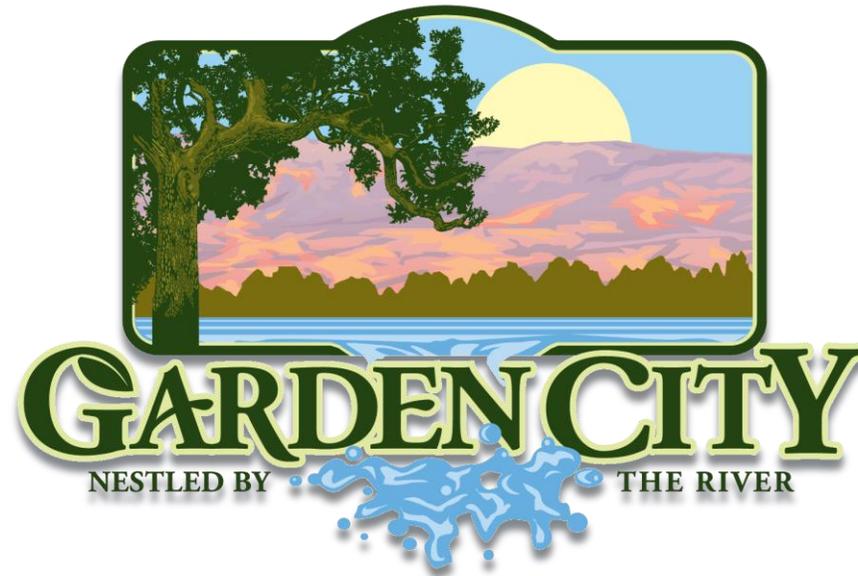


Planning and Zoning

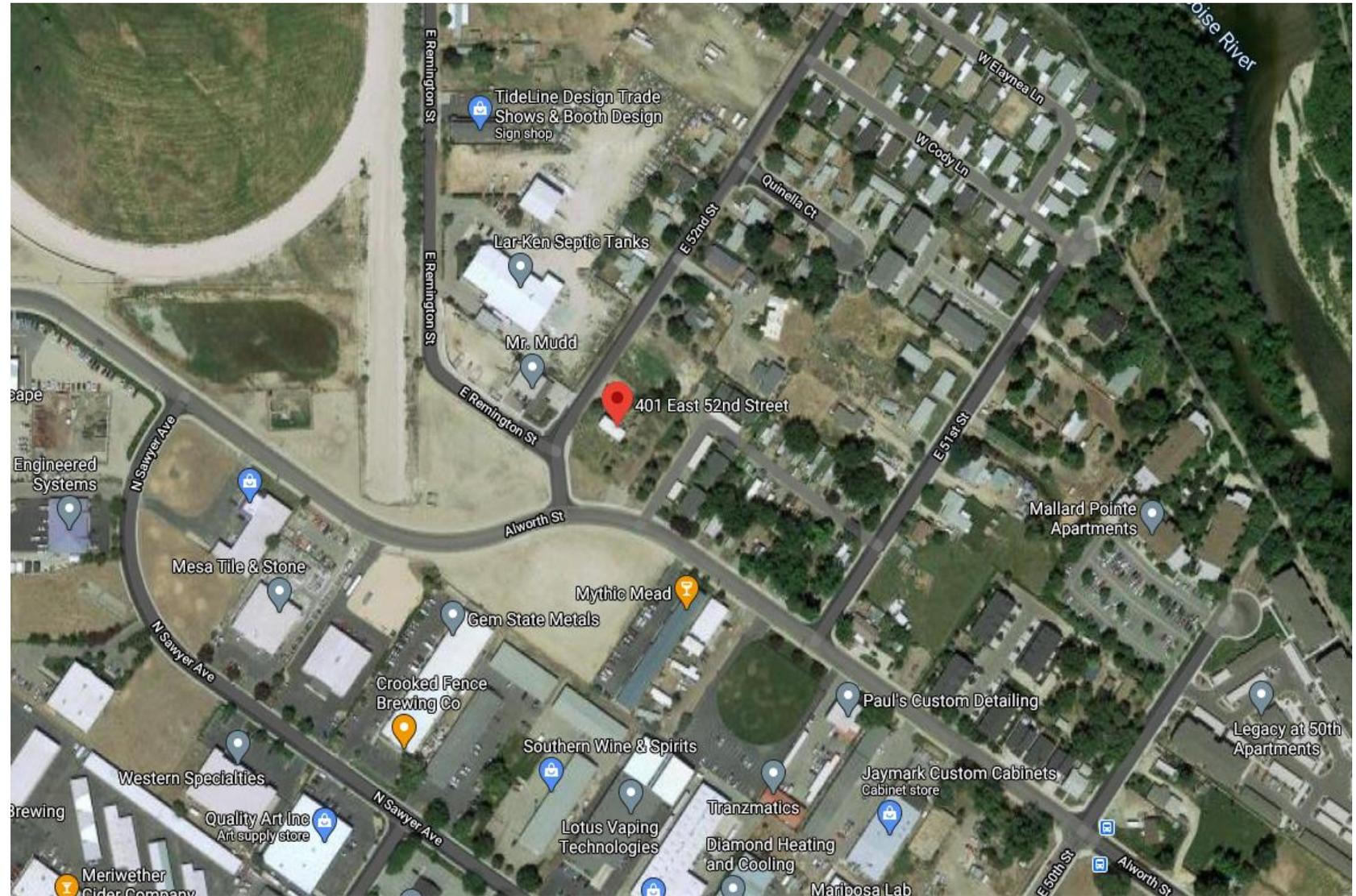


September 16, 2020

Vicinity

Surrounding Uses:

- Single family dwelling units
- Manufactured home Park
- Service Provider



Code Compliance Discussion

1. Request for a detached dwelling unit that which exceeds the allowed 600 square feet permitted by code.
2. A waiver of allowable maximum square footage of an accessory structures.
3. A waiver of the required minimum density of 14 units/acre.

Code allows for the approval of a conditional use permit to authorize the waiver of maximum square footage dedicated to accessory structures and minimum density required. However, there is not a provision to allow for a conditional use permit to permit a secondary detached single- family structure or an accessory dwelling greater than 600 square feet

Garden City Code 8-4B-3:
Accessory structures

“Accessory structures and all portions of the principal structure, such as an attached garage, that are utilized for residential accessory uses over a combined one thousand (1,000) square feet may not exceed the combined square footage of the principal dwelling unit.”

Garden City Code 8-7A:
Single Family and Two-Family
Dwelling

“A structure consisting of one (1) or two (2)
dwelling units and separated from other dwelling
units by open space.”

Garden City Code 8-7A:
Accessory Dwelling Unit

“A dwelling unit either within the principal structure or in a detached structure that is incidental and subordinate to the principal structure and is located upon the same property.”

Alternative Solutions for Applicant

1. Submit for a Planned Unit Development (PUD), and do not subdivide, but ask for a waiver to the accessory dwelling limitation.
2. Subdivide, and have the proposed home on its own lot.
3. Build a 600sqft accessory dwelling unit, then go through the subdivision process, then add onto the initial accessory dwelling unit.
4. Apply to change code.
5. Build a 600sqft accessory dwelling unit.

Duplex that meets all planning, IRC, Fire, etc. codes could possibly be permitted. Would need Design Review.

Waiver to Minimum Density

This property is located in:

1. The Mixed-Use Residential land use designation of the Comprehensive Plan;
2. The TOD designations of the Comprehensive Plan.

The applicant has proposed a single dwelling unit on 0.682 acres, which is below the 14 unit threshold required when located within a TOD node Comprehensive Plan designation. The minimum number of units required on a .682 acre property to meet the 14 unit threshold is 10.



Agency Comments

- There does not appear to be evidence on the record or comments from agencies that indicated the waiver is not able to be supported by public facilities or services.
- The applicant would be required to meet all applicable Garden City Code and agency requirements, including any required permits and additional reviews.



Conclusion of Law GCC 8-6B-2 – Conditional Use

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;
3. The use will not unreasonably diminish either the health, safety or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.



Potential Actions

1. Approve the application;
2. Conditionally approve the application with the requirement that the committee review further design details;
3. Deny the application.

Discussion and Questions
