

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, MARCH 26, 2024 at 6:30 PM**



Notice is hereby given that the South Jordan City Planning Commission will hold a Planning Commission Meeting on Tuesday, March 26, 2024, in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah with an electronic option via Zoom phone and video conferencing. Persons with disabilities who may need assistance should contact the City Recorder at least 24 hours prior to this meeting.

In addition to in-person attendance, individuals may join via phone or video, using Zoom. Note, attendees joining virtually may make public comments through video conferencing, and participant must have their video on and working to speak. Attendees who wish to present photos or documents to the Planning Commission must attend in person. Those who join via phone may listen, but not comment.

In the event the electronic portion of the meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end virtual access to the meeting. Reasons for removing an individual or ending virtual access to the meeting include but are not limited to the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements, or actions, and other any action deemed inappropriate.

Ability to participate virtually is dependent on an individual's internet connection. To ensure comments are received regardless of technical issues, please have them submitted in writing to City Planner, Greg Schindler, at gschindler@sjc.utah.gov by 3:00 p.m. on the day of the meeting.

Instructions on how to join the meeting virtually are below.

Join South Jordan Planning Commission Electronic Meeting March 26, 2024 at 6:30 p.m.

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://www.sjc.utah.gov/254/Planning-Commission>

THE MEETING WILL BEGIN AT 6:30 P.M. AND THE AGENDA IS AS FOLLOWS:

- A. **WELCOME AND ROLL CALL – Commission Chair Michele Hollist**
- B. **MOTION TO APPROVE AGENDA**
- C. **APPROVAL OF THE MINUTES**
 - [C.1.](#) March 12, 2024 - Planning Commission Meeting Minutes
- D. **STAFF BUSINESS**
- E. **COMMENTS FROM PLANNING COMMISSION MEMBERS**
- F. **SUMMARY ACTION**
- G. **ACTION**

H. ADMINISTRATIVE PUBLIC HEARINGS

**H.1. CONDITIONAL USE PERMIT FOR THE ARCHITECTURAL STANDARDS OF
ACCESSORY BUILDINGS IN THE R-1.8 ZONE**

Address: 2269 W Bonanza Cir

File No: PLCUP202400026

Applicant: David King

I. LEGISLATIVE PUBLIC HEARINGS

J. OTHER BUSINESS

J.1. Discussion regarding proposed amendment to Accessory Dwelling Floating Zone

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

: §

COUNTY OF SALT LAKE)

I, Cindy Valdez, certify that I am the duly appointed City Deputy Recorder of South Jordan City, State of Utah, and that the foregoing Planning Commission Agenda was faxed or emailed to the media at least 24 hours prior to such meeting, specifically the Deseret News, Salt Lake Tribune and the South Valley Journal. The Agenda was also posted at City Hall, on the City's website www.sjc.utah.gov and on the Utah Public Notice Website www.pmn.utah.gov.

Dated this 21st day of March, 2024.

Cindy Valdez

South Jordan City Deputy Recorder

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
March 12, 2024**

Present: Chair Michele Hollist, Commissioner Steven Catmull, Commissioner Laurel Bevens, Commissioner Ray Wimmer, Commissioner Sam Bishop, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, GIS Coordinator Matt Jarman, IS Senior System Administrator Phill Brown, Supervising Senior Engineer Shane Greenwood, Planner Damir Drozdek, Meeting Transcriptionist Diana Baun

Others: Krista, Jim Caster, iPhone, sheerynance, Judy, Nate Reiner, Brian Adams, Justin Jones, Chris Laeton, Rob Olor, Chris Rawlins, Lynn Bowler, Mariam and Dylan Drury

Absent: Commissioner Nathan Gedge

**6:37 P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – Chair Michele Hollist

Chair Hollist welcomed everyone to the Electronic Planning Commission Meeting and asked for a motion to turn over the running of the meeting to Commissioner Bevens due to her not feeling well.

Chair Hollist motioned to have Commissioner Bevens run tonight's meeting. Commissioner Wimmer seconded the motion; vote was 5-0, unanimous in favor. Commissioner Gedge was absent from the vote.

B. MOTION TO APPROVE AGENDA

Chair Hollist motioned to amend tonight's agenda as published. Commissioner Bevens seconded the motion; vote was 5-0, unanimous in favor. Commissioner Gedge was absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. February 27, 2024 - Planning Commission Meeting Minutes

Commissioner Bishop had some changes that were made prior to the meeting and included in the published report.

Commissioner Wimmer motioned to approve the February 27, 2024 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Gedge was absent from the vote.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None*

F. SUMMARY ACTION – *None*

G. ACTION – *None*

H. ADMINISTRATIVE PUBLIC HEARINGS – *None*

H.1. THE COMBINE ON REDWOOD SITE PLAN AND CONDITIONAL USE PERMIT

Address: 11196 S Redwood Rd

File No.: PLCUP202300209, PLSPR202300204

Applicant: Nate Reiner, CIR Engineering

Planner Damir Drozdek reviewed background information from the Staff Report. He clarified that the CUP is being proposed on the entire space, not just one unit within.

Commissioner Laurel Bevans invited the applicant forward to speak with the Commission.

Chair Michele Hollist asked if this facility had plans to host tournaments in the future.

Lynn Bowler (Applicant Representative) responded that is not anticipated.

Commissioner Steve Catmull asked about potential mix of uses intended for the space.

Mr. Bowler responded that he really had no way to see that future, but shared his ideal vision based on researching the city's needs.

Commissioner Catmull asked if any of the units could be combined in the future.

Mr. Bowler responded yes, the building includes a demising wall system.

Chair Hollist asked about the mezzanine option given in the report.

Mr. Bowler explained that would be for potential office space in the future.

Commissioner Bevans asked about the potential total units between the buildings.

Mr. Bowler responded he believes there are potentially 16 total units.

Commissioner Bevans opened the public hearing for comments.

Mariam Drury and Dylan Drury (Residents) – (Mariam lives in Bluffdale but her son occupies one of the homes adjacent to this property.) We were interested in this property when we purchased it, and have been in conversation with the development as far as combining the two. As we look at it, it greatly impacts us. I actually sold both of the homes, one to our cousin who is interested in the development as well, but we haven't been able to come to terms. We wanted to purchase the back, or have them purchase ours, but as we look at this plan going forward our concern is the amount of parking. There are 253 stalls that would go in and out, with only one way in and one way out; we are just thinking of the safety of where he lives there and with no turn lane there and parking going in and out, it seems concerning. At one point the parking is only 26 feet wide. We were hoping for a little more conformity. We love South Jordan, which is why I encouraged him to purchase here, and I have worked with other cities as they do developments. To make it conform so 20 years down the road it looks great as you travel the main corridor. Anything they decide to do with the property impacts us because it is a smaller area for us to work with. We are mostly concerned with the amount of parking and people coming in and out because this only has one turn lane in and there have been accidents in the past. Dylan added that another concern is this being a sports center, so probably a lot of after work activities and a lot of stuff that is going to go later into the night, especially when it's residential right in front of the buildings. They had originally said they wouldn't have anything two story, but this is definitely going to be as high as two story. Mariam continued that it is also 35 feet high, which is a big impact to the area.

Commissioner Bevans closed the public hearing.

Staff and the commission discussed the parking requirements and noted that UDOT has reviewed and approved the access to the property. They also discussed city code requirements for operating hours and height restrictions.

Mr. Bowler addressed the hours of operation concerns, noting that without having a definite tenant list there isn't away to know what the exact operating hours would be.

Commissioner Bishop motioned to approve File Numbers PLCUP202300209 and PLSPR202300204, Site Plan and Conditional Use Permit Applications. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Bishop

Yes – Chair Hollist

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans
Absent – Commissioner Gedge

Motion passes 5-0, unanimous in favor; Commissioner Gedge was absent from the vote.

**H.2. THE MIX AT SOUTH JORDAN SUBDIVISION PRELIMINARY
SUBDIVISION.**

Address: 11147 S. Redwood Rd
File No.: PLPP202300178
Applicant: Justin Jones, Civil Science

Planner Damir Drozdek reviewed background information from the Staff Report.

Commissioner Laurel Bevans invited the applicant forward to speak with the commission.

Justin Jones (Applicant) – had nothing to add to the report.

Commissioner Bevans opened the public hearing for comments; there were no comments and the hearing was closed.

Commissioner Catmull motioned to approve File No. PLPP202300178, Preliminary Subdivision. Commissioner Bevans seconded the motion.

Roll Call Vote

Yes – Commissioner Catmull
Yes – Commissioner Bevans
Yes – Commissioner Wimmer
Yes – Chair Hollist
Yes – Commissioner Bishop
Absent – Commissioner Gedge

Motion passes 5-0, unanimous in favor; Commissioner Gedge was absent from the vote.

I. OTHER BUSINESS

City Planner Greg Schindler discussed the next meeting in March.

Commissioner Laurel Bevans reminded the commission that she and Chair Hollist will not be present at the next meeting.

ADJOURNMENT

Commissioner Bevans motioned to adjourn the March 12, 2024 Planning Commission Meeting. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Gedge was absent from the vote.

The February 27, 2024 Planning Commission Meeting adjourned at 7:10 p.m.

UNAPPROVED

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 03/26/2024

Issue: **ACCESSORY BUILDING:
CONDITIONAL USE PERMIT FOR THE ARCHITECTURAL STANDARDS OF
ACCESSORY BUILDINGS IN THE R-1.8 ZONE**

File No.: PLCUP202400026
Property Address: 2269 W. Bonanza Cir.
Applicant: David King
Submitted By: Andrew McDonald, Planner I

Staff Recommendation (Motion Ready):

I move the Planning Commission **approve** the Conditional Use Permit (File No. **PLCUP202400026**) based on the Findings and Conclusion listed in this report.

ACREAGE:	(.37) Acre
CURRENT ZONING:	Residential (R-1.8, 1.8 Units per Acre)
CURRENT/FUTURE LAND USE:	Stable Neighborhood (SN)
NEIGHBORING ZONING/LAND USE:	Single-Family Residential (R-1.8)

CONDITIONAL USE REVIEW STANDARDS:

A conditional use shall not be established or commenced without a conditional use permit approved by the Planning Commission or City Council in conformance with the requirements of City Code §17.18.050; and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified, the permit shall be indefinite and shall run with the land.

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards. The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

City Code §17.18.050 also provides standards for compliance and revocation:

1. A conditional use may be commenced and operated only upon:
 - a. Compliance with all conditions of an applicable conditional use permit;
 - b. Observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and

- c. Compliance with all applicable local, State, and Federal laws.
2. A conditional use permit may be revoked by the City Council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection I1 of this section.

BACKGROUND:

The subject property is Lot 58 of the Bonanza Acres 4 Subdivision. The application proposes to construct a detached garage in southeast corner of the property. The applicant is requesting conditional use approval for the architectural standards for accessory buildings found in City Code (see Supporting Materials). The applicant is requesting the Commission review an exception for architectural standards (A) because the proposed detached garage is taller than the main dwelling; and (C) because the average wall height above grade exceeds the wall height requirement.

ANALYSIS, CONCLUSION, & RECOMMENDATION:

Analysis:

- The applicant provided responses to Staff's concerns (see Supporting Materials). The response clarifies the applicant's intent and plans for the detached garage. Access to the building will use an existing approach on the west side of the home. The driveway access to the garage will be paved. The proposed Site Plan is included in the supporting materials.
- Accessory buildings are common to the subdivision. The Commission has approved conditional use permits for detached garages in the past. The most recent in the subdivision was approved in May 2023.
- The application does not propose livable space in the garage. A separate ADU permit would be required to add livable space.
- The proposed building elevations and floor plan are included in the Supporting Materials.
- The existing home is a classic brick and siding rambler with a shingle roof. The application proposes an exterior design of vinyl board and batten siding.
- The overall height of the existing home is roughly 17-feet. The proposed height of the detached garage is 23.43-feet, which exceeds the main home by roughly 6.5-feet and requires Planning Commission CUP approval.
-
- The proposed height requires the detached garage to be setback 11-feet from the property lines. The application proposes setbacks of 11-feet from the south and east property lines, which meet the minimum requirements of City Code.

- Any portion of an accessory building that is located within 20 feet of a property line shall not have an average wall height that exceeds 16 feet above grade. The application proposes an average wall height of 17.4-feet above grade. The proposal exceeds the maximum allowed average wall height above grade by roughly 1.4-feet, and requires Planning Commission CUP approval.
- The footprint of accessory structures in the R-1.8 Zone must be equal to or less than the footprint of the main building (including attached garages). The footprint of the existing building (including attached garage) is 1,894 sf². The proposed garage has a footprint of 800 sf².
- Properties in the R-1.8 are allowed to have 40% of the property covered by buildings and structures. Currently, the building coverage for the property is roughly 12%. With construction of the proposed building, the building coverage would be roughly 17%.

Conclusion:

Staff did not identify any detrimental effects; and the application is consistent with the General Plan and City Code.

Recommendation:

Staff recommends that the Planning Commission take comments at the public hearing; and approve the application unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended application
- Deny the application
- Schedule the application for a future date

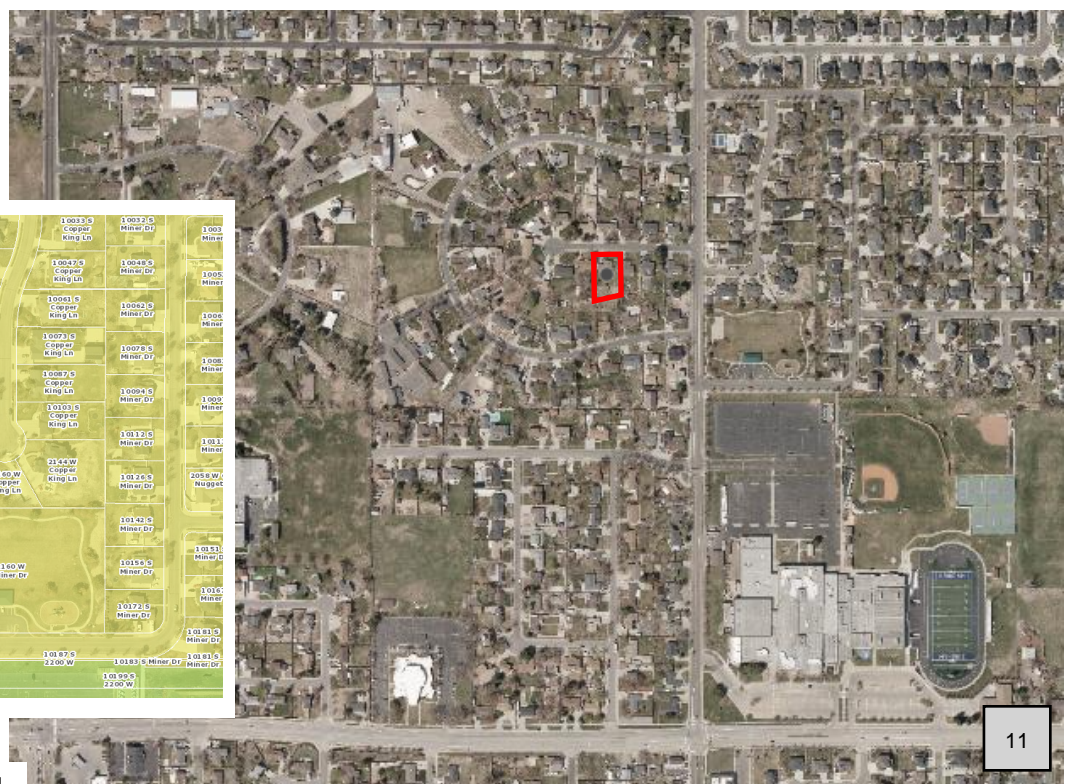
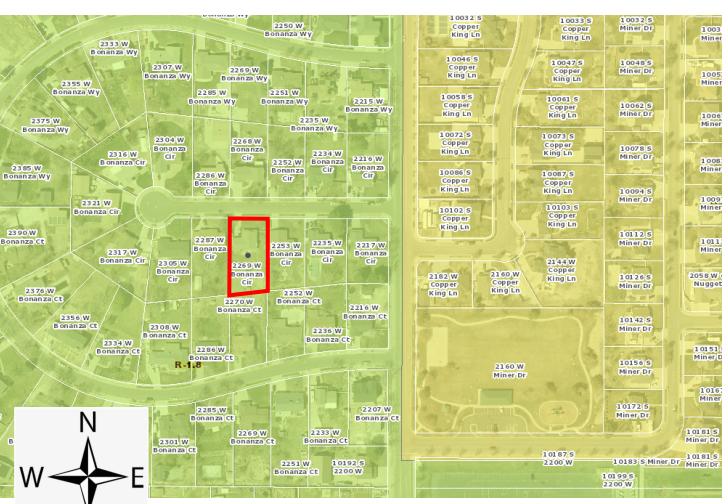
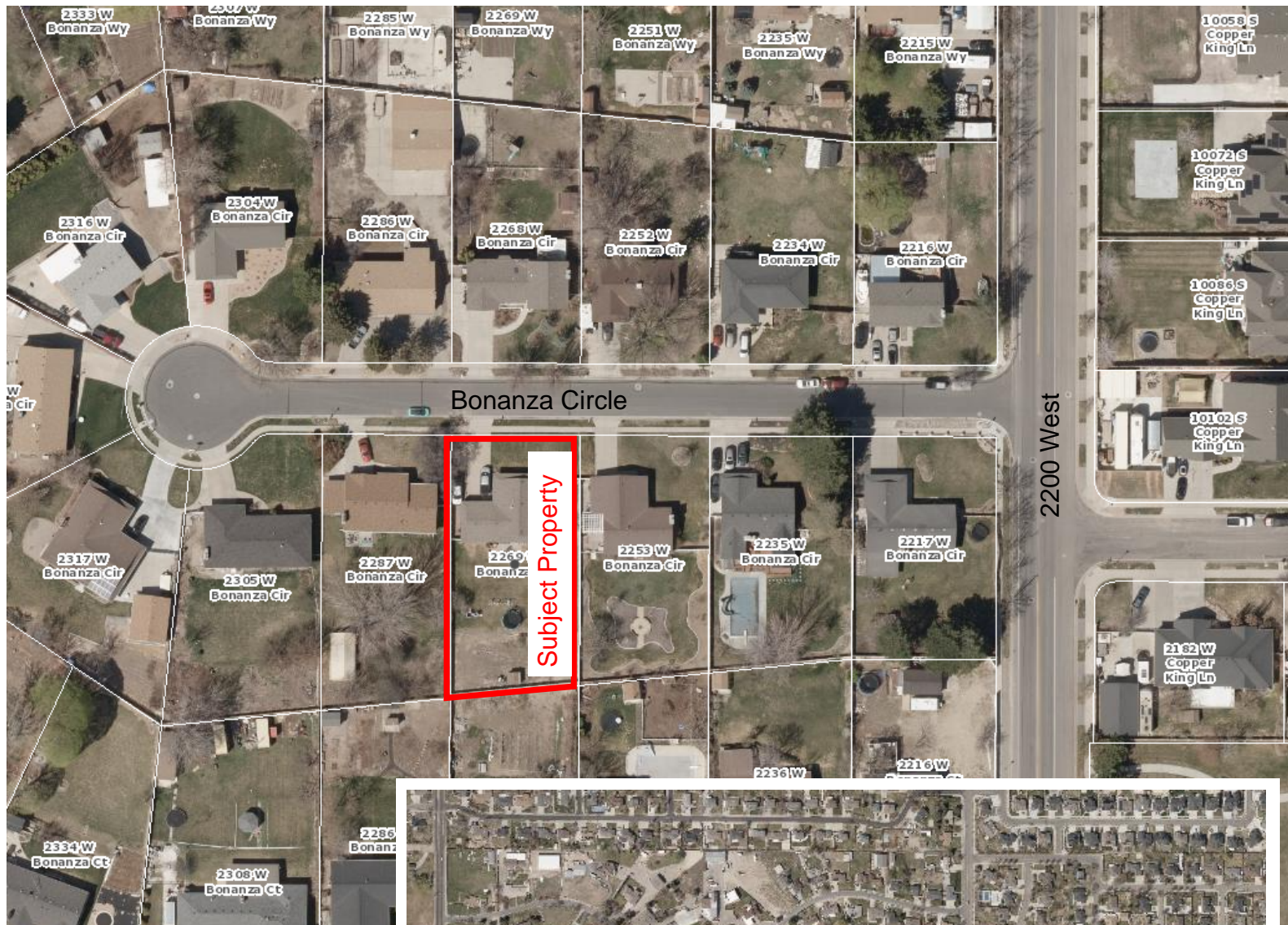
SUPPORT MATERIALS:

- Location Map & Current Zoning Map
- §17.40.020(I) “Architecture Standards for Accessory Buildings”
- Applicants Response to City Staff
- Proposed Elevations
- Proposed Floor Plan
- Proposed Site Plan
- Public Mailing Notice



Andrew McDonald, AICP Candidate
Planner I, Planning Department

Location and Current Zoning Map



Title 17.40.020(I) "Architecture Standards for Accessory Buildings"

Item H.1.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

- a. All building materials shall be high quality, durable and low maintenance.
- b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
- c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
- d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

- a. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).
- b. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.
- c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

- a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.
- b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.
- c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
 - (1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.
 - (2) The average wall height shall not exceed sixteen feet (16') above grade.
- d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.
- e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

Dawn R. Ramsey, *Mayor*
 Patrick Harris, *Council Member*
 Kathie L. Johnson, *Council Member*
 Donald J. Shelton, *Council Member*
 Tamara Zander, *Council Member*
 Jason T. McGuire, *Council Member*



CUP Corrections Notice

PH: 801.446-HELP @SouthJordanUT

TO: *David King* **DATE:** *March 04, 2024*
FROM: *City of South Jordan*
SUBJECT: *800 SF Detached Garage*
20' x 40'
Detached Accessory PRDA202400220
CUP required for proposed height being taller than the existing
home, and the average wall height exceeding (16') when the building
is within (20') of the property lines. Conditional Use Permit
(PLCUP202400026)

Please see the reviewed documents under the “Documents and Images” tab on the online city portal, which have been marked up to show any required corrections. **Resubmit corrected drawings using the “New Version” button in the appropriate submittal item spot. Ensure that you’re uploading the entire set of plans, not just pages with corrections. Any added sheets should be added at the end of the plans so that redlines will remain in their proper locations.** Please note that additional redlines may be shown upon resubmitted plans during subsequent reviews.
 Please contact Staff with any questions.

Items to be addressed prior to approval:

Planning Review Completed By: Andrew McDonald (amcdonald@sjc.utah.gov)

1. Remove the ADU reference from all the sheets. The building plans no longer include an ADU, right?
2. The second floor ADU space has been removed, right? Respond in writing why there is the need for a building (24') tall?
3. What will be happening in all the now empty space above the garage doors?
4. If there is no ADU, why is this former ADU access door remaining ?
5. Provide the new average wall height for the building. The CUP will have to approve any wall height that exceeds (16') because this building is within (20') of the property lines.

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

6. Respond in writing what the intended use of the garage will be for. What will be stored, kept, and take place in the garage?
7. Please provide in writing why the garage is being placed on the east side of the property, and not along the west side where it would be more aligned with the existing driveway access.

Sincerely,

Andrew McDonald
Planner I

Applicant's Response to above
Correction Notice items

Item H.1.

Andrew McDonald,

Please see my responses below that correspond with your questions for the plan review and the CUP review.

3. I currently have a fair amount of my personal items at storage at my Dad's garage and need to remove them from their in order to store them here. i.e. bikes, decorations, Christmas lights, lawn mowers, snow blower, etc.

4. I have attached that in the online portal as a new update plan

5. I have had the architect do so and you can see that plan in the online portal upload.

6. Correct. It is no longer on the plans and and ADU and it will no longer be added to the building as the requirements were too difficult to meet and leave my property in a functional layout. Further evidence of that is that I have also removed the mechanical room, windows, furnace, water heater, gas line diagram, power line diagram, structural requirements etc.

7. That has been address and is now on the new plan

8. Due the fact that in the future I plan on demolishing the house in the future at an unknown date and adjusting it so that it will workout better for the layout of the lot. I also would not like to have to get a an engineering permit. If there are problems with this I would like to know why my neighbor down the road was allowed a detached pole barn with the same scenario as mine meaning that he put the pole barn on the opposite side of the houses' driveway and approach.

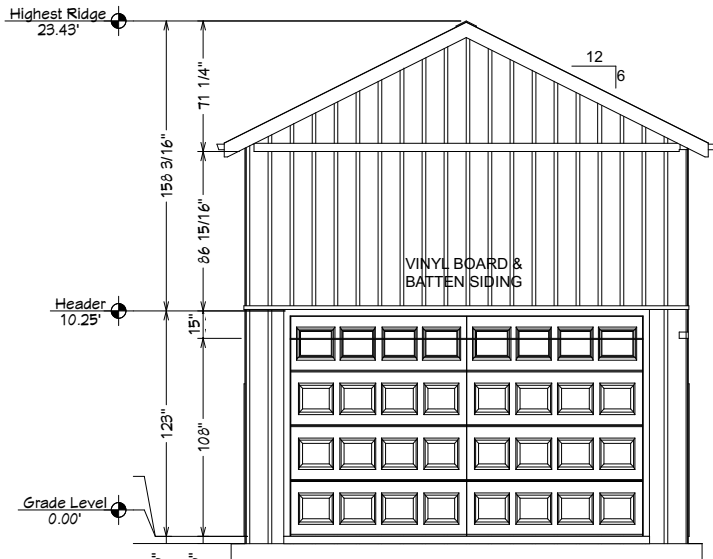
9. Below are my responses for the CUP.

1. See response 6 above.
2. See response 5/6 above.
3. Shelving to store my personal items.
4. As there will be my F350, camping trailer, flat bed and atv parked at the front of the garage I will need the other door to remove my smaller engine items i.e. lawn mowers, snow blower, etc.
5. The average wall height is 17.4' according to the plan provided.
6. Storage of my personal items as listed above.
7. See response 8 above.

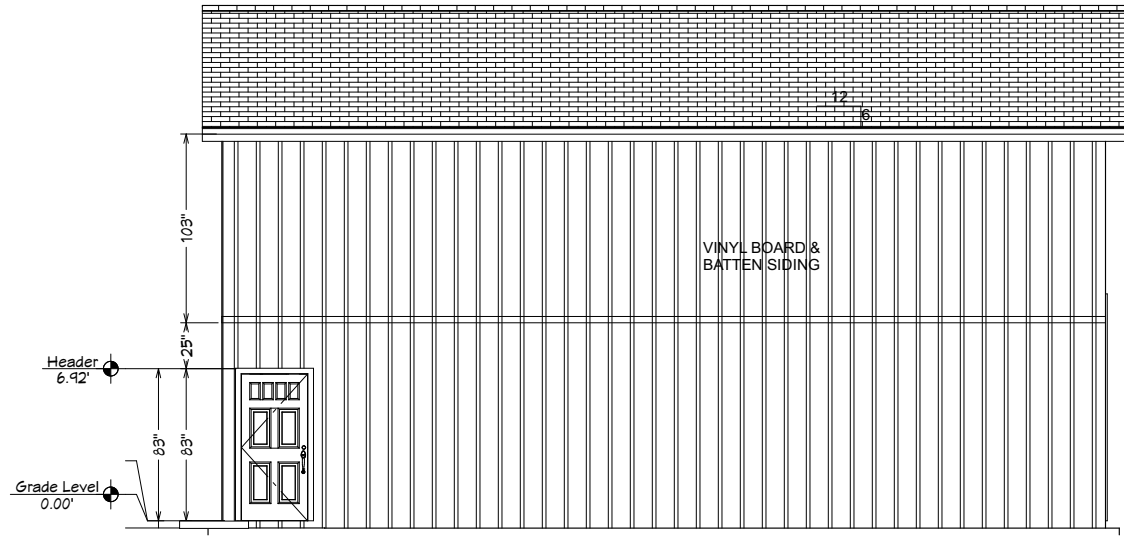
Thanks
David King

12
6 ROOF PITCH THROUGHOUT

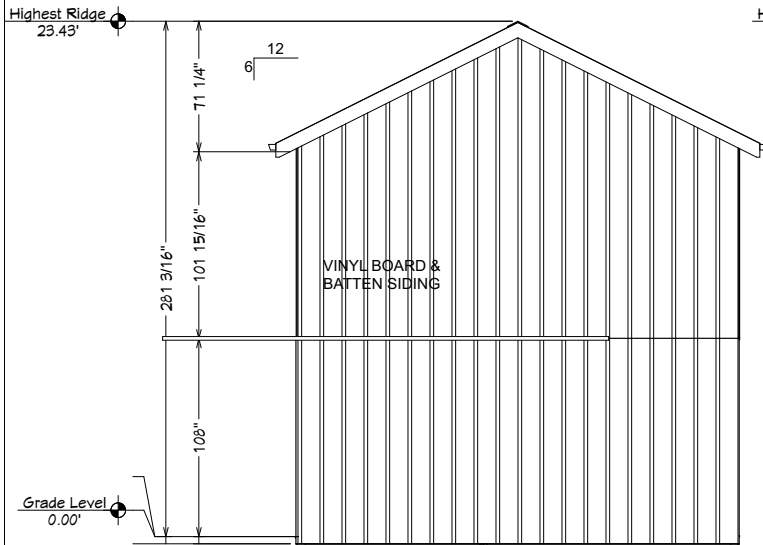
Item H.1.



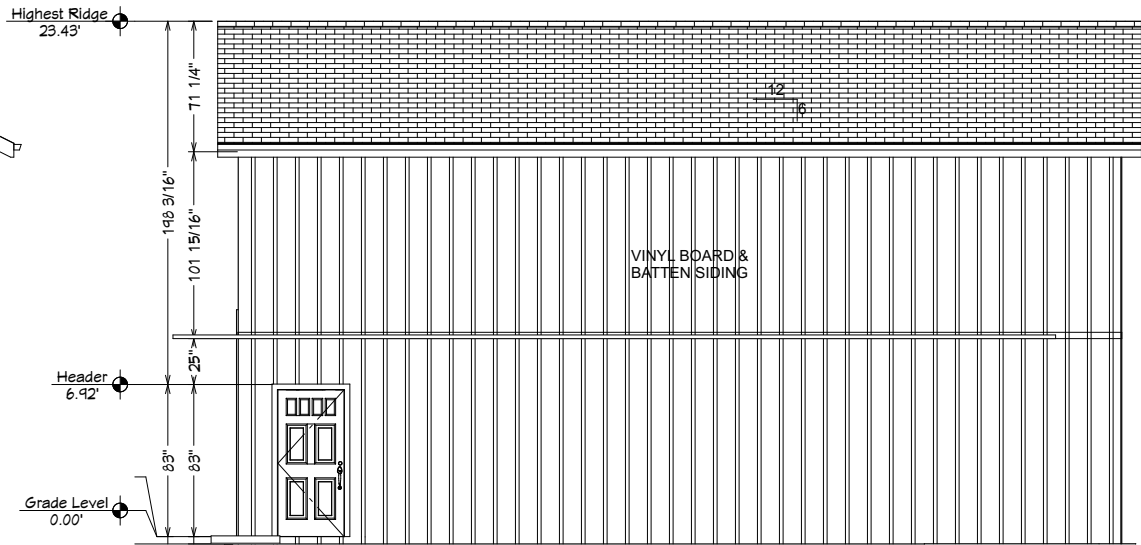
FRONT ELEVATION
1/4" = 1'



RIGHT ELEVATION
1/4" = 1'



REAR ELEVATION
1/4" = 1'



LEFT ELEVATION
1/4" = 1'

NO.	DESCRIPTION	DATE	BY
1	CITY REVIEW	07/15/2024	JB

SHEET TITLE:

ELEVATION

PROJECT DESCRIPTION:

DRAWINGS PROVIDED BY:
Jesse Beus
jesse.beus@gmail.com

DATE:

3/1/2024

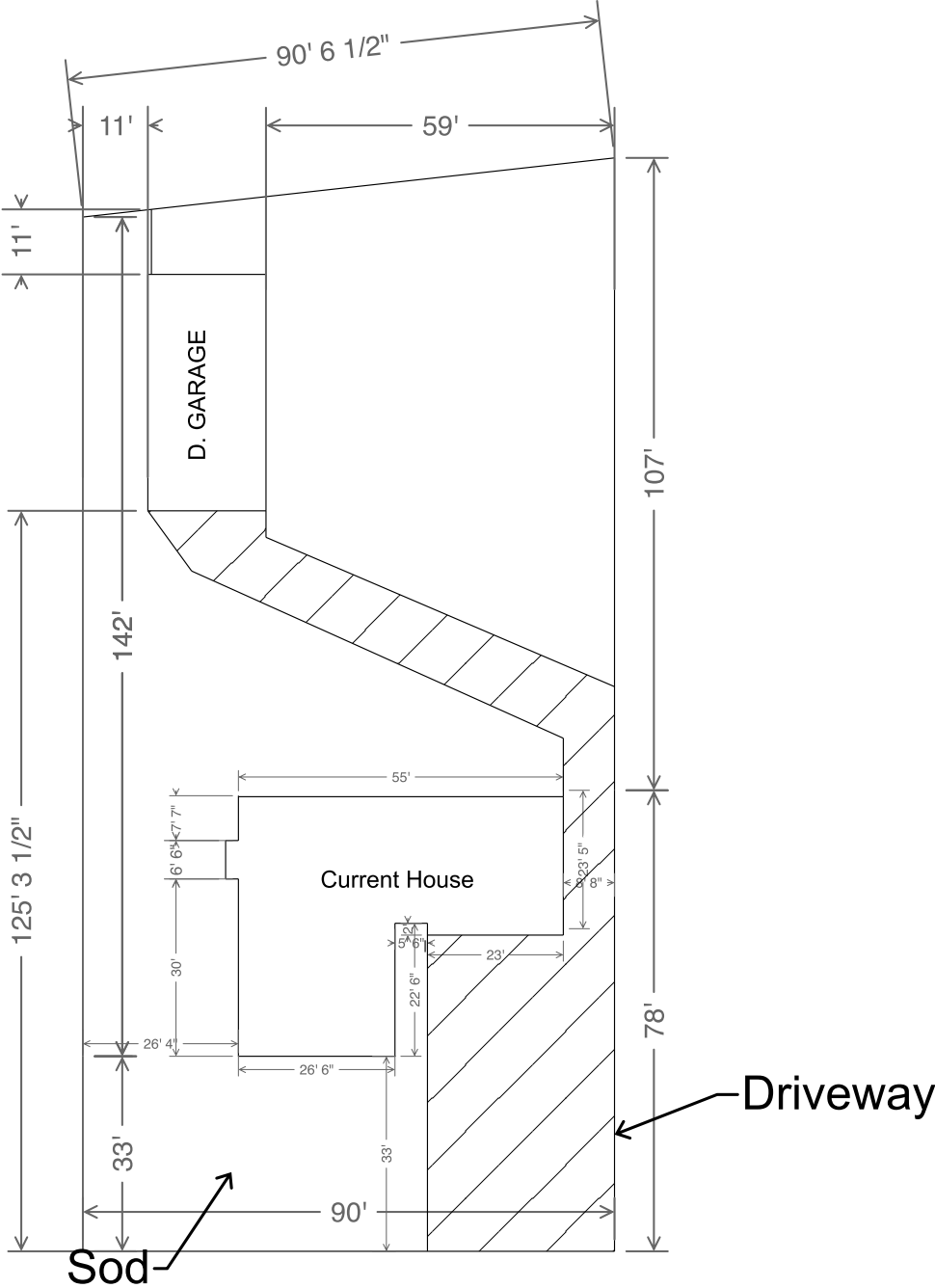
SCALE:

1/4" = 1'

SHEET:

Site Plan

Item H.1.



Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

March 14, 2024

Dear Recipient:

David King filed an application (File #**PLCUP202400026**) for property located at **2269 W. Bonanza Circle**. The applicant is requesting that the South Jordan City Planning Commission review a conditional use permit application to construct a detached building on the subject property.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject property; or are listed as an affected entity. A map showing the property location is attached to this notice.

A public hearing regarding this proposal will be held before the South Jordan City Planning Commission **at 6:30 p.m. on Tuesday March 26, 2024** in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: **<http://www.sjc.utah.gov/planning-commission/>**. Virtual attendance is contingent upon on individual's internet connection, not the City.

Public comments may be submitted by in writing by mail or by emailing Andrew McDonald at **amcdonald@sjc.utah.gov**, **by 12:00 p.m. on March 26, 2024**. This ensures that any comments received can be reviewed by the Commission, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. **There is a 10 MB file size limit on emailed comments**. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: **(801) 446-4357** during regular business hours or by contacting the email provided.

Respectfully,
Andrew McDonald, AICP Candidate
City of South Jordan Planning Department

Location Map



DRAFT

AMENDMENT TO ACCESSORY DWELLING FLOATING ZONE

(Deletions in ~~striketrough~~ and new language in **bold underline**)

17.08.010: DEFINITIONS

ACCESSORY DWELLING UNIT OR ADU: A Life Safety and Building Code compliant dwelling unit with contiguous floor space that is incidental and subordinate to a single-family residential unit of one of the following two (2) types:

Internal Accessory Dwelling Unit or IADU: An ADU, that qualifies as an internal ADU under Utah State Law, and is contained within the primary dwelling so that the ADU and the primary dwelling appear to be one (1) unit, that includes a kitchen and bathroom ~~separated from the primary dwelling by a wall, door, finished entryway, or other physical barrier that limits or restricts continuous free flow access to the ADU.~~

Guesthouse: An ADU that is detached from the primary dwelling that includes a kitchen and bathroom.

17.130.030: ACCESSORY DWELLING UNIT FLOATING ZONE

17.130.030.010: PURPOSE

17.130.030.020: REVIEW PROCESS

17.130.030.030: PROHIBITIONS

17.130.030.040: INSPECTIONS

17.130.030.050: PRIOR USE

17.130.030.060: APPEALS

17.130.030.010: PURPOSE

Accessory dwelling units or ADUs, as defined in section 17.08.010 of this Title, are intended to provide affordable housing units, economic relief to homeowners, and create desirable housing forms that appeal to households and individuals at a variety of stages in the life cycle. The Accessory Dwelling Unit Floating Zone provides regulations and design standards for ADUs. Acceptable ADUs shall be one of the following two (2) types (see section 17.08.010 of this Title for definitions):

Internal Accessory Dwelling Unit **or IADU**: An ADU, that qualifies as an internal ADU under Utah State ~~Code~~**Law**, and is contained within the primary dwelling so that the ADU and the primary dwelling appear to be one unit, that includes a kitchen and bathroom ~~separated from the primary dwelling by a wall, door, finished entryway, or other physical barrier that limits or restricts continuous free flow access to the ADU.~~

Guesthouse: An ADU that is detached from the primary dwelling that includes a kitchen and bathroom.

17.130.030.020: REVIEW PROCESS

The use of the Accessory Dwelling Unit Floating Zone may only be established in conformance with the review procedures of this section. Applicants shall follow the procedures, requirements, and standards of this Code. The use of the Accessory Dwelling Unit Floating Zone shall be conducted in accordance with approved plans.

- A. Planning Department Approval: All Internal Accessory Dwelling Units and guesthouses shall require the approval of the Planning Department before they are occupied. Applicants shall electronically submit to the Planning Department an accessory dwelling unit application that includes (1) a site plan that is drawn to scale that clearly shows the location of all existing and new structures, parking, driveways, and walkways; and (2) a floor plan that is drawn to scale with room labels and indicating designated use.
1. Resident Occupancy: For all accessory dwelling units, the owner of the property, as reflected in title records, shall make his or her legal residence on the property as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.
 2. Standards: The Planning Department shall approve accessory dwelling unit applications upon the following standards being met:
 - a. Zoning: The Accessory Dwelling Unit Floating Zone shall be applied to conforming single-family dwellings in the following zones: A-5, A-1, R-1.8, R-2.5, R-3, R-4 and R-5. ~~Guesthouses shall only be approved in the A-5, A-1, and R-1.8 Zones.~~ Approved accessory dwelling units shall meet the requirements of the underlying zone. Only one (1) ADU is allowed per lot. ADUs are not allowed in conjunction with mobile homes or any form of attached housing units.
 - b. Lot Size: An internal ADU shall only be approved on a lot that is greater than six thousand (6,000) square feet in area. A guesthouse shall only be approved on a lot that is equal to or greater than fourteen thousand five hundred twenty (14,520) square feet in area. The addition of an accessory dwelling unit shall not violate the maximum building coverage requirements outlined in sections 17.40.020 and 17.30.020 of this Title.
 - c. Parking: A minimum of one (1) off-street parking spaces, in addition to those already required for the single-family home, shall be provided for an accessory dwelling unit and shall not render the required parking spaces for the single-family home inaccessible. All parking spots shall meet the requirements of Chapter 16.26 of this Code.
 - d. Setbacks: All ADUs that propose modifications visible from the exterior of the home (i.e., additions and remodels to the primary dwelling or construction of a guesthouse) shall comply with the following requirements:
 - (1) Setbacks, ADUs shall comply with the setbacks of the underlying zone or as approved with the subdivision. Guesthouses shall comply with the required setbacks of the underlying zone for an accessory building, however, in no case shall a guesthouse be located closer than ten feet (10') from a side or rear property line.

- (2) Exterior Appearance: ADUs shall be designed so that the appearance of the lot, building structure, and landscaping retain the character of a single-family neighborhood.
 - (3) Architectural Compatibility: ADUs shall be designed and constructed to be compatible with the exterior of the primary dwelling (e.g., exterior materials, colors, and roof pitch) in order to maintain the appearance of the primary dwelling as a single-family dwelling.
- e. Guesthouse Maximum Size: In all cases a guesthouse shall remain subordinate and incidental to the primary dwelling. No guesthouse shall have more than three (3) bedrooms. The floor space of a guesthouse shall comprise no more than thirty-five percent (35%) of the living area of the primary dwelling or be greater than one thousand five hundred (1,500) square feet, whichever is less, unless, in the opinion of the Planning Commission, a greater amount of floor area is warranted.
3. Affidavit: Applicants for ADUs shall sign and record an affidavit stating that the owner will comply with all regulations of the Accessory Dwelling Unit Floating Zone and will live in either the primary or accessory dwelling unit as their permanent residence. The affidavit shall also include authorization of annual inspections of the ADU by City Staff to ensure compliance with all regulations of the Accessory Dwelling Unit Floating Zone.
- B. Building Permit Requirements: In addition to the approval required from the Planning Department, all accessory dwelling units that propose construction or remodeling shall require a building permit from the Building Division and shall conform to all applicable standards in the City's adopted Building Codes. The applicant shall obtain all necessary building permits and pay applicable fees prior to any construction, remodeling, or use of any ADU. ADUs shall not be approved on properties that have outstanding ordinance or building violations or are nonconforming uses or structures. Floor plans, architectural elevations, and structural calculations, as may be required, shall be submitted to the Building Division.
- C. Guesthouse Planning Commission Approval: In addition to the requirements of subsections A and B of this section, guesthouses that propose a floor area greater than thirty five percent (35%) of the living area for the primary dwelling or one thousand five hundred (1,500) square feet shall require review and approval by the Planning Commission.

17.130.030.030: PROHIBITIONS

The installation of additional outside entrances visible from the street, separate utility meters, mailboxes, and addresses, is not permitted as such elements may compromise the appearance of the primary dwelling as a single-family dwelling. Internal ADUs shall not be rented or offered as rental units for any period less than thirty (30) consecutive days.

17.130.030.040: INSPECTIONS

Yearly interior and exterior inspections may be required to determine compliance with all regulations of the Accessory Dwelling Unit Floating Zone, as may be deemed appropriate by City Staff. If the owner of the property containing an ADU violates the provisions of this Code, the City may hold a lien against the property as allowed in the Utah State Code.

17.130.030.050: PRIOR USE

An existing accessory dwelling unit may be approved if the ADU complies with the requirements of this section 17.130.030. If a certificate of occupancy was not issued at the time of construction or remodeling, the applicant shall apply for a building permit and the chief building official, or his designee, shall inspect the ADU for Code compliance. All documented violations shall be corrected prior to approval of the ADU. Any uses or dwellings which previously conformed to prior ordinances, including having obtained all necessary and applicable permits, but do not now conform due to adoption of this section 17.130.030, shall be permitted to continue as a legal nonconforming use.

17.130.030.060: APPEALS

Decisions by the Planning Department and/or the Planning Commission regarding the issuance or denial of an accessory dwelling unit may be appealed to the Appeals and Variance Hearing Officer in accordance with section 17.16.020.020 of this Code.