



Recognized Organization Input Notification Conditional Use

TO: Landon Clark, Chair, Sugar House Community Council
(minnesotaute76@gmail.com)
FROM: Linda Mitchell, Principal Planner, Salt Lake City Planning Division
(linda.mitchell@slcgov.com or 385-386-2763)
DATE: June 16, 2020
RE: PLNPCM2020-00427 – *Conditional Use*

The Planning Division has received the request below and is notifying your organization to solicit comments on the proposal:

Request Type: Conditional Use
Location: 2297 S Lake Street
Zone: R-1/5,000 (Single-Family Residential District)
Project Request: Thomas Bath, representing the property owner, has initiated the above-mentioned Planning petition to construct an Accessory Dwelling Unit (ADU) in the rear yard area on the subject property. The applicant is proposing to build an ADU above an existing detached 2-car garage. The proposed ADU would be approximately 650 square feet with a building height of approximately 23 feet 11 inches (measured to the highest point of the roof line).

The proposed ADU requires approval from the Planning Commission for a Conditional Use before a building permit can be issued. A public hearing with the Planning Commission has not been scheduled. You will be notified of the public hearing at a later date.

Attached is the plan set submitted by the applicant relating to the project to facilitate your review as well as an information sheet that outlines the project area.

Request for Input from Your Recognized Organization

As part of this process, the applicant is required to solicit comments from Recognized Organizations. The purpose of the Recognized Organization review is to inform the community of the project and solicit comments/concerns they have with the project. The Recognized Organization may also take a vote to determine whether there is support for the project, but this is not required.

Per City Code 2.60.050 - The recognized community organization chair(s) have **forty-five (45) days** to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty-five (45) day notice period. This notice period ends on the following day:

July 31, 2020

Please contact Linda Mitchell to let the City know if you would like the applicant to attend and present their proposal at one of your meetings within this 45-day period. Please indicate the day and time of your meeting and staff will coordinate with the applicant to attend your meeting. Planning staff will be available at the meeting to answer any questions related to decision standards or the decision-making process.

Comment Guidance

Public comments will be received up to the date of the Planning Commission public hearing. However, you should submit your organization's comments within 45 days of receiving this notice in order for those comments to be included in the staff report.

As a Recognized Organization, we ask that you address the following questions in your comments:

- What issues were raised at the meeting and whether any suggestions were made to address the issues.
- The number of persons that attended the meeting (not including those with the applicant or City Staff).
- Whether a vote was taken on the matter and if so, the vote tally.

For your reference, the following are criteria that the Planning Commission will use to make its decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from your organization may be more general in nature, but we recommend that you also consider the following approval criteria:

Approval Criteria for the Conditional Use Request

21A.54.080: STANDARDS FOR CONDITIONAL USES

- A. Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:
1. The use complies with applicable provisions of this title;
 2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
 3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
 4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.
- B. 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:
1. This title specifically authorizes the use where it is located;
 2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
 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;
 4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
 5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
 6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
 7. The site is designed to enable access and circulation for pedestrian and bicycles;
 8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;

9. The location and design of off-street parking complies with applicable standards of this code;
10. Utility capacity is sufficient to support the use at normal service levels;
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
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;
13. The hours of operation and delivery of the use are compatible with surrounding uses;
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
15. The proposed use does not undermine preservation of historic resources and structures.

C. Conditions Imposed: The planning commission, or in the case of administrative conditional uses, the planning director or the director's designee, may impose on a conditional use any conditions necessary to address the foregoing factors which may include, but are not limited 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.

D. Denial Of Conditional Use: A proposed conditional use shall be denied if:

1. The proposed use is unlawful; or
2. The reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated as proposed in the conditional use application or by the imposition of reasonable conditions to achieve compliance with applicable standards set forth in this section.

Comment Submission Address

You may submit written comments via e-mail to linda.mitchell@slcgov.com.

If you have any questions, please contact Linda Mitchell at 385-386-2763 or via e-mail.