoning regulations and approvals 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 structure once all regulations of approval have been met.

Notable requirements that will need to be complied with by the applicant:

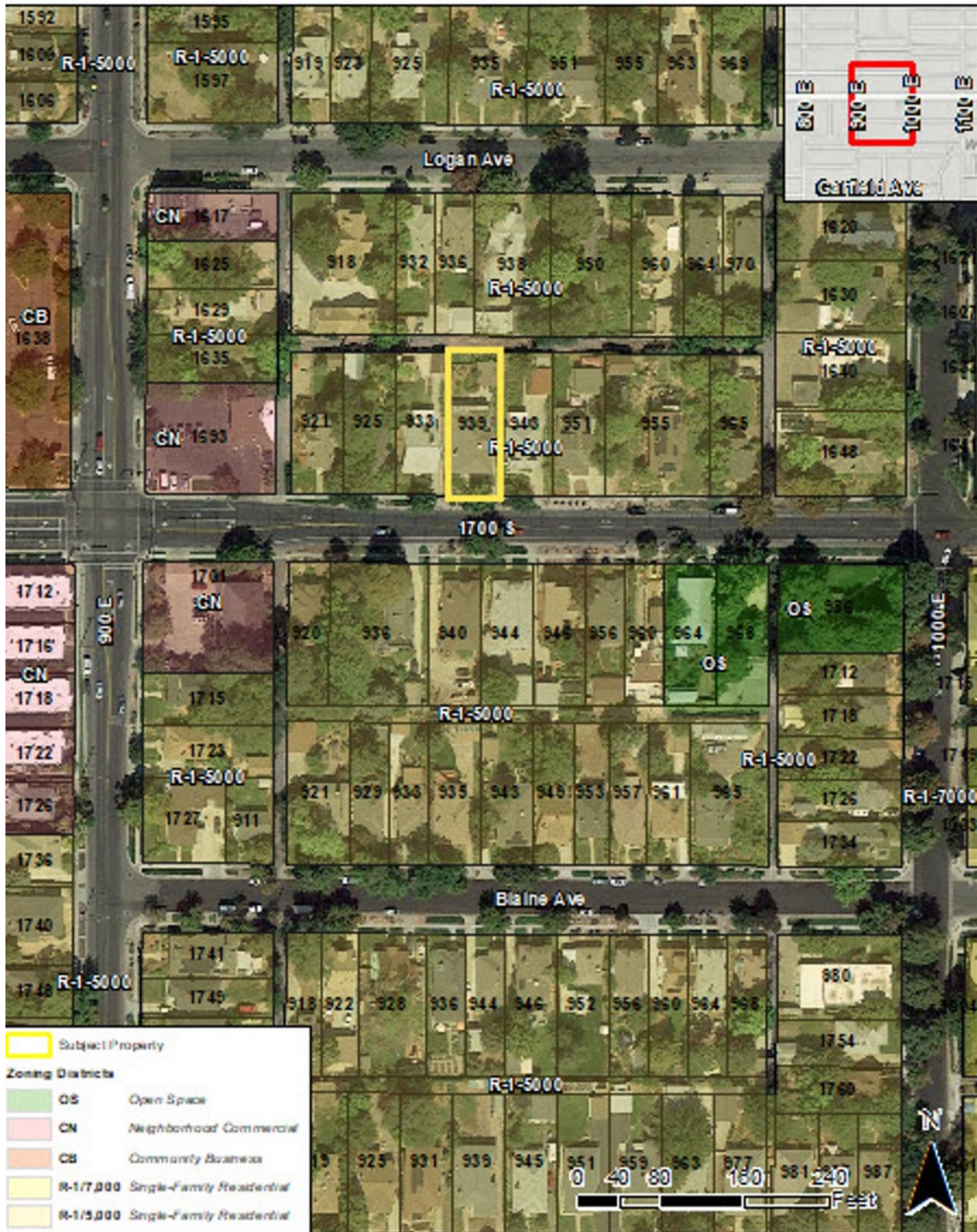
- The applicant shall comply with the registration process outlined in section 21A.40.200.F of the Salt Lake City zoning ordinance.
- Windows on the east wall must be clerestory windows or have obscured glazing since they are facing a side yard property line.

Denial of the Conditional Use

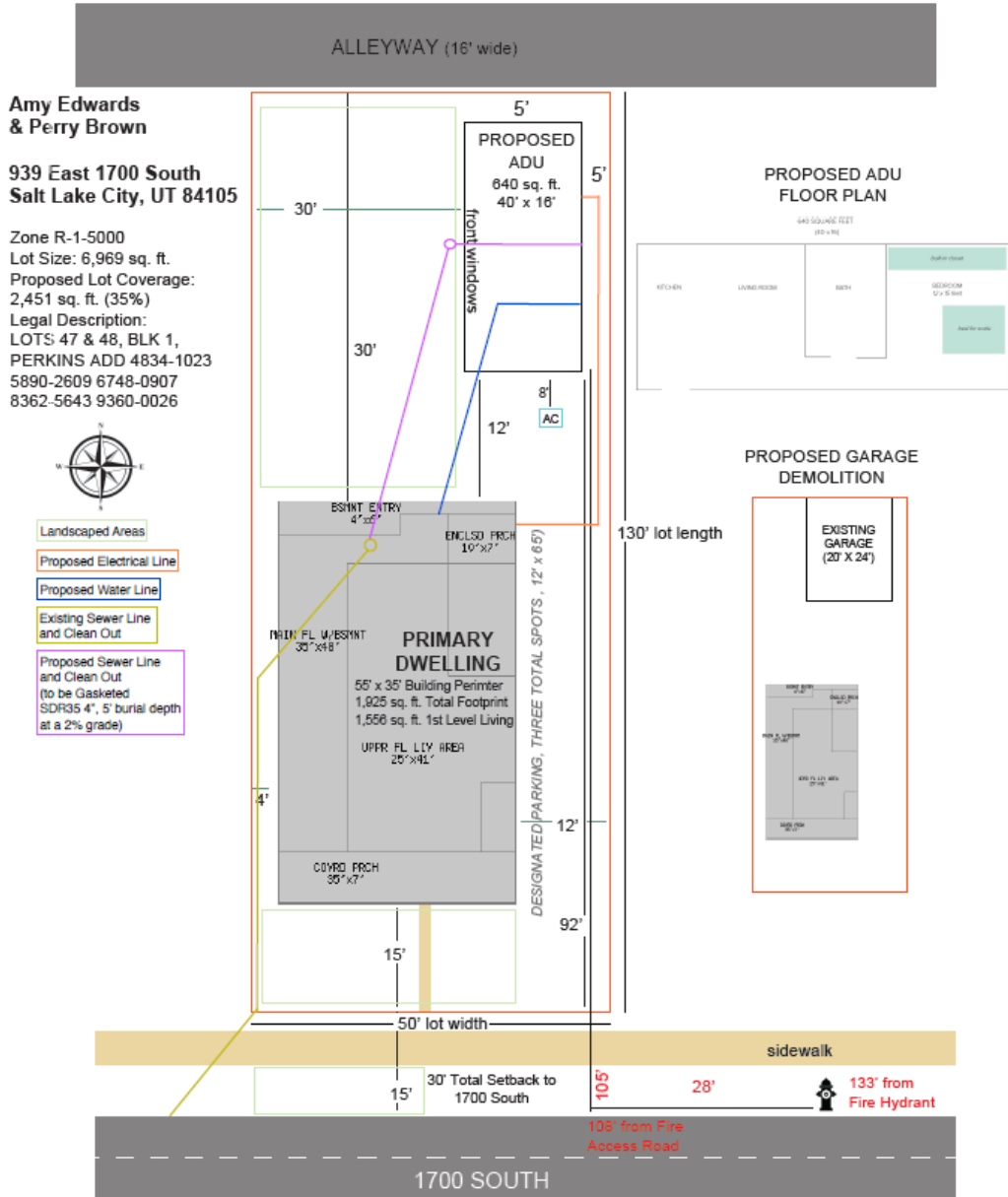
State and City code require that a Conditional Use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A conditional use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects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

If the Planning requests are denied, the applicant would not be able to establish an ADU on the subject property. 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-1/5,000 zoning district must be located a minimum of one foot 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 feet to the midpoint or 12 feet for a flat roof.

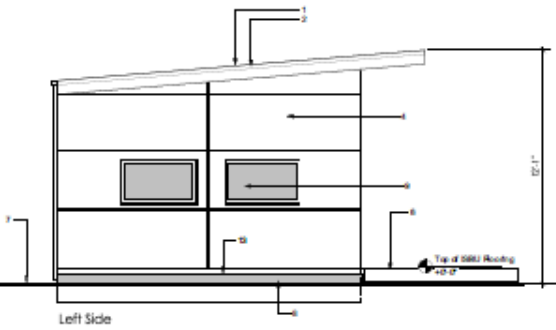
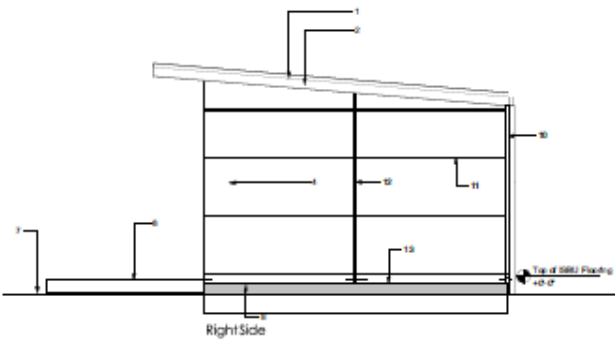
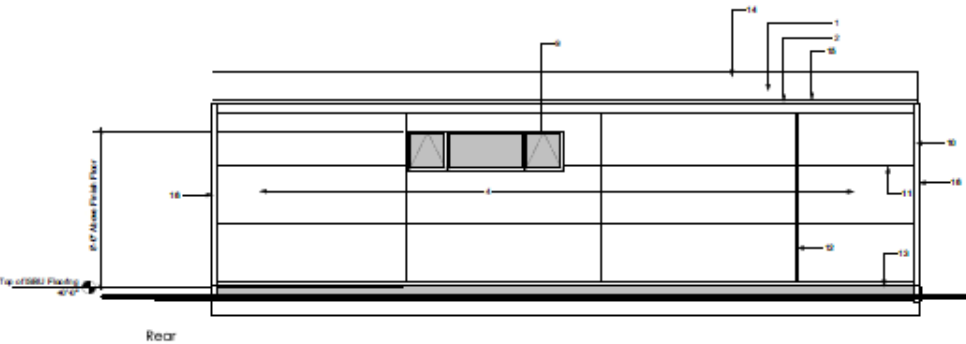
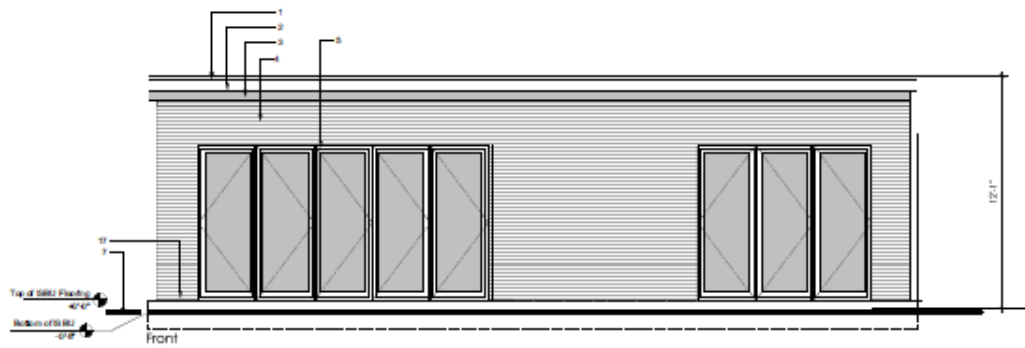
ATTACHMENT A: Vicinity Map



ATTACHMENT B: Site Plan, Elevations & Floor Plans



- PARKING REQUIREMENTS:**
- The property provides 3 designated parking spots
 - 1700 South provides free, on-street parking
 - There is a public transit stop less than 1/4 mile from the property



Exterior Elevation Notes:

1. Pre-finished Metal Edge and Drip
2. Pre-finished Metal Fascia and Drip
3. Wood Soffit
4. Cement Board/Panels of SBR Coated Steel Wall
5. Vinylclad Door System
6. Wood Deck or Polio
7. Grate
8. Pre-finished Metal Flashing of Foundation Rigid Insulation Board
9. Vinyl Window System
10. Pre-finished Outside Corner Film
11. Pre-finished Horizontal Metal Trim
12. Pre-finished Metal Flashing and Drip
13. Single-Ply Roof Membrane
14. Seamless Metal Out for
15. Seamless Metal Out for
16. Downspout w/ Splash Back
17. Wood Deck or Polio (if there)



architectural planning design

No.	Date	Revision/Scale

Stack Homes



Stack Homes Model 640
 100888 VINCENT P. OLES
 1000 S. Main St., Suite 100
 Portland, OR 97204

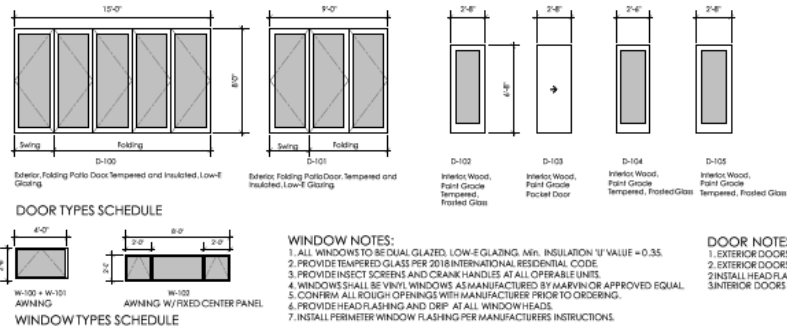
Interior + Exterior Elevations

Project No.	
Client	VPO
Architect	VPO
Scale	A3.0

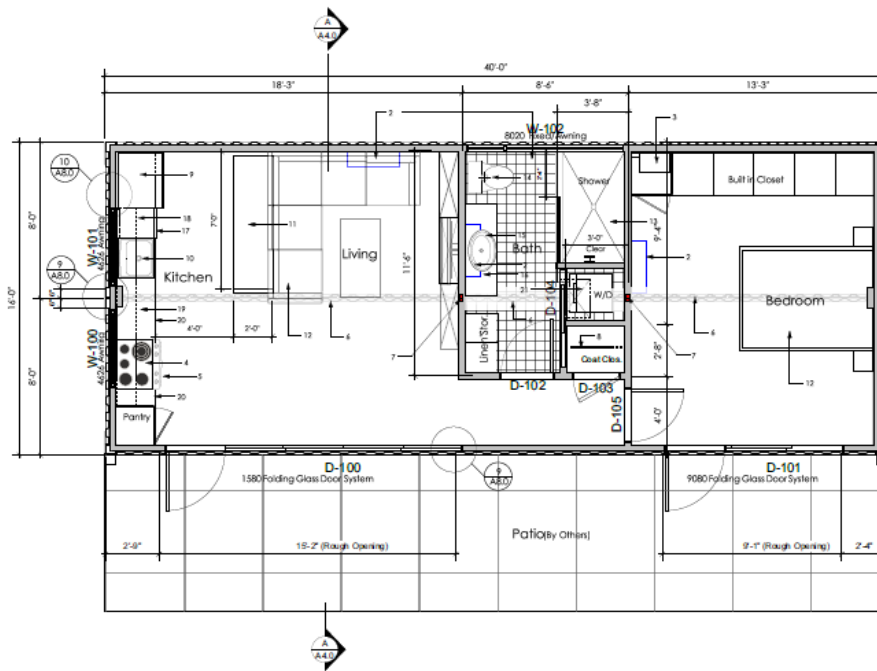
Date: March 30, 2022
 Time: 12:31:42 PM
 File: \\www\StackHomes-640 Model.rvt

Exterior Elevations Scale: 1/8" = 1'-0"

7560 balboa road atascadero, california 93422 801.608-4512 olesarchitect@gmail.com



DOOR AND WINDOW TYPES SCHEDULES



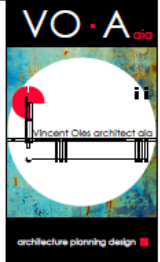
- Sheet Notes**
1. N/A
 2. N/A
 3. Tankless Water Heater w/Expansion Tank
 4. Induction Cooktop
 5. Convection Microwave Below
 6. ISU Walls to be Removed
 7. Steel Columns (See Structural Dwg. for Size)
 8. 1" Rod and Shelf Above
 9. 33" W. Counter Depth Refrigerator
 10. 24" W. Kitchen Sink
 11. 36" Built In
 - Table w/ 3MM Quartz Countertop and Waterfall End
 12. Furniture Shown For Illustrative Purposes Only
 13. One Piece Shower Pan Per IRC P2709
 14. Toilet
 15. Lav
 16. Floating Vanity
 17. 18" W. Dishwasher
 18. Upper Cabinets
 19. Quartz Countertop
 20. Base Cabinets
 21. Min. 16"x24" Underfloor Access Panel

TABLE 5.10.1
INSULATION AND WEATHERSTRIPPING BY COMPONENT

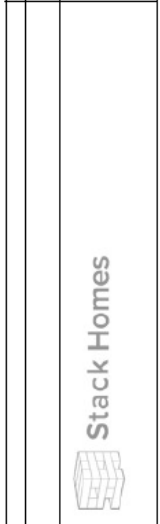
COMPONENT	MINIMUM R VALUE	MINIMUM U VALUE	MINIMUM PERCENTAGE WEATHERSTRIPPING
Roof	15	0.17	100%
Attic Floor	10	0.17	100%
1st Floor	25	0.17	100%
2nd Floor	25	0.17	100%
Basement	25	0.17	100%
Foundation	25	0.17	100%
Exterior Walls	13	0.17	100%
Interior Walls	5	0.17	100%
Partitions	5	0.17	100%
Doors	5	0.17	100%
Windows	3	0.35	100%

NOTES:

1. This Project Construction Shall Comply with 2015 International Residential Code (IRC), 2018 International Building Code (IBC) and Applicable Local Ordinances and Building Codes.
2. Due to the General Nature of these Plans, Code Compliance Shall Be Field Verified by the City Inspector. Any Work that is Found to Be Out of Compliance with the 2015 IRC Or Other Applicable Codes Shall Be Corrected.



No.	Date	Revision Notes



StackHomes-Model 640
Edwards/Brown
1981 17005
Salt Lake City, Utah

640 Floor Plan

DATE	2020.04
DESIGNED BY	VPO
CHECKED BY	VPO
APPROVED BY	VPO
SCALE	A2.0

Date: March 30, 2022
Time: 12:31:41 PM
Filename: StackHomes-640.Model.vwx

Floor Plan Scale: 1/2" = 1'-0"

Edwards/Brown Gardens

Trees

- 2 x 10 gal *Pinus n. 'Green Tower'* - Green Tower Columnar Pine (Dense, narrow, upright pine)



Shrubs

- *3 x 5 gal *Aronia elata* - Black Chokecherry (beautiful fall foliage, berries, flowers)
- 2 x 5 gal *Prunus 'Juliet'* - Juliet Bush Cherry (Very dwarf cherry shrub, profuse fruit)
- 10 x 5 gal *Rhamnus f. 'Fineline'* - Fineline Buckthorn (Upright, narrow shrub with lacy foliage)



Perennials and Grasses (4" or 1 gallon)

- 5 x *Anemone 'Whirlwind'* - Whirlwind Windflower (Semi double white flowers in fall)
- 13 x *Brunnera 'Jack Frost'* - Jack Frost Brunnera (Silver overlay on light green leaves, blue flowers in spring, low H2O)
- 17 x *Heuchera 'Plum Pudding'* - Plum Pudding coral bells (Wine colored foliage with a silver overlay)
- 10 x *Lavandula angustifolia* - English Lavender (Semi-evergreen, gray foliage, aromatic purple flowers)
- 4 x *Miscanthus 'Yaku Jima'* - Yaku Jima Maiden grass (Silvery green, arching ornamental grass)
- 9 x *Thalictrum aquilegifolium* - Meadow Rue (White flowers on columbine like foliage in spring)



Groundcovers & Vines

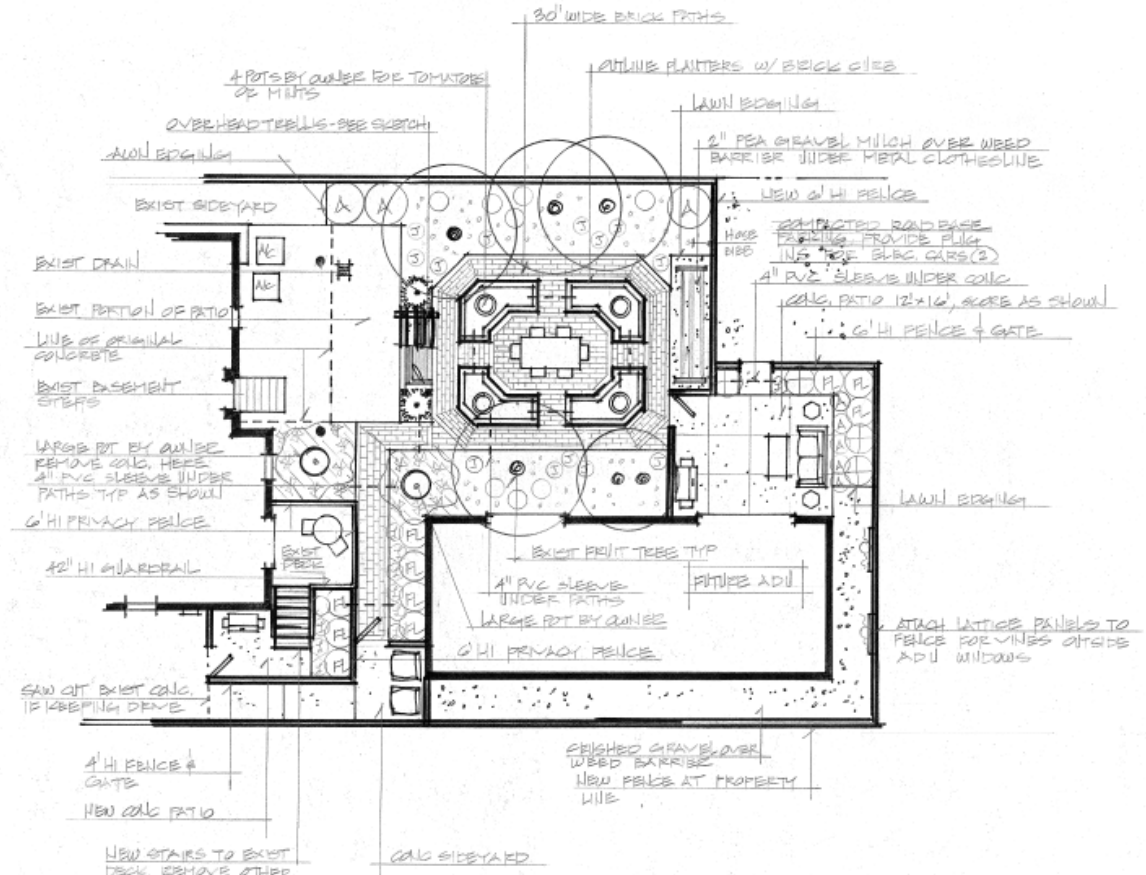
- 2 x 1 gal *Ampelopsis brevipedunculata* - Porcelain Berry vine (Clusters of tiny white flowers, variegated foliage, blue berries)
- 3 x *Fragaria vesca* - Woodland Strawberry (Semi-evergreen, white flowers, small edible fruit)
- 1 x Flats *Veronica liwanensis* - Turkish Veronica (Evergreen, cobalt blue flowers in summer)



Herb Garden: 10 in each bed. Suggest thyme, oregano, lavender, parsley, sage, tarragon, bee balm, yarrow, echinacea

The Ardent Gardener Landscape Design and Project Co-ordination
801.388.8103

*Denotes native or cultivar of native



ATTACHMENT C: Additional Information

Conditional Use Application: Project Description

There are currently two buildings on the subject property. We propose demolishing the existing, dilapidated two car garage and replacing it with a pre-fabricated, steel frame, 640 sq. ft. single level Accessory Dwelling Unit measuring 40' x 16' x 12'. The unit will serve as a rental income property for the owners, who promise to complete the Good Landlord Program and any other necessary prerequisites. The owners will continue to occupy the main, existing dwelling. The ADU is composed of high quality building materials commonly found in single family construction, such as cement fiber Hardy Board siding, double pane vacuum sealed windows, spray foam insulation, Pergo laminate flooring, quartz countertops, Moen fixtures, etc. The ADU utilizes efficient utilities such as LED lighting throughout and the use of electric mini-split HVAC systems. No gas lines will be installed. The properties surrounding the subject property are of single family, multi-family and commercial use. There are three dedicated parking spaces on the property as well as free, off-street parking available on 1700 South and public transit stops less than ¼ mile away from the property.

ATTACHMENT D: Property & Vicinity Photos



Front view of main dwelling



View of driveway between main house and house to east



View of back driveway area – garage to be removed



Garage to be removed



View of rear yard -from the alley to the north



View of alley -looking west (subject property to left)

ATTACHMENT E: ADU Standards

21A.40.200 – Accessory Dwelling Units

ADU STANDARDS	PROPOSED	COMPLIES Y/N
<p>SIZE</p> <p>ADU footprint can be 50% of the footprint of the primary house up to a maximum of 650 SF.</p>	<p>Primary house is approximately 1,556 SF, ADU can be 50% of that up to the maximum 650 SF of gross floor area.</p> <p>Proposed gross floor area will not exceed 650 SF.</p>	<p>Complies</p>
<p>MAXIMUM COVERAGE</p> <p>The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot.</p>	<p>Lot size is approximately 6,969 SF. 40% of the lot is 2,788 SF.</p> <p>Primary House/Porch – 1,556 SF Proposed ADU - 640 SF Total coverage – 2,196 SF.</p> <p>The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately 32% of the lot.</p>	<p>Complies</p>
<p>HEIGHT</p> <p>17 FT or the height of the single-family dwelling on the property, whichever is less.</p> <p>*If the principal dwelling is over 17 feet in height, the ADU may be equal in height up to a maximum of 24 FT if 10 foot side and rear yard setbacks are provided. The setback for additional height may be reduced to 4' if the side or rear lot line is adjacent to an alley.</p>	<p>Approximately 12 foot one inch.</p> <p>*The single-family dwelling on the property is taller than 17 FT, so the applicant could request an ADU with a height equal to the height of the house on the property.</p>	<p>Complies</p>
<p>SETBACKS</p> <p>Minimum of 4 FT from any side or rear lot line.</p>	<p>Located five feet from east side lot line, five feet from north rear lot line and approximately 30 feet from the west lot line.</p> <p>Ordinance 21A.40.200.E.3.C.2.b if the existing accessory building includes an addition, all of or</p>	<p>Complies</p>

	portions of the existing structure may be used as an accessory dwelling unit provided the existing setbacks are not further reduced	
SEPARATION Located 10 FT from any primary dwelling on the property or adjacent property	Located approximately 12 FT from the primary house on the property and the closest house on an adjacent property is approximately 35 FT.	Complies
ENTRANCE LOCATIONS The entrance to an ADU in an accessory building shall be located: <ul style="list-style-type: none">• Facing an alley, public street, or facing the rear façade of the single-family dwelling on the same property.	There are two entrances for the proposed ADU. Both are oriented toward the west side yard. One goes into the living area, and one goes into the bedroom.	Complies
REQUIREMENTS FOR WINDOWS <ul style="list-style-type: none">• Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required. Skylights, clerestory windows, or obscured glazing shall be used when facing a side or rear property line to comply with minimum Building Code requirements for air and light on building elevations that are within ten feet (10') of a side or rear property line unless the side or rear property line is adjacent to an alley.• Except as required in subsection E.3.g.1 of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure.	The applicant is proposing windows on the north and east walls of the ADU only. There are no proposed windows on the south elevation facing the main dwelling.	Complies w/ conditions Windows facing the east property line -which is a side yard property line- must have clerestory windows or obscured glazing.
PARKING Minimum of one parking	One parking space provided on site.	Complies

<p>space on site.</p> <p>*This requirement may be waived if there is legal on street parking along the street frontage of the property OR if it's within 1/4 mile of a transit stop.</p>	<p>*On-site parking could be waived because they have one legal street parking space.</p>	
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ATTACHMENT F: Conditional Use Standards

Conditional Use Standards

An application for a conditional use is required by city code 21A.54 and Utah Code 10-9a-507 to be approved if the proposal complies with the adopted standards of review and if any reasonably anticipated detrimental impact can be mitigated. Under Utah Code 10-9a-507, the standards must be objective and mitigating any reasonably anticipated detrimental impact is required to be interpreted to mean reduce, not eliminate, the impact.

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

21A.54.080.A: Approval Standards
Standard 1: The use complies with applicable provisions of this title;
Finding: Complies
Discussion: 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.
Condition(s): n/a
Standard 2: The use is compatible, or with conditions of approval can be made compatible, with surrounding uses
Finding: Complies
Discussion: The proposed ADU is anticipated in the R-1/5,000 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.
Condition(s): n/a
Standard 3: The use is consistent with applicable adopted city planning policies, documents, and master plans; and
Finding: Complies
Discussion: The proposed ADU is consistent with the <i>Sugar House Master Plan, Plan Salt Lake, Growing SLC</i> and the related purpose statements in the Zoning Ordinance. The construction of an ADU will provide another housing option and creates a new housing unit that respects the scale of the neighborhood.
Condition(s): n/a
Standard 4: The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions
Finding: Complies
Discussion: There are no anticipated detrimental effects from this proposed ADU

Condition(s): n/a
21A.54.080.B: Detrimental Effects Determination
1. This title specifically authorizes the use where it is located;
Finding: No Detrimental Impact
Discussion: 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.
Condition(s): n/a
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
Finding: No Detrimental Impact
Discussion: As discussed under Conditional Use Standard 3 above, the proposed construction of an ADU is consistent with policies in the <i>Sugar House Master Plan, Plan Salt Lake, Growing SLC</i> , and the zoning ordinance since it will provide another housing option and creates a new housing unit that respects the scale of the neighborhood.
Condition(s): n/a
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;
Finding: No Detrimental Impact
Discussion: Uses surrounding the property are primarily single family residential. The lots in this area are all relatively the same size, as are the homes which are mostly bungalow style.
Condition(s): n/a
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
Finding: No Detrimental Impact
Discussion: The scale of the proposal is compatible with the main house on the property as well as surrounding structures and meets the footprint and height requirements for an ADU. The ADU is proposed in a location on the site that minimizes impacts to adjacent properties.
Condition(s): n/a
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
Finding: No Detrimental Impact
Discussion: The main house on the subject property has a driveway located off 1700 South. The ADU will be accessed from the existing driveway.
Condition(s): n/a

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
Finding: No Detrimental Impact
Discussion: The property has available parking on the street in front of the property so off-street parking for the ADU could be waived. It is not anticipated that the addition of the accessory unit will create adverse impacts from motorized, non-motorized and pedestrian traffic.
Condition(s): n/a
7. The site is designed to enable access and circulation for pedestrian and bicycles;
Finding: No Detrimental Impact
Discussion: The site is designed for pedestrian access to the ADU.
Condition(s): n/a
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
Finding: No Detrimental Impact
Discussion: Vehicular access to the site is existing. The parking space for the ADU will be accessed from the existing driveway. Transportation provided comments on the proposal and has no objections stating that there is on street parking. No unreasonable impacts to the service level of the adjacent streets is anticipated.
Condition(s): n/a
9. The location and design of off street parking complies with applicable standards of this code;
Finding: No Detrimental Impact
Discussion: Parking for the ADU could be waived because of the existing parking available and the on street parking in front of the property.
Condition(s): n/a
10. Utility capacity is sufficient to support the use at normal service levels;
Finding: No Detrimental Impact
Discussion: Public utility permit, connection, survey, and inspection fees apply and will be needed prior to the issuance of a building permit.
Condition(s): n/a
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
Finding: No Detrimental Impact
Discussion: 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.

Condition(s): n/a
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;
Finding: No Detrimental Impact
Discussion: The use does not significantly impact sustainability plans. The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.
Condition(s): n/a
13. The hours of operation and delivery of the use are compatible with surrounding uses;
Finding: No Detrimental Impact
Discussion: The proposed use is an accessory residential structure and is compatible with the surrounding uses that are also residential.
Condition(s): n/a
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses;
Finding: No Detrimental Impact
Discussion: 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.
Condition(s): n/a
15. The proposed use does not undermine preservation of historic resources and structures.
Finding: No Detrimental Impact
Discussion: The property is not located within a Local or National Historic District and the proposal does not involve removal of any historic resources or structures.
Condition(s): n/a

According to Zoning Code Section 21A.54.080.C, the Planning Commission may impose conditions related to the standards and detrimental impacts listed above if a condition is necessary for compliance with the standards of approval or any applicable zoning regulation and to reduce any reasonably anticipated detrimental impact. Conditions may be related to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

After a public hearing is held, planning staff can help the commission identify and determine if information provided warrants further discussion on any potential non-compliance or detrimental impact that may require a condition of approval.

ATTACHMENT G: Public Process & Comments

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:

- May 27, 2022 – The East Liberty Park Community Council was sent the 45-day required notice for recognized community organizations. The comment period ended on July 15, 2022.
- May 27, 2022 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- May 27, 2022 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- July 14, 2022
 - Public hearing notice sign posted on the property
- July 14, 2022
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

There was one email sent in support of this application:

I when through the whole proposal. The size and lot location of the dwelling seem well thought out. It looks like there will still be privacy for the home owner as well as the occupant of the new dwelling. I can't wait to see how it turns out.

Thank you,

Beatrice Godina

ATTACHMENT H: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Building: Comments provided by James McCormack

- The proposed ADU/DDU structure which is modular is to conform to 2015 IRC and adopted codes. A 5 foot min setback has been outlined for the proposed building. Only 2 structures would be on the lot. Walls less than 5 foot from the lot line to follow the 2015 IRC R302.1

Fire: Comments provided by Douglas Bateman

- No comments.

Transportation: Comments provided by Michael Barry

- The parking requirement for the single-family residence and the ADU are satisfied by parking tandem in the driveway

Public Utilities: Comments provided by Jason Draper

- No objection to conditional use. The existing sewer lateral is more than 60 years old and will need to be video inspected before the ADU can be connected to it. The owner will need to contract a plumbing company to do the video and make sure to have a public utility inspector onsite during the video inspection to verify conditions. The ADU will need to go through the building permit process.