



Staff Report

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Kristina Gilmore, AICP, Principal Planner
Kristina.gilmore@slcgov.com or 801-535-7780

Date: June 26, 2019

Re: Detached Accessory Dwelling Unit – Conditional Use (PLNPCM2019-00325)

Conditional Use

PROPERTY ADDRESS: 64 West Andrew Avenue
PARCEL ID: 15-13-233-028-0000
MASTER PLAN:
ZONING DISTRICT: R-1/5000 (Single Family Residential)

REQUEST: ASSIST Inc., the representative of the owner of the property at approximately 64 W Andrew Avenue, is requesting Conditional Use approval to construct an Accessory Dwelling Unit (ADU) in the rear yard of the property. The property is located in the R-1/5,000 (Single Family Residential) zoning district which requires a Conditional Use process for construction of an ADU.

RECOMMENDATION: Planning Staff finds the project generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the Conditional Use for the ADU with the conditions of approval below. Final approval of the details noted in the following conditions shall be delegated to Planning Staff:

1. Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where egress windows are required.
2. Site plan will be revised to meet requirements from other divisions as outlined in [Attachment G Department Comments](#).
3. The applicant has indicated that the ADU will be occupied by a relative. If this is not the case, the applicant shall comply with the registration process outlined in section 21A.40.200.F of the Salt Lake City zoning ordinance.
4. Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Additional Information Provided by Applicant](#)
- C. [Property and Vicinity Photos](#)

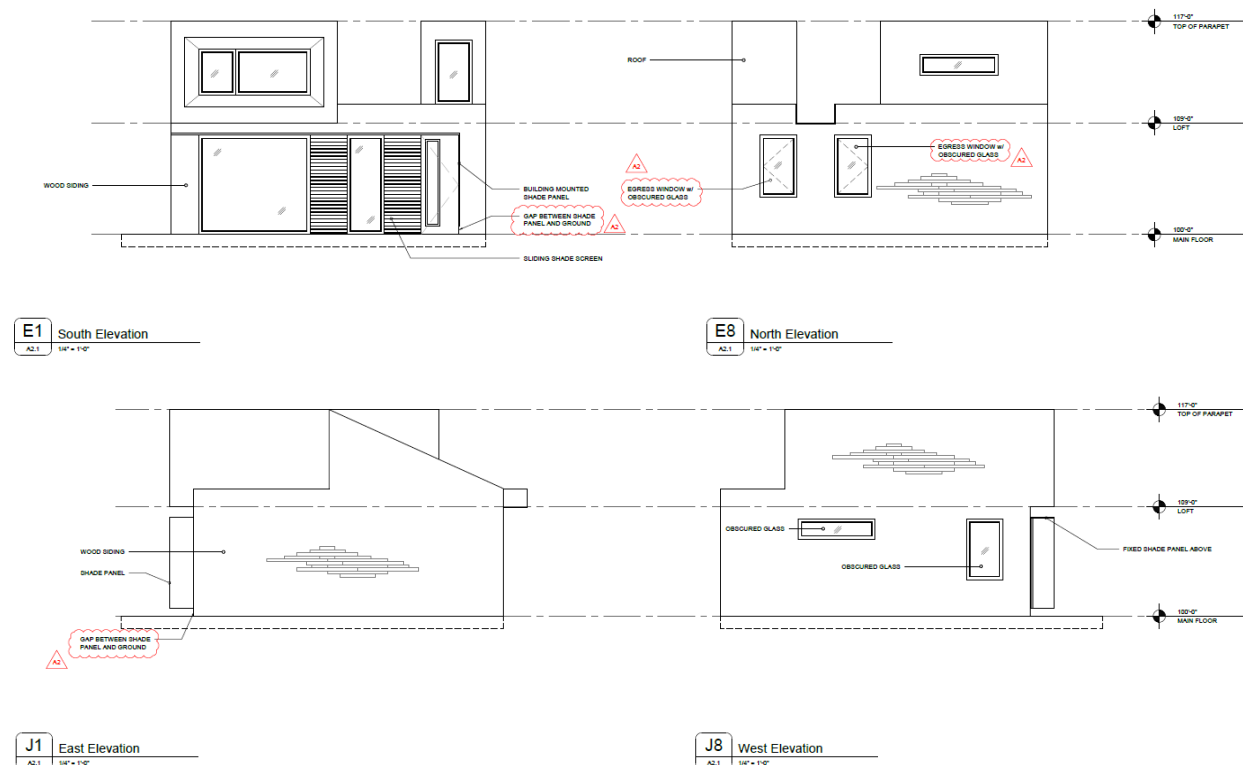
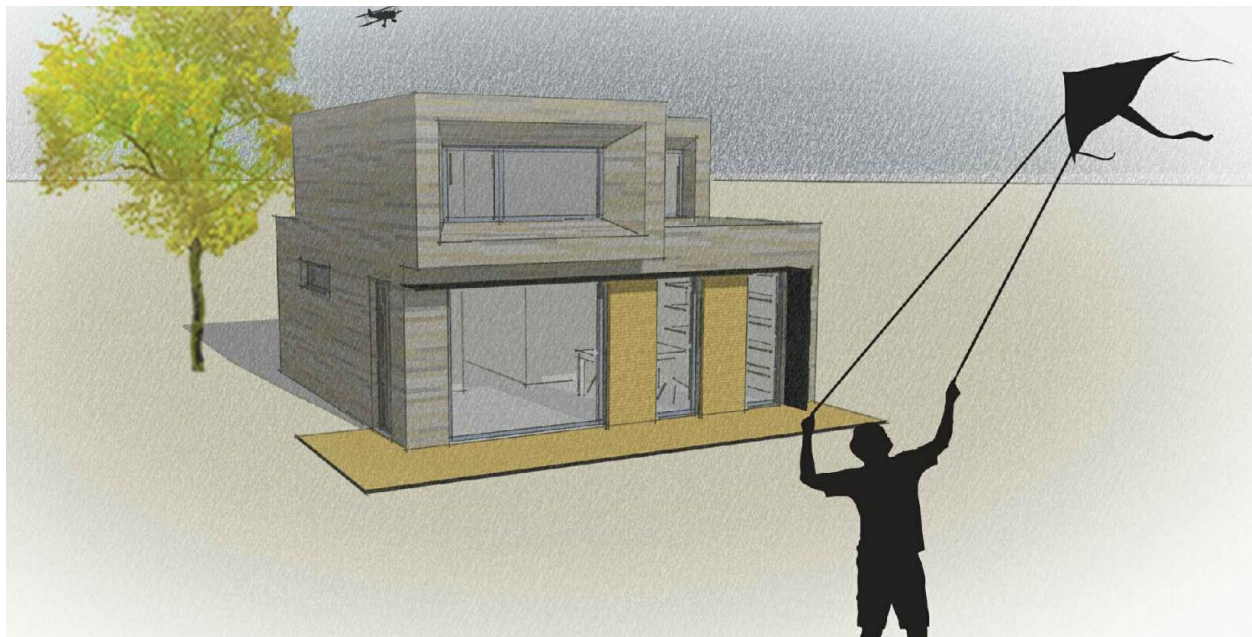
- [D. Plan Set](#)
- [E. ADU Zoning Standards](#)
- [F. Conditional Use Standards](#)
- [G. Public Process & Comments](#)
- [H. Department Review Comments](#)

PROJECT DESCRIPTION: The proposal is for construction of a detached ADU in the rear yard of the property located at 64 West Andrew Avenue. The proposed ADU will not exceed 650 square feet. The ADU is within ¼ mile of a UTA bus stop meaning that the requirement for an off-street parking stall may be waived.

The proposed ADU has a pitched roof height that will not exceed the maximum height of 17 feet. The primary exterior building material is a horizontal wood siding which is in similar character to the primary residence. The proposed windows are casement style, similar to several on the primary residence. The ADU is proposed as a energy-efficient passive house. The entrance to the proposed ADU faces the rear of the existing primary residence.



 *Approximate location of proposed ADU*



Applicant submitted drawing and elevations

PLANNING COMMISSION REVIEW:

The property is located in the R-1/5,000 zoning district, which is a single family zoning district. A Conditional Use process is required for any ADUs located in a single family zone. For complete analysis and findings in relation to the Conditional Use standards, please refer to [Attachment E](#).

NEXT STEPS:

Approval of Conditional Use

If the request is approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning

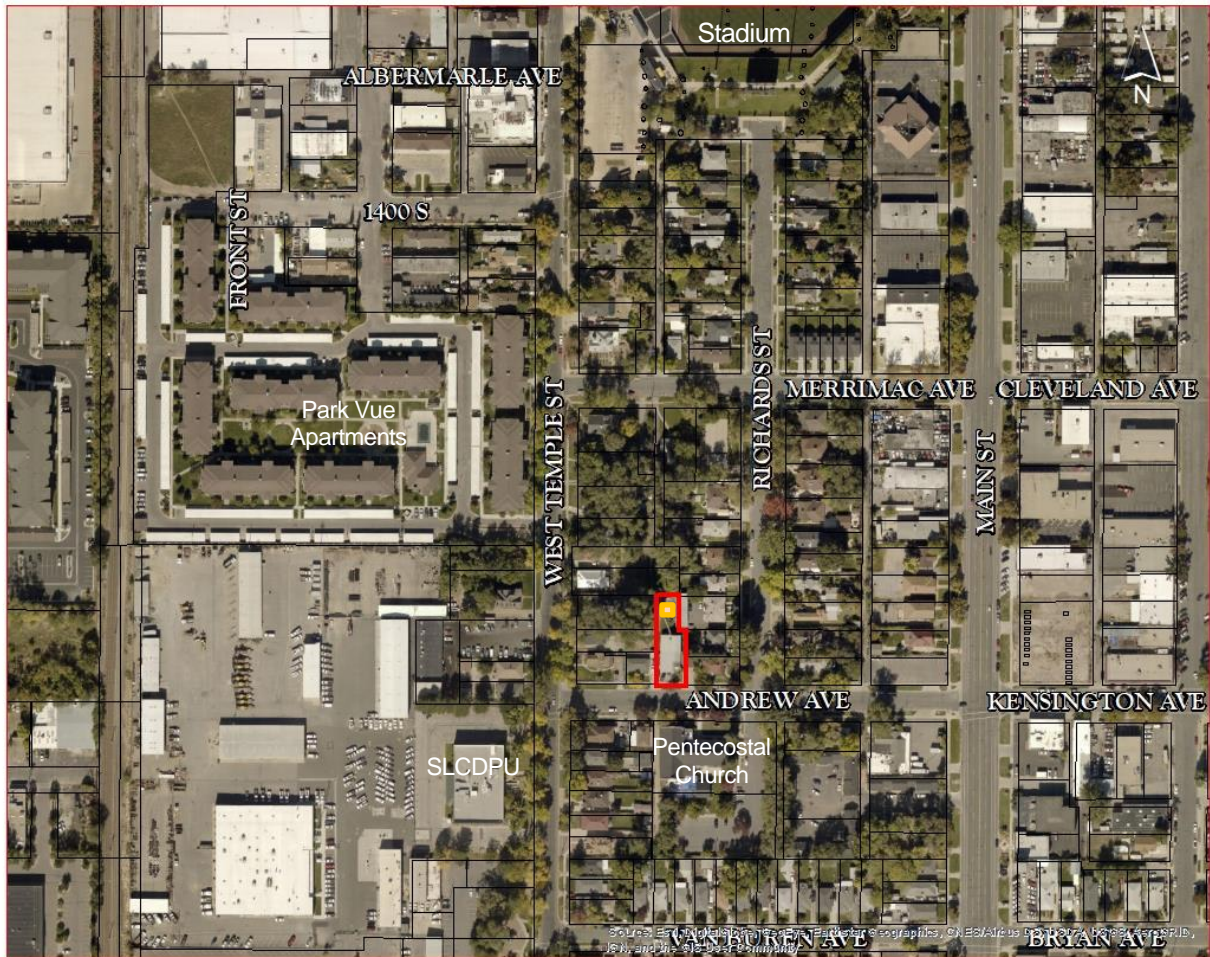
Commission. The applicant will be able to submit plans for building permits and certificates of occupancy once all the conditions of approval are met.


Denial of Conditional Use

State and City code requires 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 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-1/5,000 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 an accessory building is 17 feet.

ATTACHMENT A – VICINITY MAPS



 Approximate location of proposed ADU



**ATTACHMENT B – ADDITIONAL INFORMATION
PROVIDED BY APPLICANT**



April 13, 2019

CONDITIONAL USE APPLICATION FOR:
Kunga Residence – Accessible Accessory Dwelling Unit

21A.54.080: STANDARDS FOR CONDITIONAL USES:

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. 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, the conditional use shall be denied.

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:

We used the newly available Salt Lake City's ADU handbook to design the project in compliance with all applicable rules.

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses:

We propose to add a code-compliant, ADU rule compliant residential 1 bedroom ADU into a R-1-5000 residential area.

3. The use is consistent with applicable adopted city planning policies, documents, and master plans:

We propose to add a code-compliant, ADU rule compliant residential 1 bedroom ADU into a R-1-5000 residential area. Due to the zoning, this Conditional Use Permit application is required.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

The proposed project will not create any detrimental effects with its residential use within a residential area. As a matter of fact, this University of Utah, School of Architecture-driven Design+Build project will produce a case study for a highly energy-efficient, sustainable and therefore resilient project that tries to contribute to a mitigation of Salt Lake City's housing crisis.

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:

We propose to add a code-compliant, ADU rule compliant residential 1 bedroom ADU into a R-1-5000 residential area. Due to the zoning, this Conditional Use Permit application is required.

2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps:

We propose to add a code-compliant, ADU rule compliant residential 1 bedroom ADU into a R-1-5000 residential area. Due to the zoning, this Conditional Use Permit application is required – once granted, the project's use is consistent with all applicable policies.

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:

Besides adhering to the scale of the surrounding buildings and outbuildings (such as residential buildings, but more importantly garages and storage buildings as secondary structures on adjacent sites), the unit's residential use compares very well to existing residential use 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:

Besides adhering to rules of the ADU Handbook regarding size, massing and building height, the proposed ADU structure is very comparable to adjacent structures. Proposing a wooden siding on the facades, the ADU will reflect a façade material that has been used by many neighboring buildings.

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows:

The existing building on the lot already provides more private parking in the front of the property than required by code (4 altogether). The site is flat, with a natural access point and path to the ADU on the north part of the property given.

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic:

The ADU will be designed and build for the Kunga family's mother, Phurbu Dolma, who suffered a severe car accident in 2000, causing her to become a paraplegic. Moving her to the back of the property, where she will have additional privacy will not add any motorized vehicle or traffic to the property. The unit is not planned to be rented out to any external person.

7. The site is designed to enable access and circulation for pedestrian and bicycles:

Please refer to the site plan. The new, linear access to the west of the existing building is already designed for back yard access – with the proposed design, a linear, paved pathway will connect the ADU in the back of the property directly to the street – both for pedestrians as well as bicyclists.

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street:

The ADU will be designed and build for the Kunga family's mother, Phurbu Dolma, who suffered a severe car accident in 2000, causing her to become a paraplegic. Moving her to the back of the property, where she will have additional privacy will not add any motorized vehicle or traffic to the property. The unit is not planned to be rented out to any external person.

9. The location and design of off-street parking complies with applicable standards of this code:

Please see above – the site already offers parking for 4 cars in the front of the property and under the exiting building's roof, which is entirely code compliant.

10. Utility capacity is sufficient to support the use at normal service levels:

Yes – we are adding basically a one-bedroom place to the existing services; with the person to be living in that ADU already living in the main house. The house has a 200 amp electrical service, and an existing water and sewer connection that will allow us to tie into those services. The gas service will not be used since we are proposing a Passive House, highly energy-efficient building that will be all-electrical, to allow the Kunga family in the future to possibly offset the energy use through photovoltaic panels on the main house.

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts:

The Kunga ADU – as a solely residential unit, integrates well into the residential neighborhood, as also described above.

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:

None of these concerns are applicable to the Kunga ADU.

13. The hours of operation and delivery of the use are compatible with surrounding uses:

The Kunga ADU – as a solely residential unit, integrates well into the residential neighborhood and does not have any changes to its hours of operation and/or deliveries, since the occupant already lives in the main house, as also described above.

14. Signs and lighting are compatible with, and do not negatively impact surrounding uses:

There will be no signs and no additional exterior lighting, except for a regular entry door light as required by code.

15. The proposed use does not undermine preservation of historic resources and structures:

The Kunga ADU will not undermine preservation of historic resources and structures.

ATTACHMENT C – PROPERTY AND VICINITY PHOTOS



Main house on subject property



Adjacent property to the west (left)



Adjacent property two parcels west (left) looking toward the property



Adjacent property to the east (right)



Adjacent property on West Temple



Adjacent property across the street

ATTACHMENT D – PLAN SET

1234567891011121314

A

B

C

D

E

F

G

H

I

J

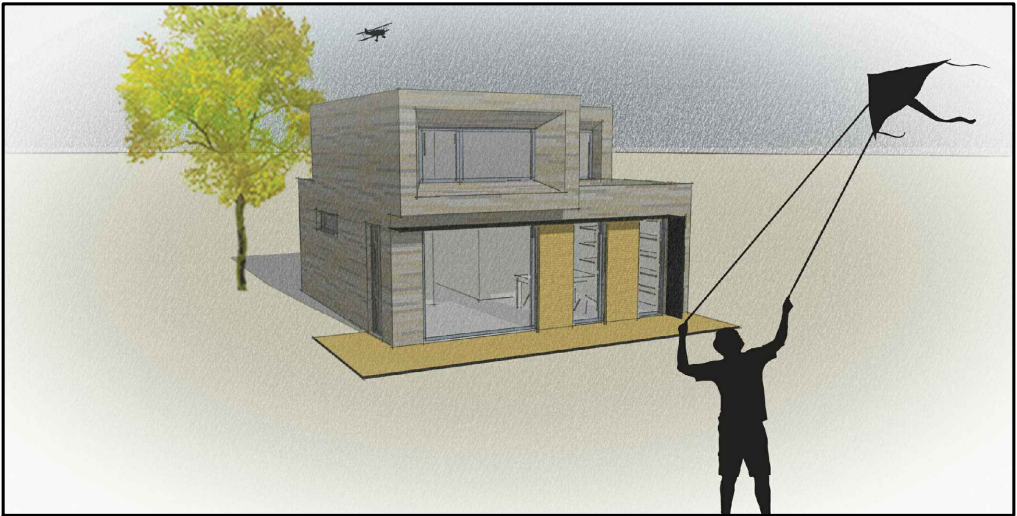
Kunga Residence - Accessible Accessory Dwelling Unit

62 WEST ANDREW AVENUE - SALT LAKE CITY - UT, 84115

Vicinity Map

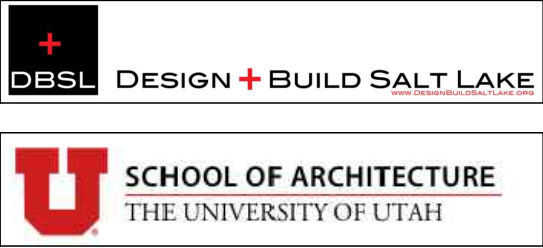


Project Description



Drawing Index Sheet

- T0.1 SYMBOLS & ABBREVIATIONS
- C1.1 SITE PLAN
A1.1 BUILDING FLOOR PLAN & BUILDING SECTIONS
A2.1 ELEVATIONS



Project Contact Information

OWNER:
PHURBU DOLMA & THUPTEN KUNGA
CONTACT: TENZIN LHANZEY
62 WEST ANDREW AVENUE
SALT LAKE CITY, UT 84115
801.712.6825

ARCHITECT:
ASSIST INC COMMUNITY DESIGN CENTER
CONTACT: JASON WHEELER
218 EAST 500 SOUTH
SALT LAKE CITY, UT 84111
801.355.7085

DESIGN LEAD:
DESIGN + BUILD SALT LAKE
CONTACT: JÖRG RÜGEMER
375 SOUTH 1530 EAST
SALT LAKE CITY, UT 84112
RUEGEMER@ARCH.UTAH.EDU

STRUCTURAL ENGINEER:
EASE INC.
CONTACT: SARAH L. WINKLER
323 5TH AVENUE
SALT LAKE CITY, UT 84103
801.554.6974

DESIGN + BUILD SALT LAKE IS A GRADUATE ARCHITECTURE PROGRAM AT THE UNIVERSITY OF UTAH FOCUSED ON IMMERSING STUDENTS IN HANDS-ON EXPERIENCE. D+B SL WORKS IN PARTNERSHIP WITH COMMUNITY ORGANIZATIONS AND RESIDENTS IN THE SALT LAKE VALLEY.

THE KUNGA FAMILY ARE OF TIBETAN ORIGIN WITH STRONG FAMILY TIES. THE PROPOSAL FOR AN ACCESSIBLE ACCESSORY DWELLING UNIT IS TO CONTINUE TO FOSTER A MULTIGENERATIONAL HOUSEHOLD WITH GROWING NEEDS. PHURBU DOLMA SUFFERED A SEVERE CAR ACCIDENT IN 2000, CAUSING HER TO BECOME A PARAPLEGIC. THE UNIVERSITY OF UTAH ARCHITECTURE STUDENTS WILL WORK ALONG SIDE THE FAMILY TO PRODUCE A HIGHLY EFFICIENT, SUSTAINABLE AND ACCESSIBLE DESIGN TO FIT THE NEEDS OF THE FAMILY.

PARCEL INFORMATION:
PROPERTY SIZE 7,987 SF
ZONING R-1-5000

ACCESSORY DWELLING UNIT

Phurbu Dolma & Thupten Kunga
64 West Andrew Avenue
Salt Lake City, UT 84115

801.712.6825
Tenzin Lhanzey / Daughter
karlhasong@gmail.com

assist

COMMUNITY DESIGN CENTER

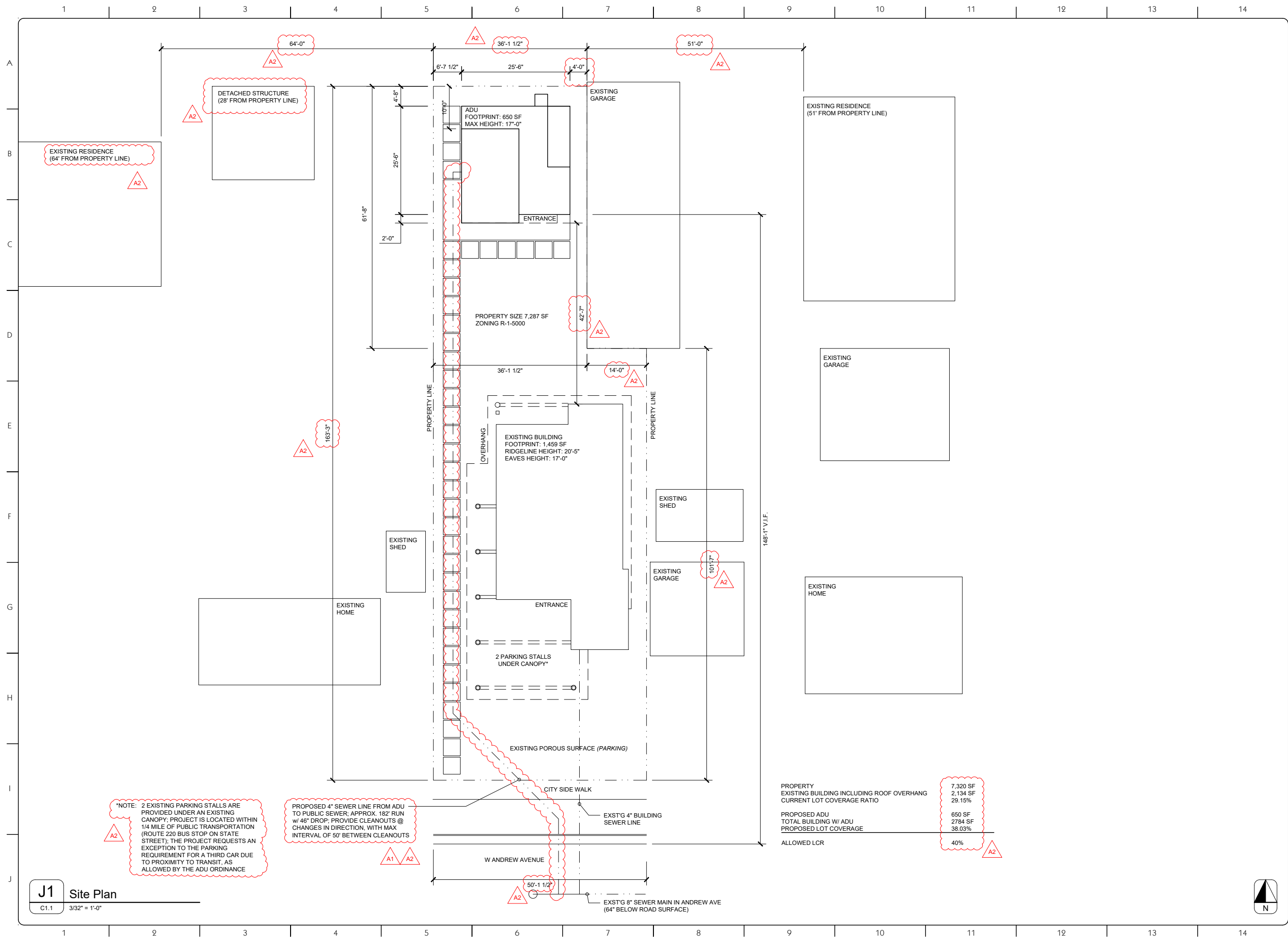
Tel: 801.355.7085 | www.assistutah.org
218 East 500 South | Salt Lake City, UT 84111



Revision	Date
Project No:	0000002
Date:	04.11.2019
COPYRIGHT 2019 ASSIST Community Design Center	

Title Sheet

T0.0



ACCESSORY DWELLING UNIT

Phurbu Dolma & Thupten Kunga
64 West Andrew Avenue
Salt Lake City, UT 84115

801.712.6825
Tenzin Lhanzey / Daughter
karlhasong@gmail.com

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | www.assistutah.org
218 East 500 South | Salt Lake City, UT 84111

STATE OF UTAH
JASON WHEELER
9484230-0301
LICENSED ARCHITECT

June 12, 2019

Revision	Date
Addendum 1	04.23.2019
Addendum 2	06.12.2019

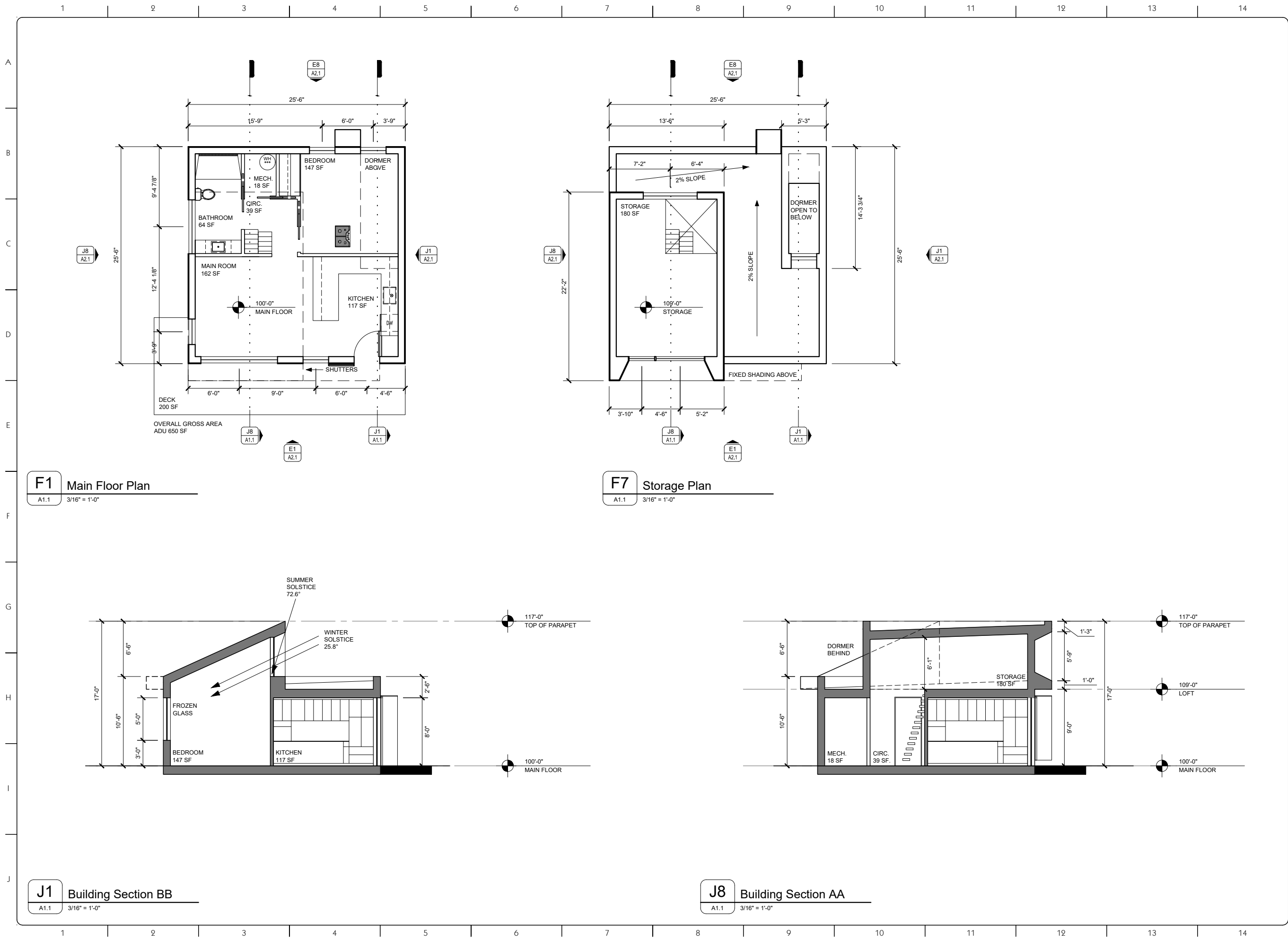
Project No: 0000002

Date: 04.11.2019

COPYRIGHT 2019
ASSIST Community Design Center

Site Plan

C1.1



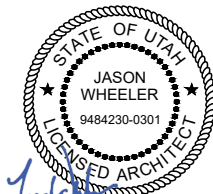
ACCESSORY DWELLING UNIT

Phurbu Dolma & Thupten Kunga
64 West Andrew Avenue
Salt Lake City, UT 84115

801.712.6825
Tenzin Lhanzey / Daughter
karlhasong@gmail.com

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | www.assistutah.org
218 East 500 South | Salt Lake City, UT 84111



June 12, 2019

Revision

Date

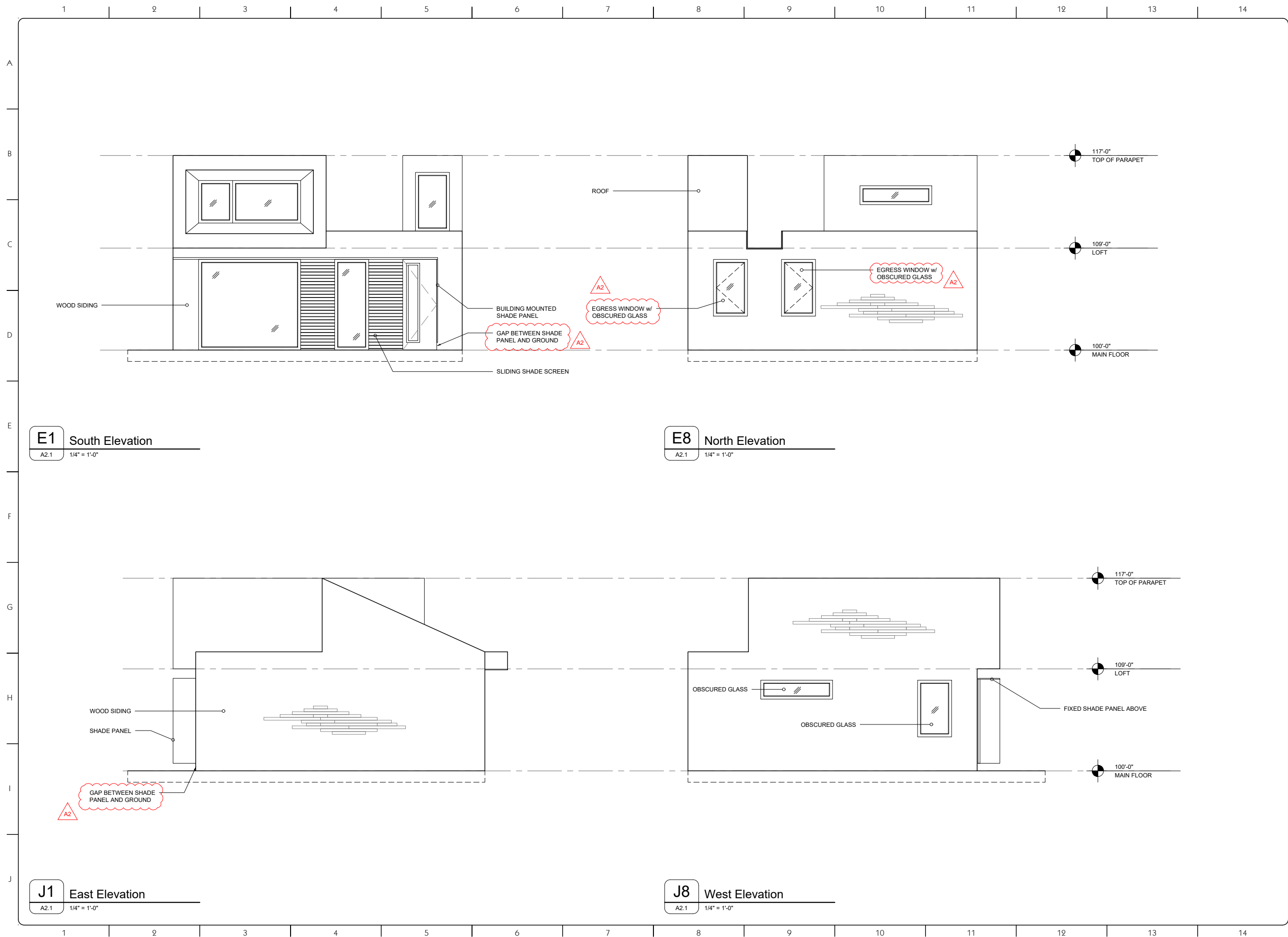
Project No: 0000002

Date: 04.11.2019

COPYRIGHT 2019
ASSIST Community Design Center

Building Floor Plan &
Building Sections

A1.1



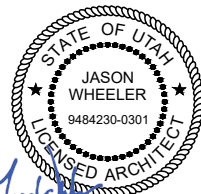
ACCESSORY DWELLING UNIT

Phurbu Dolma & Thupten Kunga
64 West Andrew Avenue
Salt Lake City, UT 84115

801.712.6825
Tenzin Lhanzey / Daughter
karthasong@gmail.com

assist
COMMUNITY DESIGN CENTER

Tel: 801.355.7085 | www.assistutah.org
218 East 500 South | Salt Lake City, UT 84111



June 12, 2019

Revision	Date
Addendum 2	06.12.2019

Project No: 0000002
Date: 04.11.2019
COPYRIGHT 2019
ASSIST Community Design Center

Elevations

A2.1

ATTACHMENT E – ZONING STANDARDS FOR ADUs

21A.40.200 – Accessory Dwelling Units

ADU STANDARDS	PROPOSED	COMPLIES Y/N
SIZE ADU footprint can be 50% of the footprint of the primary house up to a maximum of 650 SF.	Primary house footprint is approximately 1,459 SF, ADU can be 50% of that up to the maximum 650 SF of gross floor area. The proposed gross floor area is 650 SF.	Complies
MAXIMUM COVERAGE The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot.	The lot size is approximately 7,287 SF. 40% of the lot is 2,915 SF. Current Lot Coverage: 29% Primary House/Porch – 2,134 SF Proposed ADU - 650 SF Total coverage – 2,784 SF. The surface coverage of all principal and accessory buildings (including the proposed ADU) is 38.2% of the lot.	Complies
HEIGHT 17 FT or the height of the single family dwelling on the property, whichever is less. *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.	Approximately 17'	Complies
SETBACKS Minimum of 4 FT from any side or rear lot line.	Located 6.9 FT from the west side lot line and 4 FT from the east side lot line. Located 4.8 FT from the rear lot line.	Complies
SEPARATION Located 10 FT from any primary dwelling on the property or adjacent property	Located approximately 42 FT from the primary house on the property and the closest house on an adjacent property is approximately 50 FT.	Complies

<p>ENTRANCE LOCATIONS</p> <p>The entrance to an ADU in an accessory building shall be located:</p> <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. 	<p>The entrance for the proposed ADU is oriented toward the rear façade of the existing family house on the property.</p>	<p>Complies</p>
<p>REQUIREMENTS FOR WINDOWS</p> <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. 	<p>Egress windows are required in habitable space. To meet these requirements, the bottom of the egress window opening can't exceed 44 IN from the finished floor. The minimum opening area of the egress window is 5.7 SF, the minimum egress window opening height is 24 IN high. The minimum egress window opening is 20 IN wide. The size of these windows can be no larger than necessary to comply with the minimum building code requirements for egress windows.</p> <p>Windows are similar in dimension and design as the windows on the principal structure.</p>	<p>Complies with conditions of approval imposed.</p>
<p>PARKING</p> <p>Minimum of one parking 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 ¼ mile of a transit stop.</p>	<p>Site does not have adequate legal on site parking.</p> <p>*On-site parking could be waived because they are within ¼ mile of a UTA bus stop. A Special Exception could also be applied for to allow legal on site parking.</p>	<p>Complies if condition is waived.</p>

ATTACHMENT E – CONDITIONAL USE STANDARDS

21A.54.080 Standards for Conditional Use

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;

Analysis: 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. As analyzed in [Attachment D](#), 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 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. Additionally, the ADU is setback significantly on the property with a solid wood fence blocking the view from the street. A chain link fence with vegetation buffers also surrounds the rear of the property.

Finding: The proposed development and use is generally compatible with the surrounding uses. There is an existing fence surrounding the rear yard.

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

Analysis: The subject property is located in the Ballpark neighborhood within the People's Freeway Planning Area. The *Central Community Master Plan* includes a goal and policy related to the proposal. There is a goal to protect and encourage ongoing investment in low-density residential neighborhoods. Additionally, there is a goal to provide housing opportunities for a range of family and income types.

The city-wide, *Plan Salt Lake*, includes two initiatives related to the proposed ADU:

- Neighborhoods Initiative: Support policies that provide people a choice to stay in their home and neighborhood as they grow older and household demographics change; and
- Housing Initiatives: Encourage housing options that accommodate aging in place.

These initiatives are applicable since the applicant plans for a family member to live in the ADU.

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.

The R-1/5,000 Single-Family Residential District purpose states that the district provides “for conventional single-family residential neighborhoods. 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.” ADUs, while a conditional use, are compatible with single family neighborhoods. The design standards for the detached structures, like the proposed unit, ensure that the building is an appropriate scale and size, and is also designed to be compatible with the property’s primary residence.

The purpose statement of the accessory dwelling unit section of the Zoning Ordinance identifies the following intentions:

- 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 *Central Community Master Plan*, *Plan Salt Lake*, *Growing SLC*, and the related purpose statements in the Zoning Ordinance.

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 Impacts Chart below for details).

21a.54.080.B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	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-1/5,000 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 Attachment D .
2. The use is consistent with applicable policies set forth in adopted citywide,	Complies	As discussed under Conditional Use Standard 3 above, the proposed

community, and small area master plans and future land use maps		construction of an ADU is consistent with policies in the <i>Central Community Plan</i> , <i>Plan Salt Lake</i> , <i>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.
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	<p>Uses surrounding the property are generally single family residential with a large multifamily development located within a block. The lots in this area are deep, allowing for adequate space to buffer the ADU.</p> <p>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. The existing fence and mature landscaping will also act as a buffer to the adjacent properties.</p>
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	As discussed above, 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.
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 at the front of the property off Andrew Avenue. The driveway does not extend into the backyard. Therefore; the ADU will be accessed by footpath through the property from Andrew Avenue.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The property has two legal parking spots on site. The property is within ¼ mile of a UTA bus stop 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.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The site is designed for pedestrian access and will be improved with additional paths for access to the ADU.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	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	As discussed in other areas of this analysis, the ADU is located within ¼ mile of transit so the requirement can be waived.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	The Public Utilities department provided comments on the project. Public utility permit, connection, survey, and inspection fees apply and will be needed prior to the issuance of a building permit.
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. There is an existing fence surrounding the rear yard with landscaping. Additionally, there is a garage buffering the closest neighboring residential property to the proposed ADU.
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 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. The ADU is also proposed as an energy-efficient passive home.
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	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 or National Historic District and the proposal does not involve removal of any historic resources or structures.

Finding: In analyzing the anticipated detrimental effects of the proposed use, Staff finds that with the conditions identified in the analysis, the request complies with the criteria listed above.

ATTACHMENT F – 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:

- April 16, 2019 – Notice was provided to the Ballpark Community Council as well as property owners and residents within 300 FT of the property.
- May 2, 2019 – The applicant presented the project to the Ballpark Community Council. Planning Staff was available for questions. No concerns with the proposal were reported.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on June 14, 2019

Public hearing notice posted on June 14, 2019

Public notice posted on City and State websites and Planning Division list serve on June 14, 2019

Public Input:

Staff has not received any public comment. If any comments are received after publication of the Staff Report, they will be forwarded to the Commission and included in the public record.

ATTACHMENT G – DEPARTMENT REVIEW COMMENTS

Public Utilities: (Jason Draper, jason.draper@slcgov.com)

The sewer line as shown may not work but we can resolve the location during the building permit review.

- Cleanout locations – required every 50 feet and at all bends – no cleanouts in the street.
- Tie in location resolved to meet minimum separation requirements from culinary water.
- Worst case the sewer main would need to be extended.

Condition for approval is that the applicant submits building and utility plans for review and meet all utility standards, policies and ordinances.

Fire/Building: (William Warlick, William.Warlick@slcgov.com)

A complete building code review is still required as part of the building permit application process. However, note that some elements evident in the plans provided as part of the Conditional Use application would not be approved under the current State-adopted IRC. These include the loft height and area, and the ship's ladder. Nonetheless, anticipated adoption of Tiny Homes appendix by the State may make these features allowable in the near future.

Zoning: (Katilynn Harris, katilynn.harris@slcgov.com)

Parking - Parking is addressed on the site plan as front yard parking. Per 21A.44.020.G, front yard parking is not permitted as no special exception has been issued. 2 parking spaces provided by the existing carport. No other legal parking is shown.

Planning Response: Property is within ¼ mile of a UTA bus stop, therefore the parking requirement can be waived. The applicant is aware that they cannot legally park more than two cars on site. If the applicant wishes to park a third car on site, they must apply for the Special Exception.

Bulk – The main floor footprint is 650 sf. There appears to be a ground anchored fixed shade panel that projects 2' from the structure. This ground anchored awning will count toward building bulk therefore increasing the footprint over the 650 sf maximum. The ADU structure is less than 50% of the primary structure footprint.

Planning Response: Applicant addressed ground anchored fixed shade in the updated site plan.

Coverage – Submitter calculated lot coverage is 38.2% which complies with the 40% lot coverage maximum of the zone. However, provided lot dimensions do not match exactly with those provided on the Gabbots Addition amended plat. Existing structure dimensions are not provided to verify the proposed calculations.

Planning Response: Existing structure dimensions were provided and shown as: 1,459 SF footprint, Ridgeline Height: 20' 5", Eaves Height: 17' 0". Applicant updated site plan to follow Gabbots Addition amended plat. Lot coverage complies.

Setback – Complies with the 4' side and rear yard setbacks for new accessory buildings and not within 10' of adjacent SFDs.

Building height – There are 3 different roof heights. The main floor with parapets height is 10' 6" and complies with building height maximums. The proposed bedroom dormer meets the definition of a pitched roof and measures 17'; this complies with the building height

maximum for pitched roof. The loft roof and parapets do not appear to meet the definition of a pitched roof and so is defined as a flat roof. The height of this section of roof measures 17' and does not comply with the maximum building height for a flat roof accessory structure. Building height is shown as the distance between the peak of the parapet walls and the main floor. Building height is measured from grade. Grade is not indicated on the elevation drawings and should be shown.

Planning Response: Determined with the Zoning Administrator and Katilynn that the 17' height is allowed regardless of roof type. All proposed building heights meet requirements.

Size requirements – Complies with all building coverage requirements for accessory buildings. The main floor has a floor area of 650 sf with an additional 180 sf second story loft space. This exceeds the 650 sf gross floor area maximum.

Planning Response: The definition of Gross Floor Area states that if the loft is under 7' in height it is not livable space and therefore does not count in the floor area calculations. Proposal meets and does not exceed 650 SF maximum requirement.

Entrance locations – The entrance faces the rear façade of the property's SFD.

Windows – Unclear whether windows are no larger than required by Building Code egress minimums. The 4 windows facing the rear lot line and west side lot line show obscured glazing.

Planning Response: The window requirements are included as a condition.

Transportation: (Michael Barry, michael.barry@slcgov.com)
There must be three off-street parking spaces that are hard surfaced.

Planning Response: Property has one on-street space and is within ¼ mile of a UTA bus stop, therefore parking requirement can be waived. Applicant is aware that they cannot legally park more than two cars on site without a Special Exception.

Building Code: (Todd Christopher, todd.christopher@slcgov.com)
No Building Code concerns with the submitted site plan and elevations.

Engineering: (Scott Weiler, scott.weiler@slcgov.com)
No objections