



Staff Report

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Lauren Parisi, Principal Planner, lauren.parisi@slcgov.com or 801-535-7226
Date: July 10, 2019
Re: Detached Accessory Dwelling Unit – Conditional Use (PLNPCM2019-00349)

Conditional Use

PROPERTY ADDRESS: 815 E. Emerson Avenue
PARCEL ID: 16-17-129-031-0000
MASTER PLAN: Central Community
ZONING DISTRICT: R-1/5000 (Single Family Residential)

REQUEST: Osamu Uchiyama, the designer representing the property owners at approximately 815 E. Emerson Avenue, is requesting Conditional Use approval for an Accessory Dwelling Unit (ADU) to be located to the rear of the house that is currently being constructed on the lot. The property zoned R-1/5000 (Single Family Residential), where ADUs must be processed as a conditional use.

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. The sleeping room window on the west façade of the ADU shall be no larger than necessary to comply with the minimum Building Code requirements for egress.
2. The applicant shall comply with the registration process outlined in section 21A.40.200.F of the Salt Lake City zoning ordinance.
3. 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:

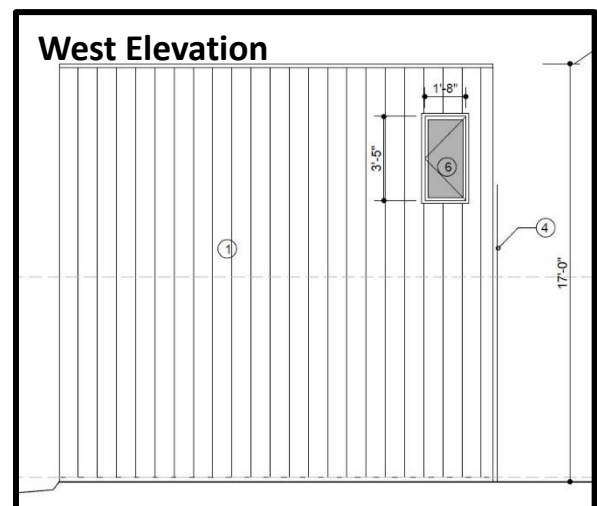
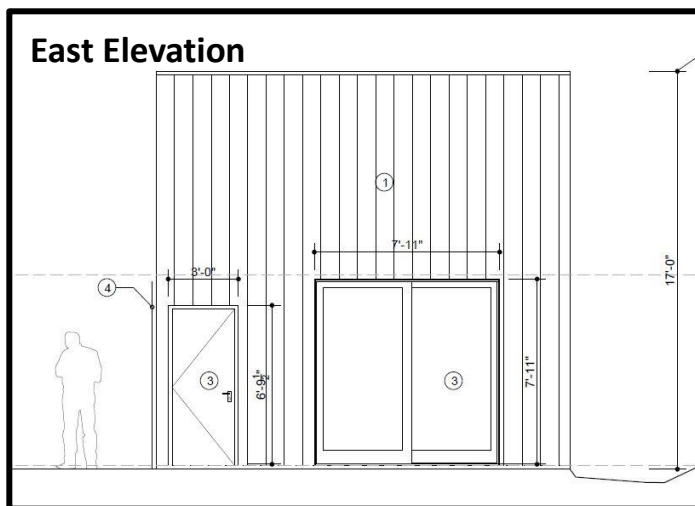
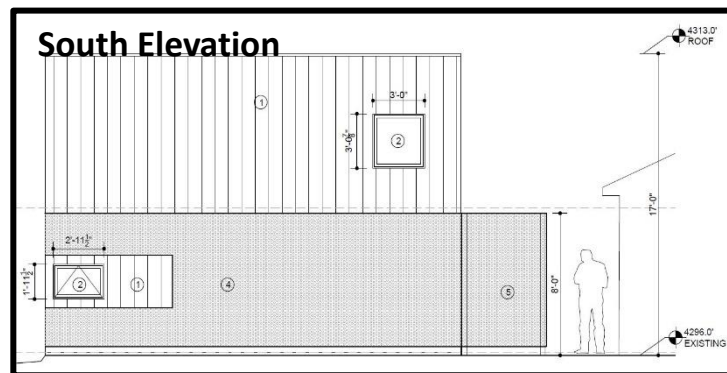
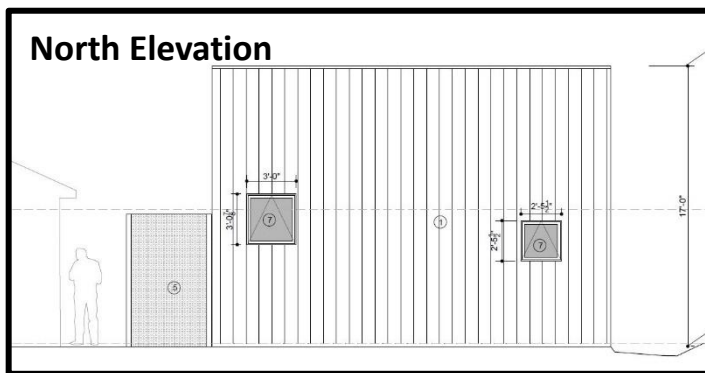
- A. [Vicinity Map & Property Photos](#)
- B. [Application Materials](#)
- C. [ADU Zoning Standards](#)
- D. [Conditional Use Standards](#)
- E. [Public Process & Comments](#)
- F. [Department Review Comments](#)

PROJECT DESCRIPTION:

The proposed project is for construction of a detached accessory dwelling unit (ADU) to the rear of the proposed house in the northwest corner of the lot located at approximately 815 E. Emerson Avenue. To note, this lot was previously a part of 819 E. Emerson Avenue, but has been recently subdivided into its own parcel. A building permit was also recently issued to construct a single-family home on the lot; however, this conditional use review is limited to the proposed ADU and not the principal structure that's currently being built.

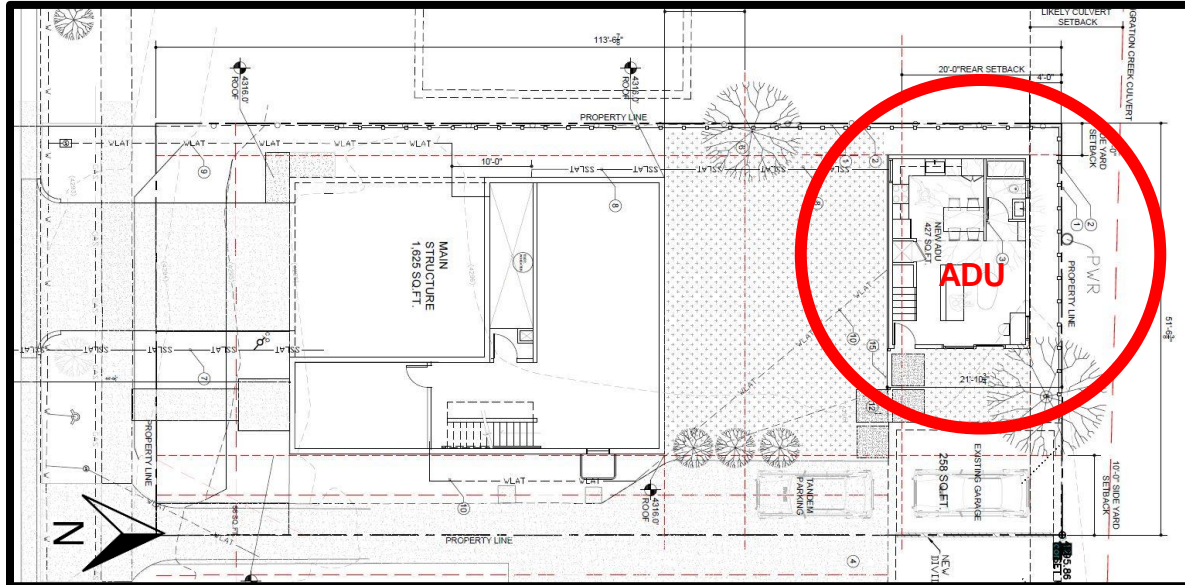
The proposed ADU has a lofted bedroom area and one bathroom on the main floor with a total footprint of approximately 427 square feet (599 square feet including the lofted space). There is also one on-site tandem parking space as noted on the site plan (Sheet AS1.1) to accommodate the ADU, although the property is located within 1/4 of a bus stop which also satisfies the off street parking requirement. The proposed ADU has a flat roof with a height of 17 feet. The primary exterior building material is a light gray corrugated metal paneling.

The casement windows on the proposed ADU will be similar in dimension to the proposed windows on the main house. The entrance to the proposed ADU is facing the east side of the lot towards the existing detached garage and includes an 8-foot perforated metal fence to be erected parallel to the ADU's south-most façade. The ADU itself will be 4 feet off the side (west) and rear (north) property lines.



PLANNING COMMISISON REVIEW:

The property is located in the R-1/5000 zoning district, which is a single family zoning district. A Conditional Use process is required for any ADU's located in a single-family zone. For complete analysis and findings in relation to the Conditional Use standards please refer to [Attachment D](#).



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 for the buildings will only be issued once all the conditions of approval are met including the registration process requirements outlined in 21A.40.200.F of the zoning ordinance.

Denial of 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 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-1/5000 zoning district must be located a minimum of 1 FT 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 FT to the midpoint or 12 FT for a flat roof.

ATTACHMENT A – VICINITY MAP & PROPERTY PHOTOS





Subject property looking north – garage is shared between 815 and 819 Emerson



Subject property looking northwest at the corner where ADU will be located – existing church to the north



House to the east at 819 E. Emerson Avenue



Houses directly across the street to the south

ATTACHMENT B – APPLICATION MATERIALS

Hare Residence ADU

815 Emerson Ave.

Project Description

Proposal to build an ADU behind a main structure. The use of the ADU is a single family dwelling unit for the property owner's aging parents.

Proposed dwelling unit is 427 sq.ft footprint with 17'-0" roof height.

This building will be wood framed structure.

Hare ADU – City Review Comments

Building Code (Jason Rogers) –

Building code will need the requested redlines notated in the files, to continue review.

Engineering (Scott Weiler) – No objections

Fire (Douglas Bateman) –

A fire hydrant must be within 400-feet of all exterior walls of the proposed unit. Identify location of existing or proposed hydrant(s)

There is a fire hydrant at the southside of 815 E. Emerson Ave. Please see new AS1.2 Fire Access Plan for the fire hydrant location and 400 feet circle centered on the hydrant to show the compliance.

The fire department access road must be within 150-feet of all portions of the exterior walls of the dwelling. This measurement is taken from the road and measured in straight lines and right angles in the route the hose would be pulled. Distances and route not provided.

Please see new AS1.2 Fire Access Plan for hose route and its' distance.

Public Utilities (Jason Draper) –

The Emigration Creek Culvert runs behind this property. Prior to accepting the conditional use, they need to identify the location and the easement to make sure they are outside of the easement with the proposed ADU.

Additional comments:

A Salt Lake County Flood Control Permit will be required for this construction.

The site utility plan needs to be updated and submitted as part of the building permit showing the water and sewer connections for the proposed ADU.

Existing and proposed flowline of the sewer needs to be shown on the plan.

Conditional use does not provide building permit or utility connection permits.

We have contacted Tamaran Woodland and Robert Naylor of the Salt Lake County Flood Control regarding the required setback of the Emigration Creek Culvert that runs near the 815E Emmerson property. The county has agreed to let us build at the proposed building location.

Currently the owner and the Flood Control is working to establish an easement that does not compromise the current building location. The county will issue the Flood Control Permit when the county finalizes the easement.

I have attached revised AS1.1.

Transportation (Michael Barry) – It appears that parking can be satisfied for the ADU with tandem parking.

Tandem Parking notation was added to the revised AS1.1.

Zoning (Kevin Hamilton) –

It is unclear if the proposed ADU to be located at 819 E. Emerson Ave. (the drawings show 815 E.) complies with section 21A.40.200.E.3.g: Requirements for Windows. Building code reviewer will need to determine if the proposed windows exceed the minimum Building Code requirement, which is not allowed. North and West facing windows require obscured glazing.

The owners will need to comply with section 21A.40.200.F: Registration Process.

No other zoning issue noted.

The plat has been recorded as 815 E. Emerson Ave.

I have revised the west egress window dimensions and the type of glass on revise A2.1.

I have also revised type of glass for the two windows on the north facade on revised A2.1.

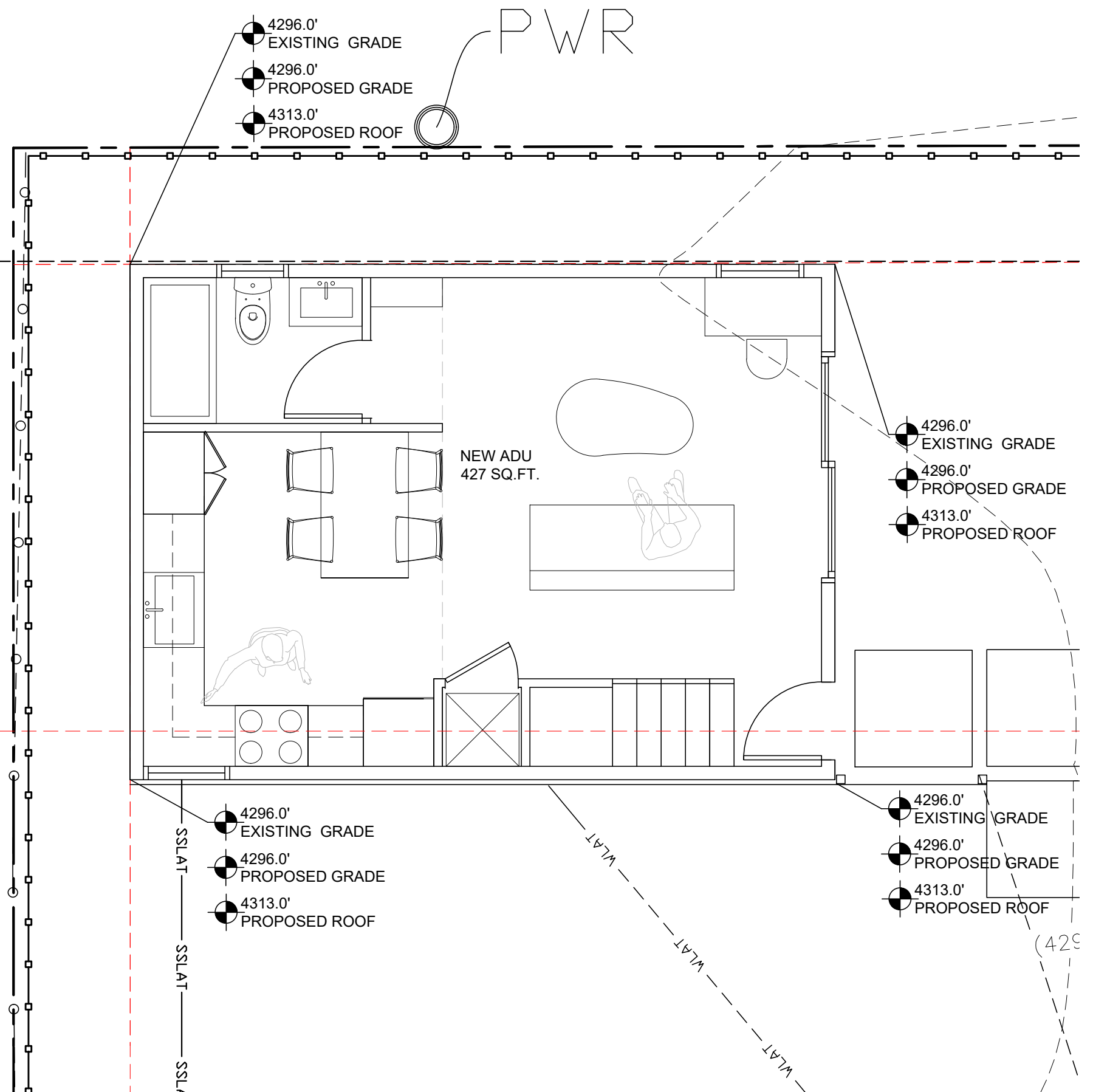
A

B

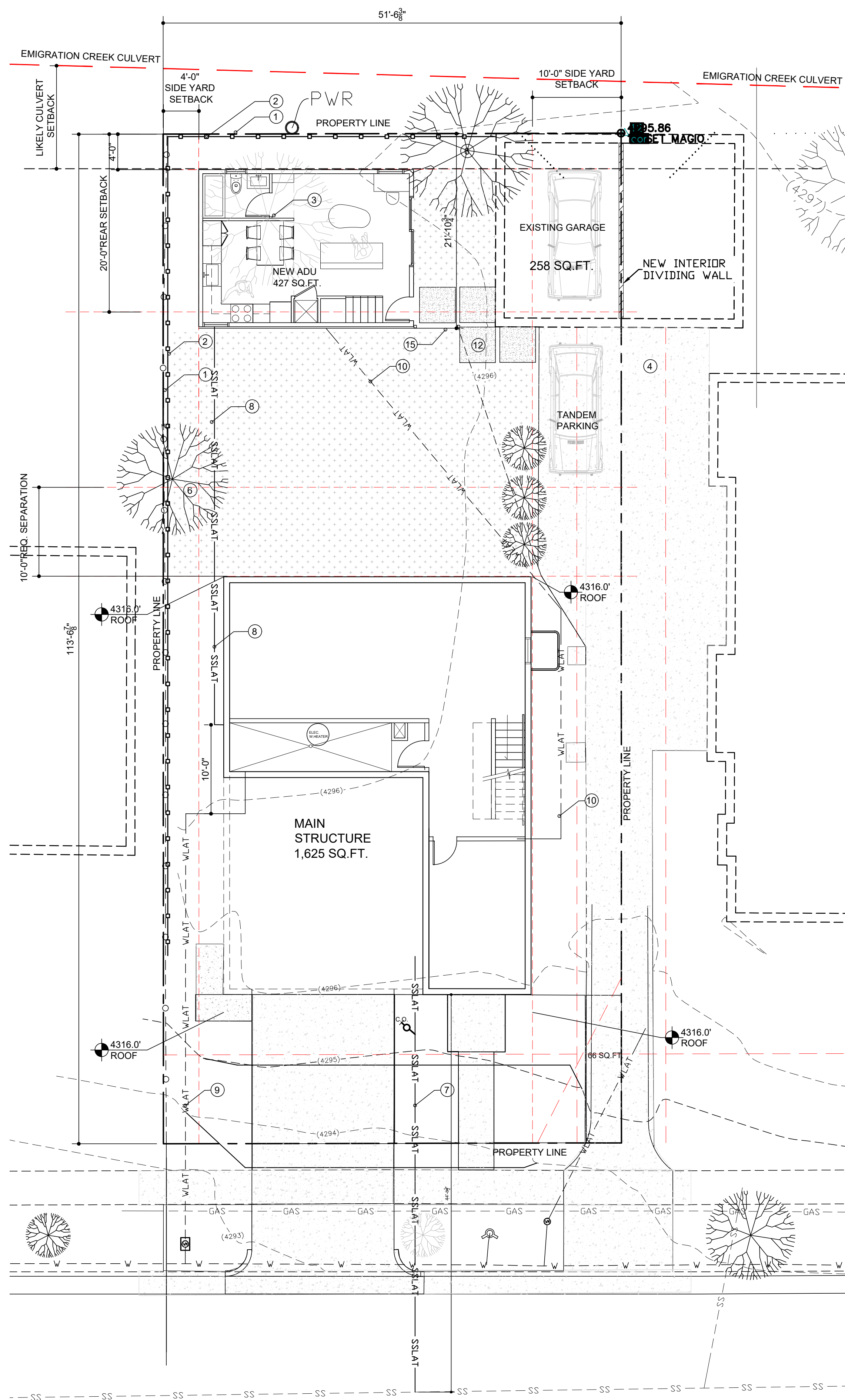
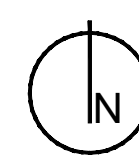
C

D

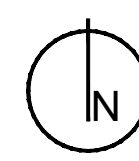
E



E1 BUILDING ELEVATION PLAN
AS1.1 SCALE: 1/8"=1'-0"



E3 SITE PLAN
AS1.1 SCALE: 1/8"=1'-0"



FOOTPRINT CALCULATION

ZONING:	R-1/5000
ADDRESS:	815 E EMERSON AVE.
LOT SIZE	5,844 SQ.FT.
BACKYARD SIZE:	2,567 SQ.FT.
MAIN STRUCTURE	1,625 SQ.FT.
EXISTING GARAGE	258 SQ.FT. (COUNTED HALF)
NEW ADU FOOTPRINT	427.0 SQ.FT. (172 SQ.FT LOFT)
TOTAL	2,310.0 SQ.FT. (39.5% LOT COVERAGE)

SETBACK REQUIREMENTS

SIDE YARD:	4'-0"
REAR YARD:	4'-0"
SEPARATION FROM MAIN HOUSE:	10'-0"

ROOF HEIGHT

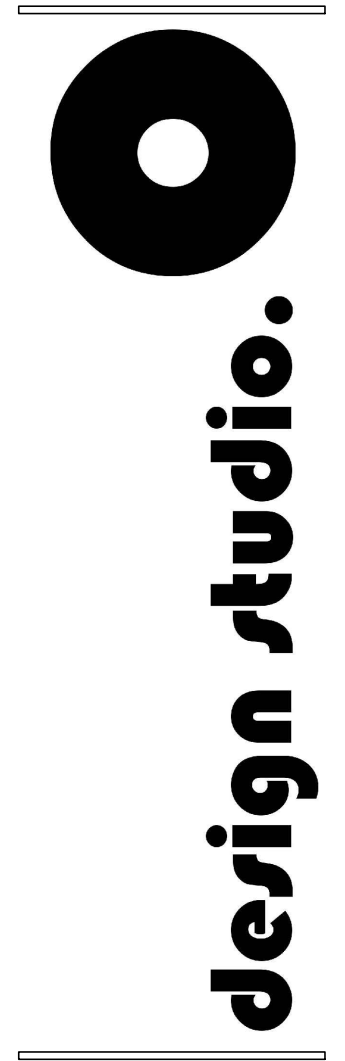
ADU:	17'-0" (4313'-0")
PRINCIPLE STRUCTURE:	20'-0" (4316'-0")

LEGEND

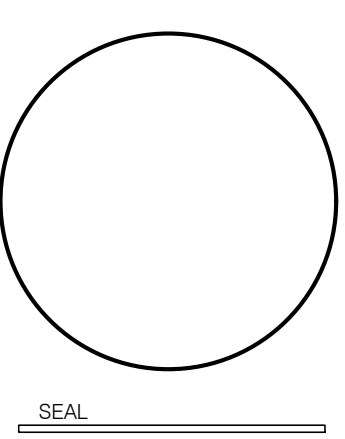
- - - - - EXISTING CONTOUR EXISTING
- — — — — PROPOSED CONTOUR LINE
- - - - - PROPERTY LINE
- [Pattern] EXISTING CONCRETE DRIVE / SIDEWALK
- [Pattern] PROPOSED CONCRETE DRIVE / SIDEWALK
- [Pattern] PROPOSED LIVING GROUND COVER

KEY NOTES/GENERAL NOTES

1. EXISTING FENCE
2. NEW 6'-0" WOOD FENCE
3. EXISTING TREE TO BE REMOVED
4. EXISTING CONCRETE DRIVE
5. NOT USED
6. EXISTING TREE
7. EXISTING SEWER LINE
8. NEW SEWER LINE TO CONNECT TO THE EXISTING SEWER LINE
9. EXISTING WATER LINE
10. NEW WATER LINE TO CONNECT TO EXISTING WATER LINE
11. NOT USED
12. NOT USED
13. NEW CONCRETE WALK AND ENTRY PAD
14. NOT USED
15. NOT USED
16. NEW PERFORATED METAL FENCE
17. NOT USED
18. NOT USED
19. NOT USED
20. NOT USED
21. NOT USED
22. NOT USED
23. NOT USED
24. NOT USED
25. NOT USED
26. NOT USED



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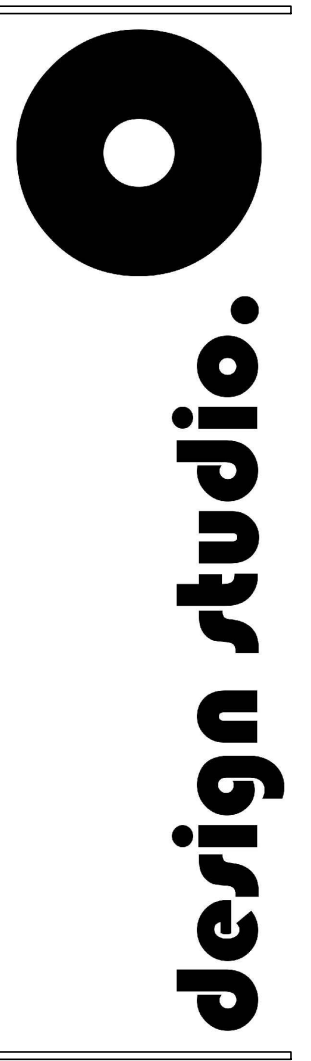
815 EMERSON AVE. Salt Lake City, UT
Garth & Tara Here
Hare Residence ADU

REVISIONS	DATE
REVISED DWG	5/15/2019
REVISED DWG	6/05/2019
REVISED DWG	6/06/2019

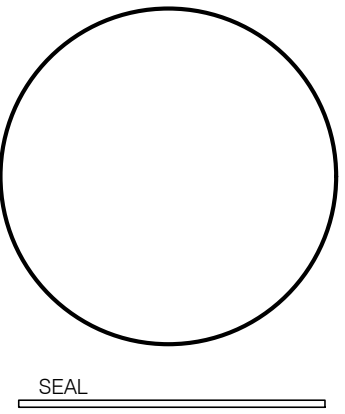
SITE PLAN
SHEET NO.

AS1.1

- KEY NOTES/GENERAL NOTES**
1. CORRUGATED METAL PANEL (LIGHT GRAY)
 2. SCHEDULED CLEAR WINDOWS (LOW-E FIBERGLASS)
 3. SCHEDULED DOORS
 4. PERFORATED ALUMINUM SIDING
 5. PERFORATED METAL FENCE
 6. SCHEDULED OBSCURED GLASS EGRESS WINDOW (LOW-E FIBERGLASS)
 7. SCHEDULED OBSCURED GLASS WINDOW (LOW-E FIBERGLASS)



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SEAL

815 EMERSON AVE. Salt Lake City, UT
Garth & Tara Here

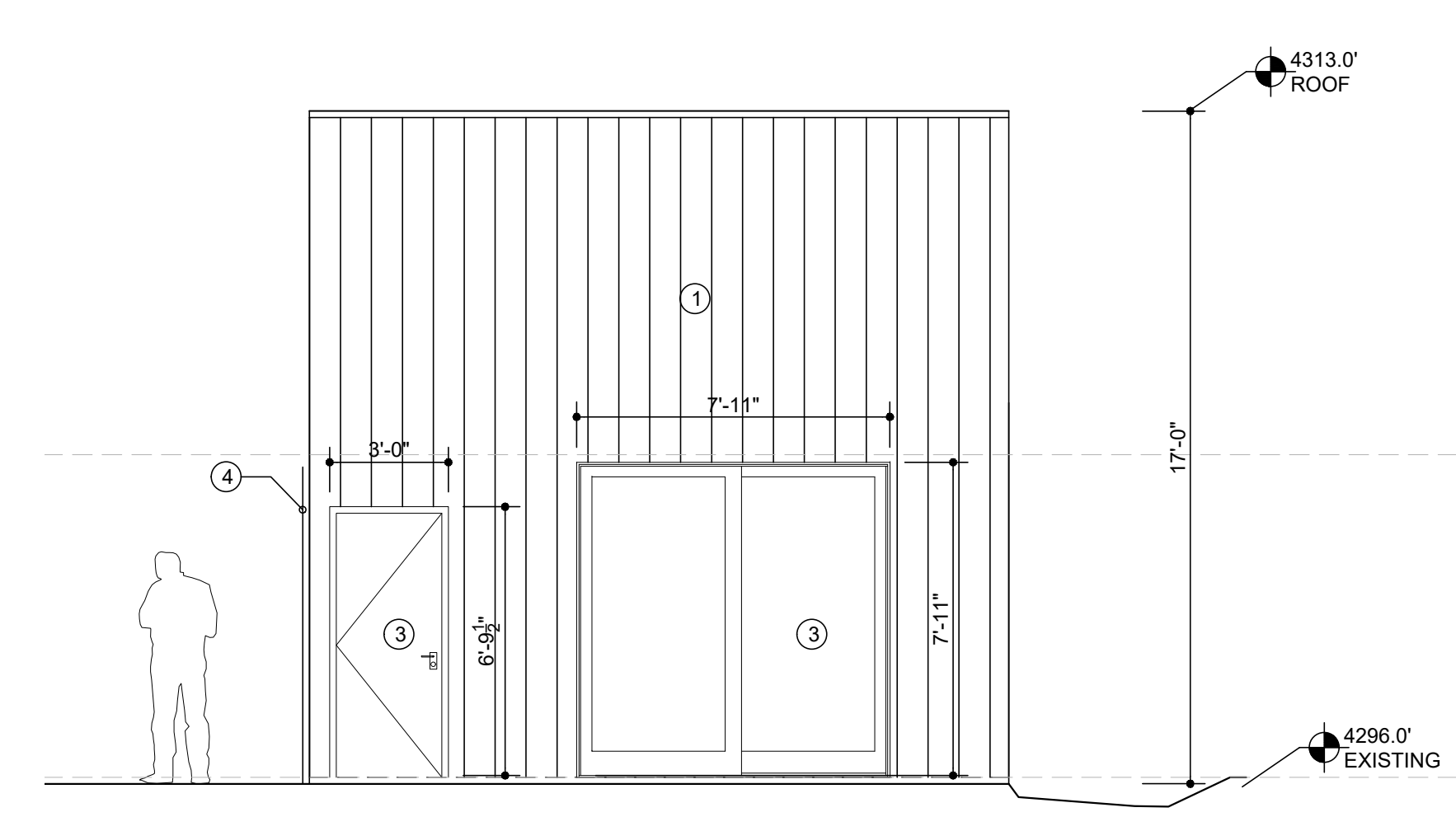
Hare Residence ADU

REVISIONS	DATE
REVISED DWG	6/5/2019

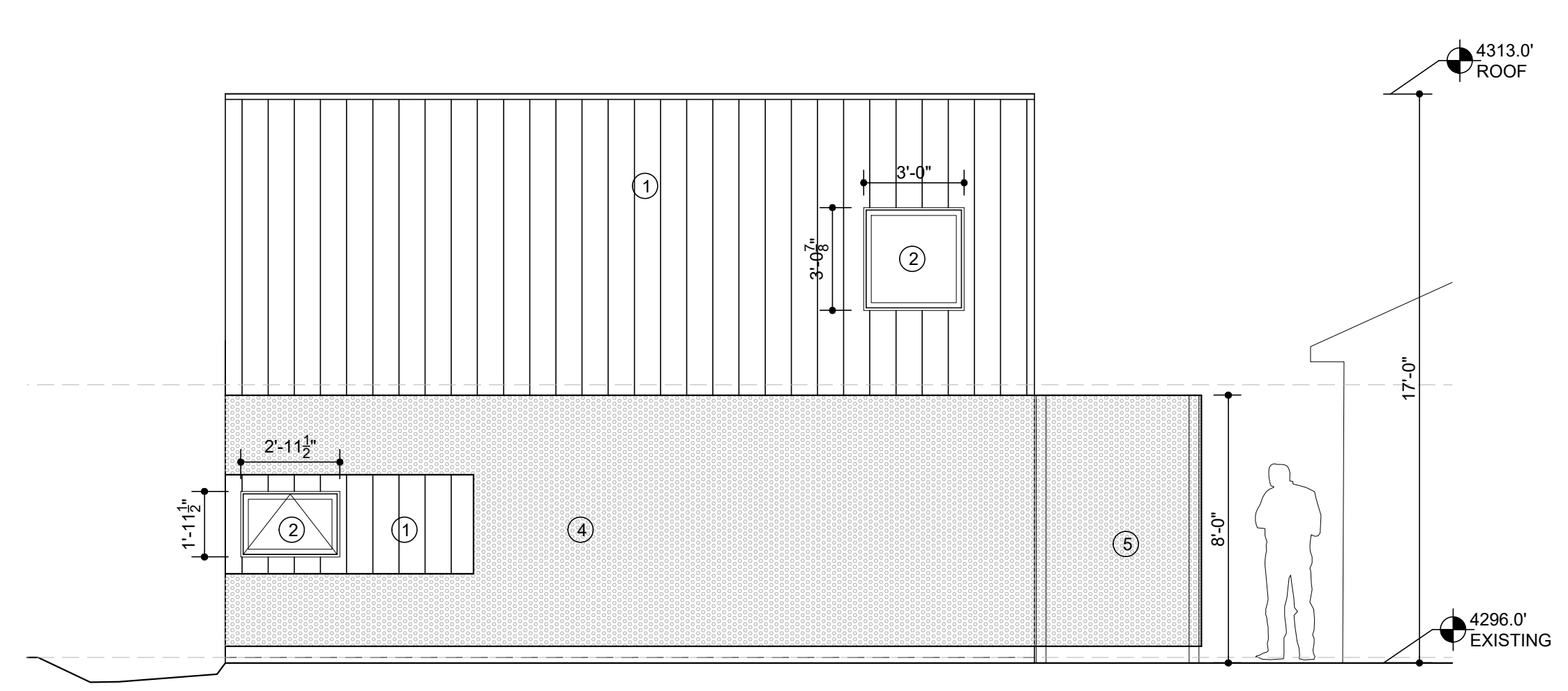
SHEET TITLE

ELEVATION
SHEET NO.

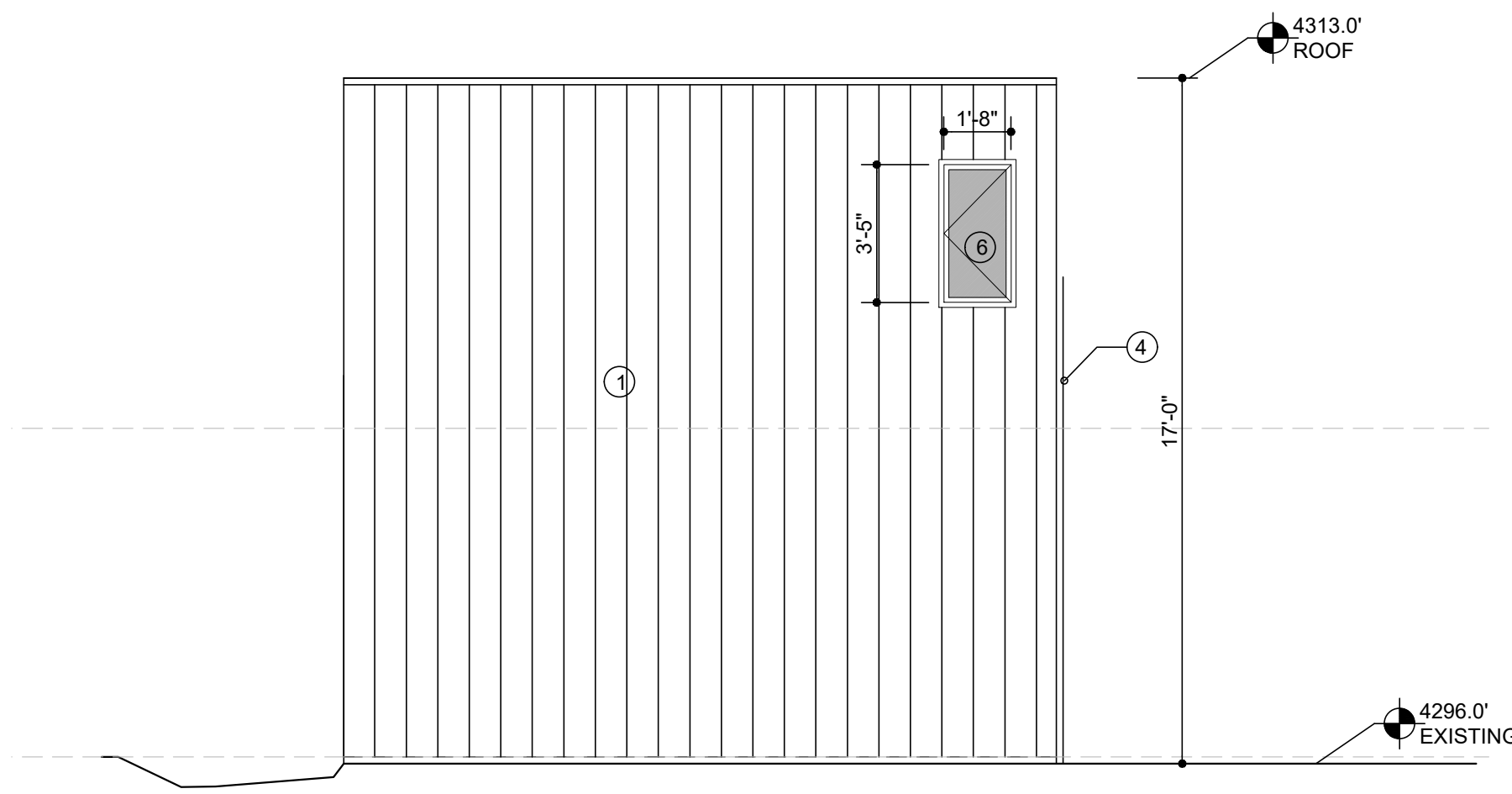
A2.1 Page 13



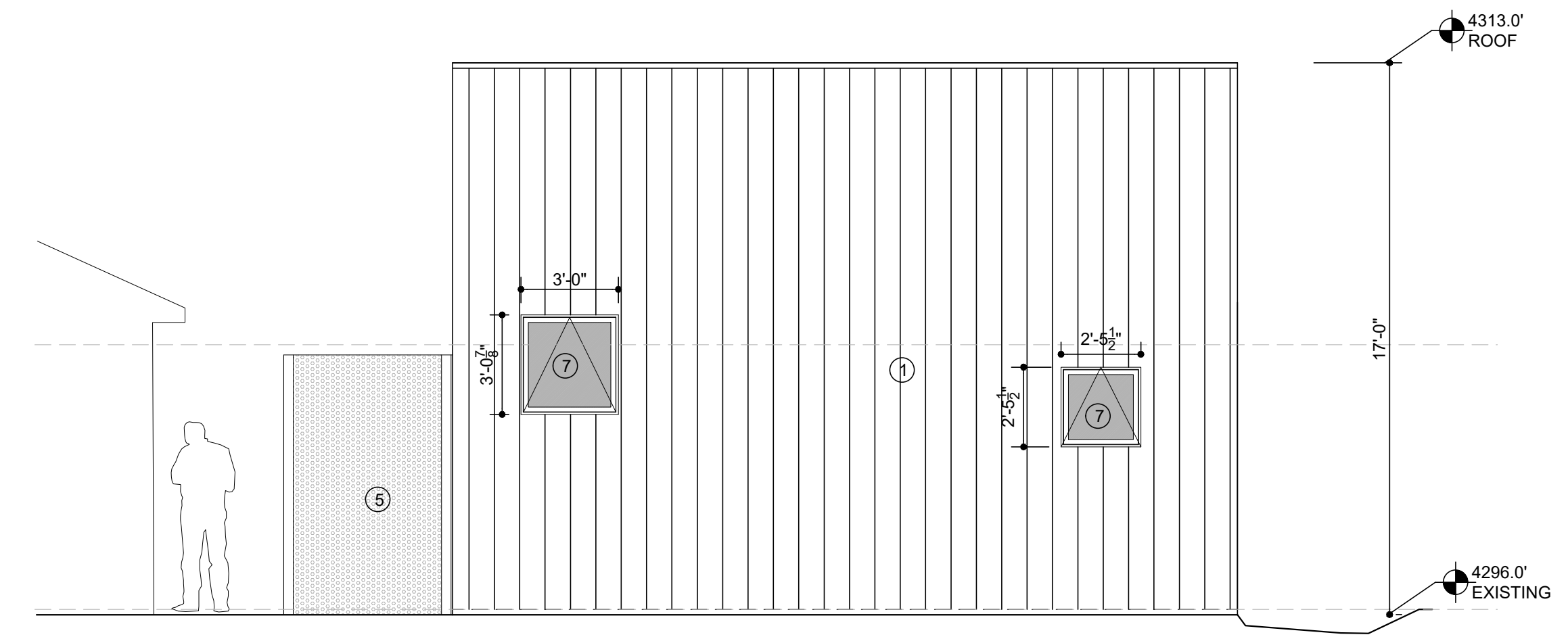
C5 EAST ELEVATION
A2.1 SCALE: 1/4"=1'-0"



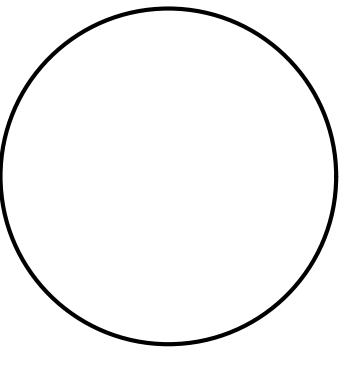
C5 SOUTH ELEVATION
A2.1 SCALE: 1/4"=1'-0"



E2 WEST ELEVATION
A2.1 SCALE: 1/4"=1'-0"



E5 NORTH ELEVATION
A2.1 SCALE: 1/4"=1'-0"



SEAL

815 EMERSON AVE. Salt Lake City, UT
Garth & Tara Hare

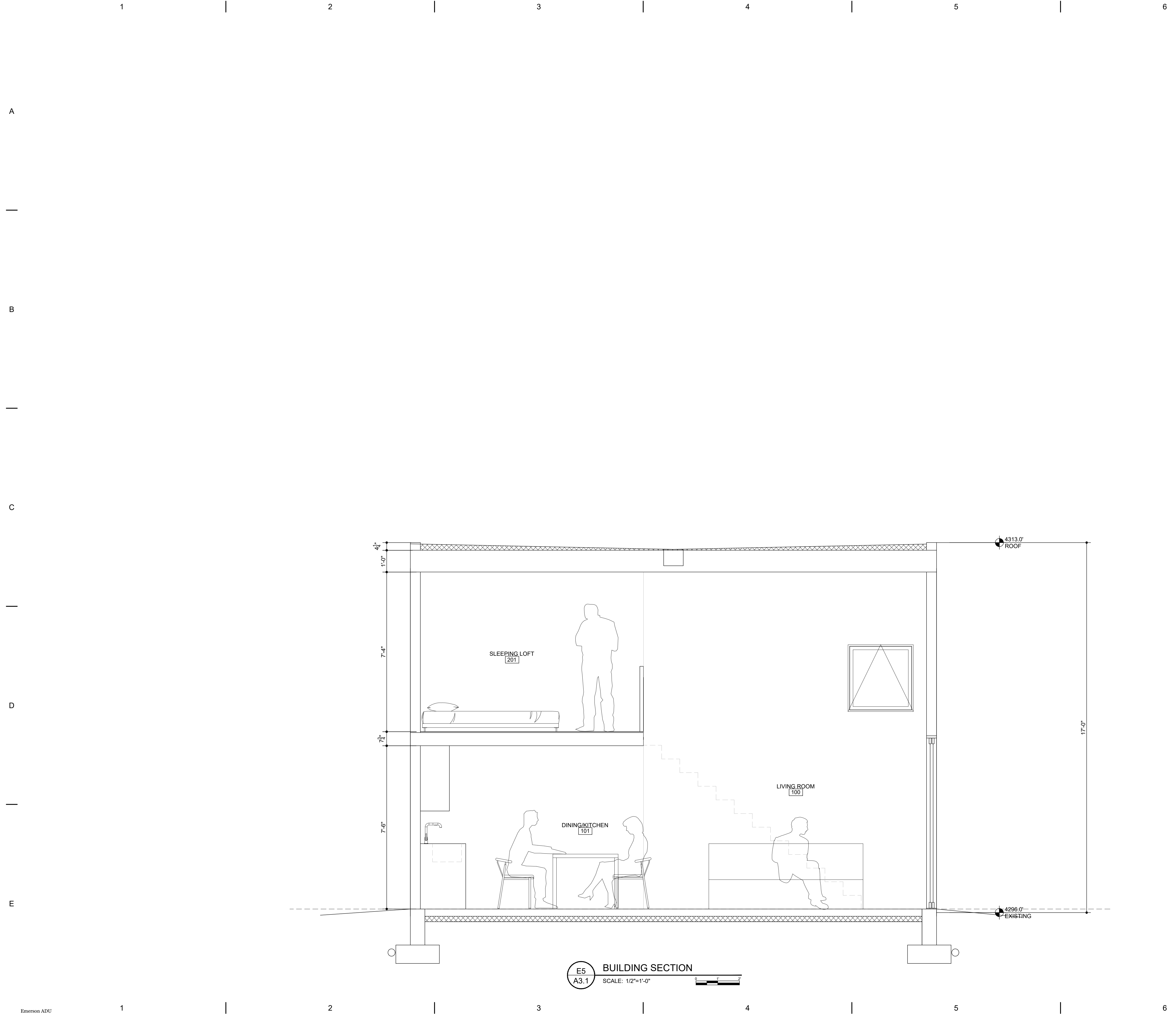
Hare Residence ADU

REVISIONS	DATE

SHEET TITLE

SECTION
SHEET NO.

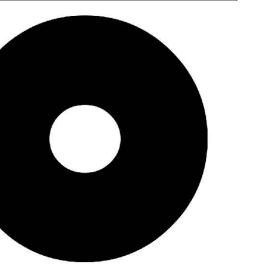
A3.1



E5 BUILDING SECTION
A3.1 SCALE: 1/2"=1'-0"

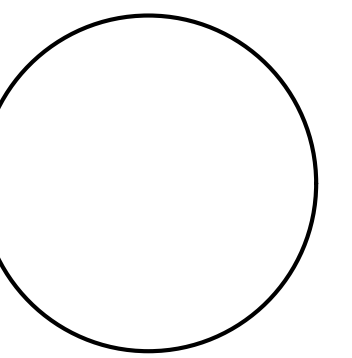
KEY NOTES/GENERAL NOTES

1. BEDROOM EGRESS WINDOW
2. SKY LIGHT
3. SLOPED MEMBRANE ROOF
4. PERFORATED METAL SIDING
5. PERFORATED METAL FENCE
6. SCHEDULED DOOR
7. SCHEDULED WINDOW



design studio.

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SEAL

815 EMERSON AVE. Salt Lake City, UT

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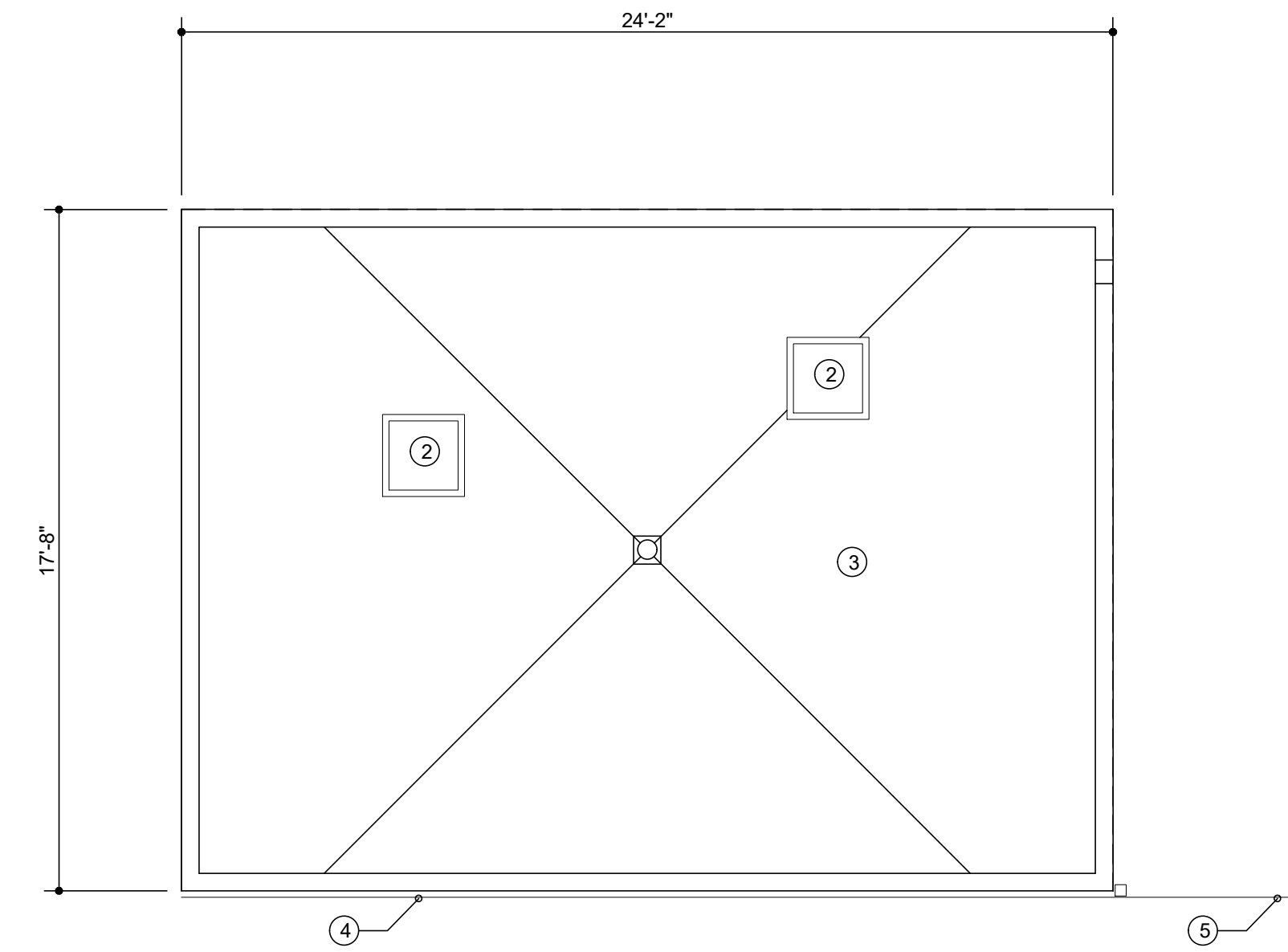
Hare Residence ADU

REVISIONS	DATE

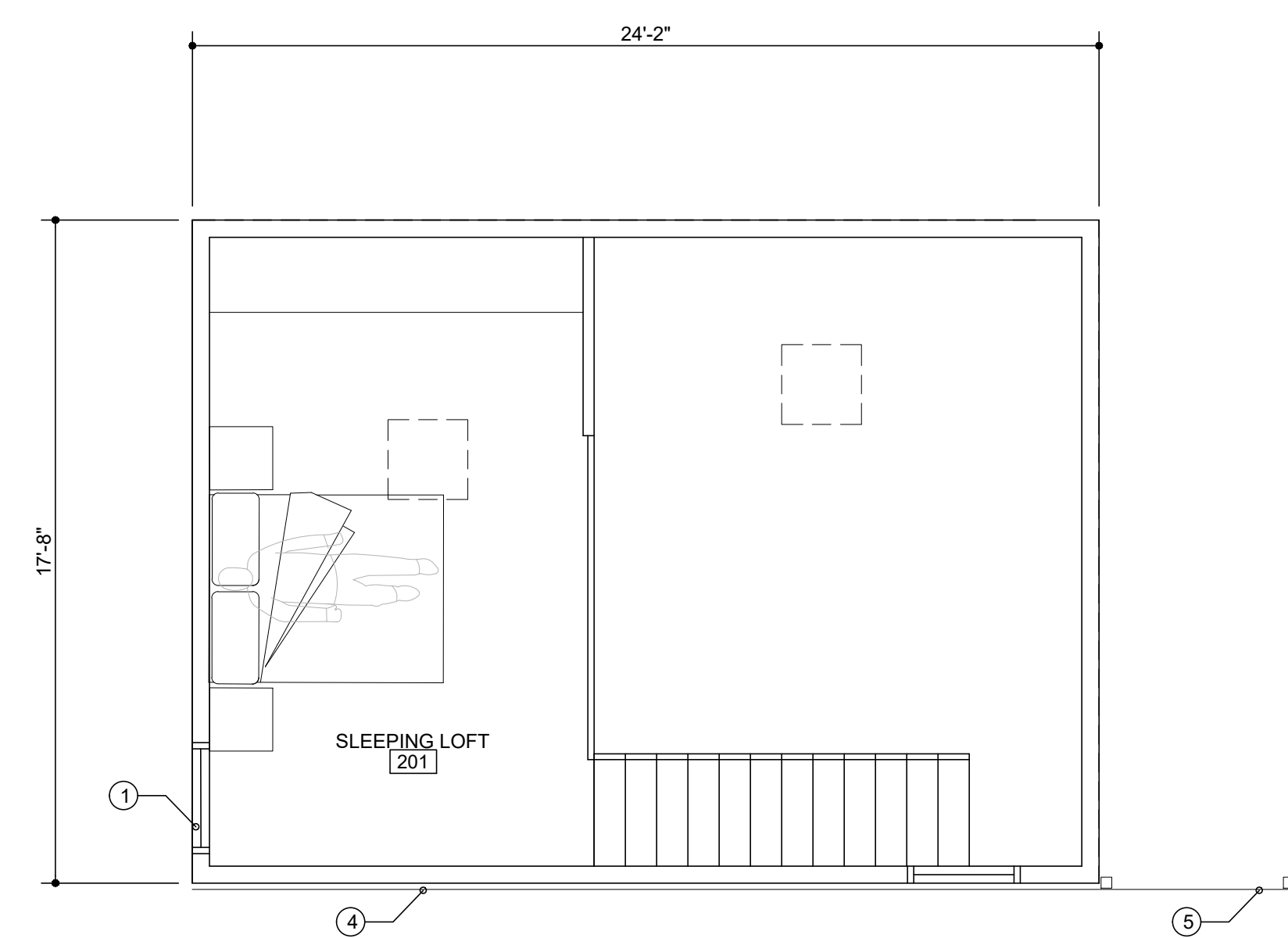
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FLOOR PLAN
SHEET NO.

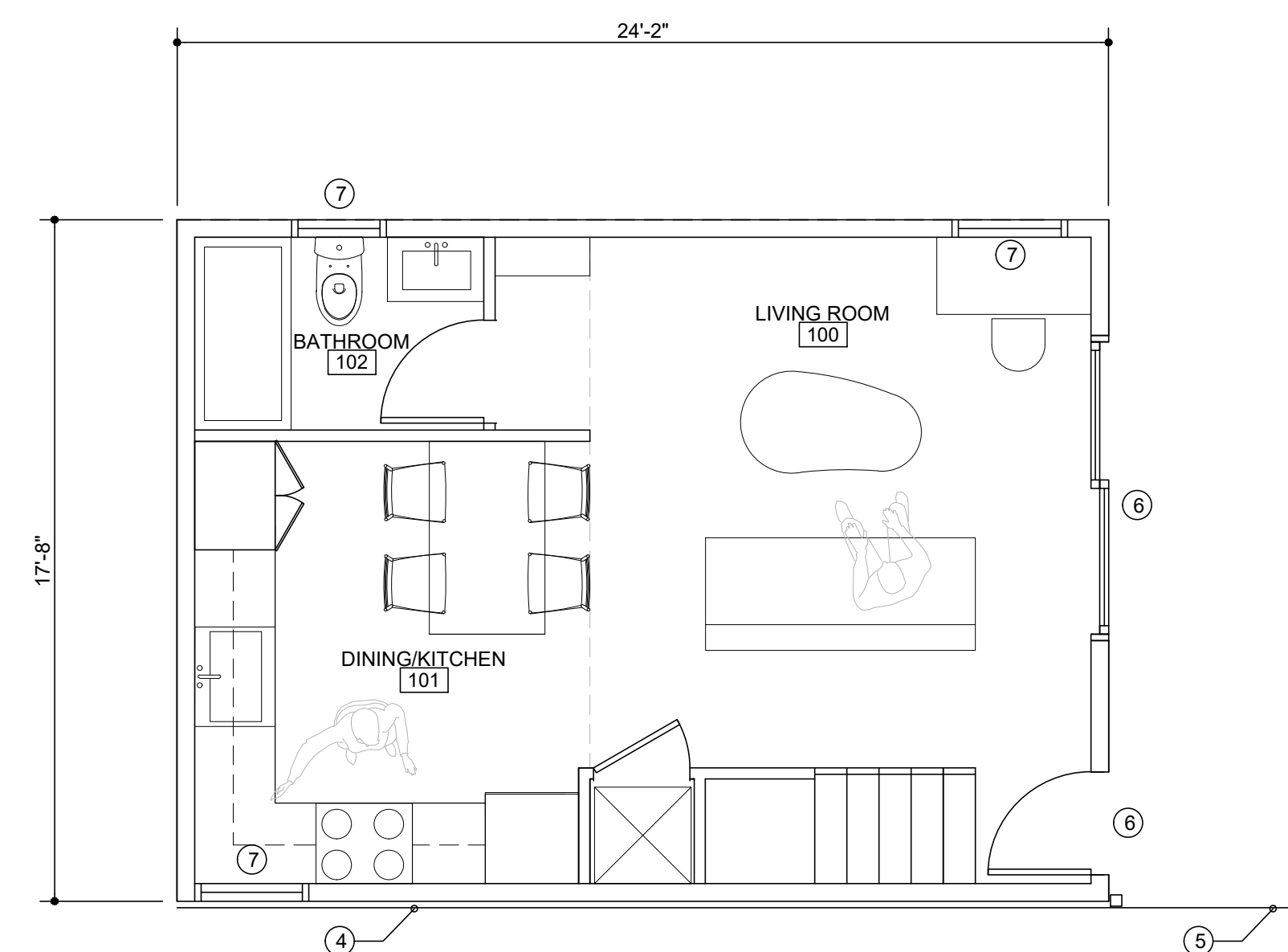
A1.1
Page 15



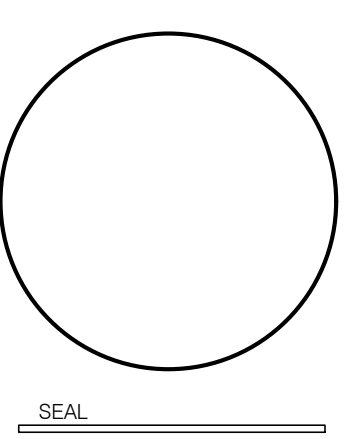
C5 ROOF PLAN
A1.1 SCALE: 1/2"=1'-0"



E2 LOFT PLAN
A1.1 SCALE: 1/2"=1'-0"



E5 MAIN FLOOR PLAN
A1.1 SCALE: 1/2"=1'-0"



815 EMERSON AVE. Salt Lake City, UT
Garth & Tara Hare

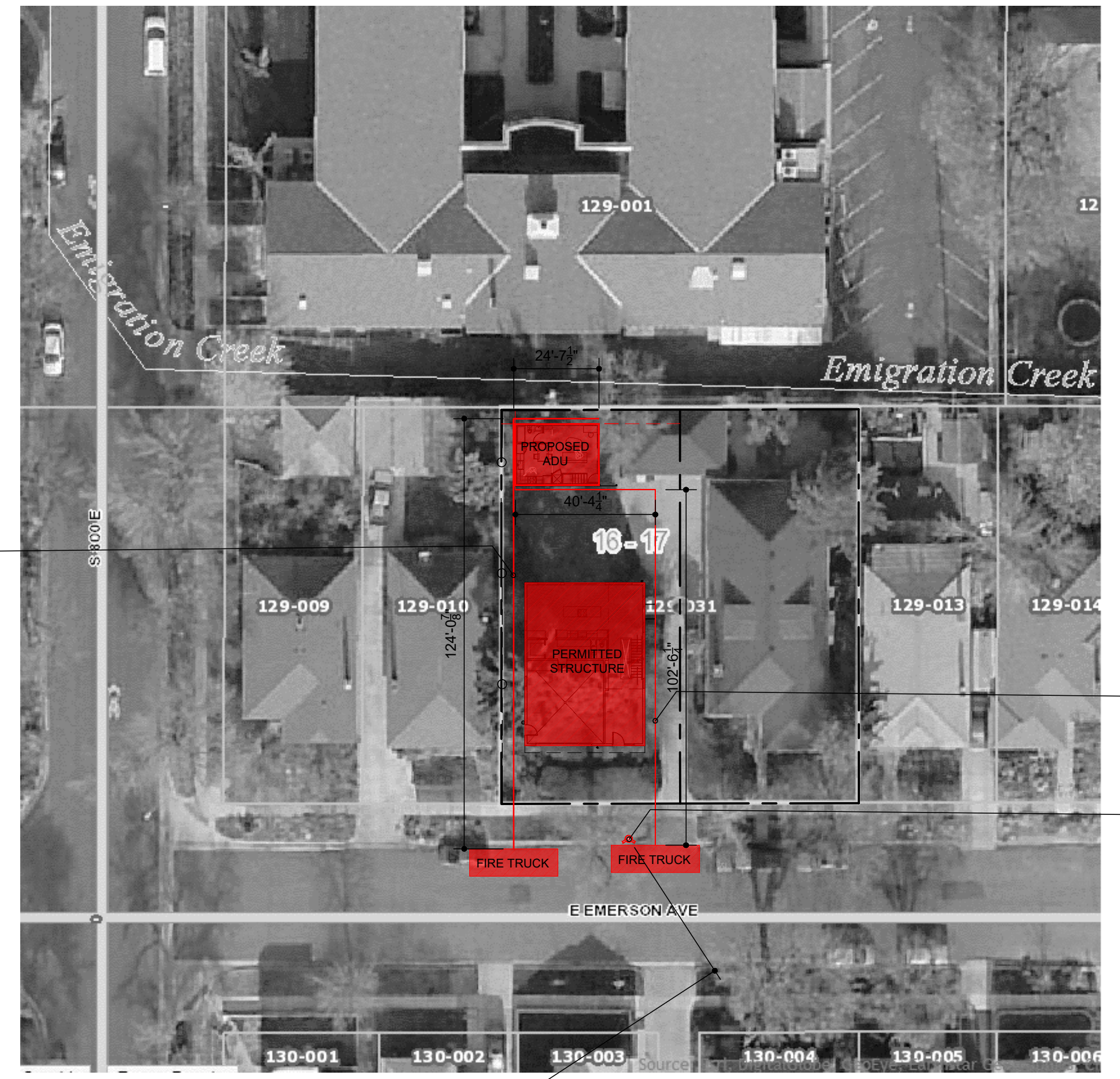
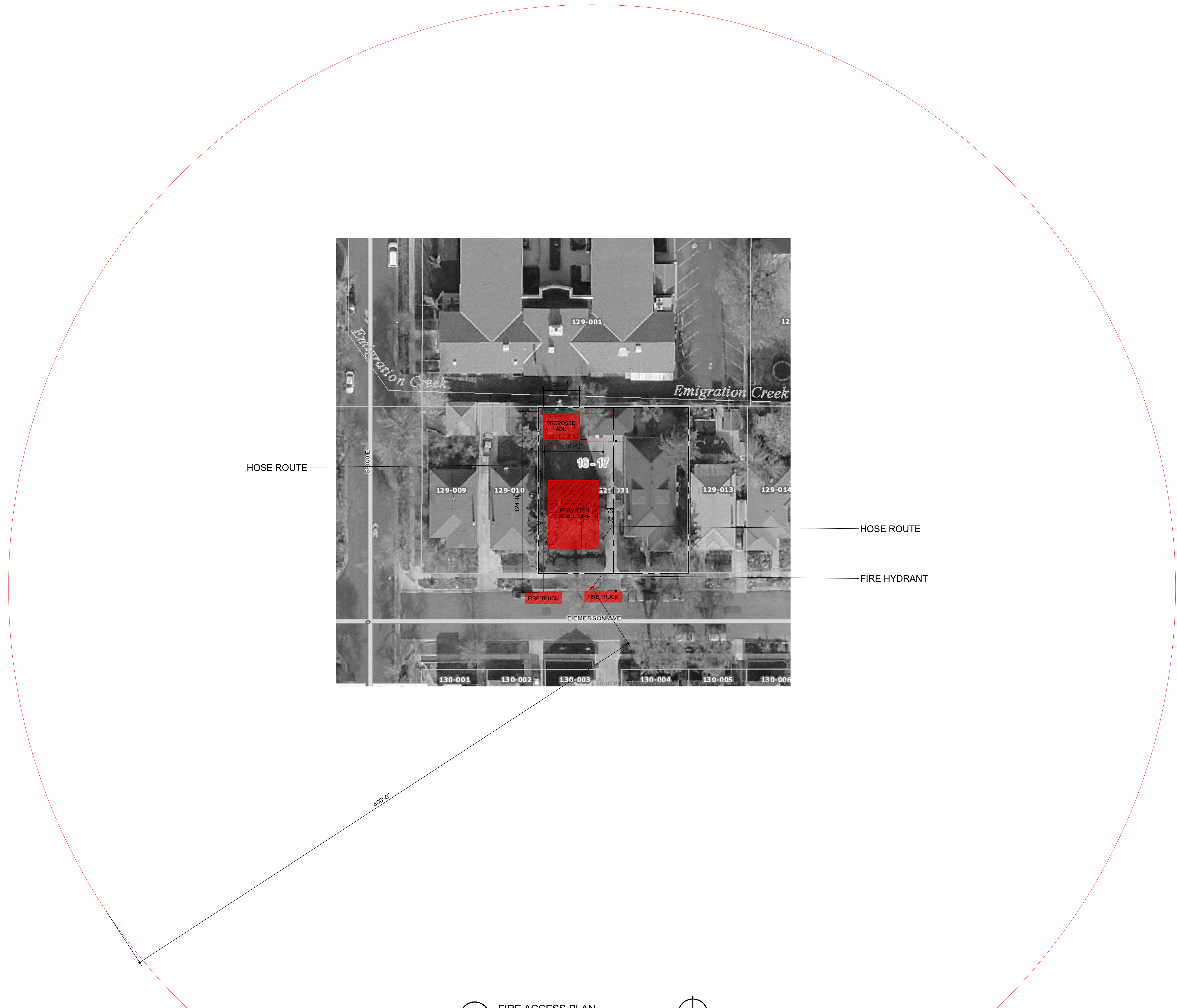
Hare Residence ADU

REVISIONS	DATE

SHEET TITLE

FIRE ACCESS PLAN
SHEET NO.

AS1.2



HOSE ROUTE

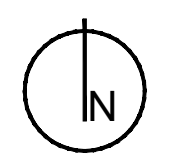
HOSE ROUTE

FIRE HYDRANT

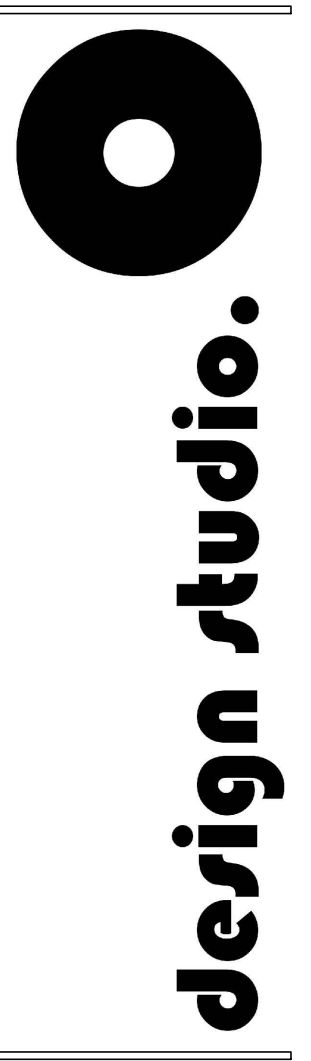
E3
AS1.2

FIRE ACCESS PLAN

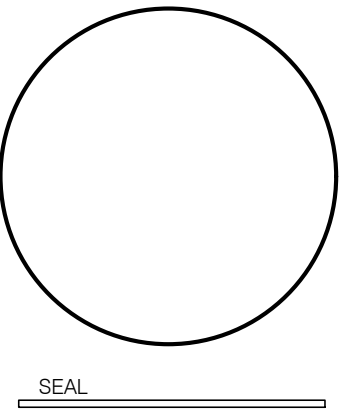
SCALE: 1/32"=1'-0"



- KEY NOTES/GENERAL NOTES**
1. CEDAR SIDING
 2. PAINTED RIBBED METAL PANEL
 3. CEDAR SIDING OVER INSULATED GARAGE DOOR



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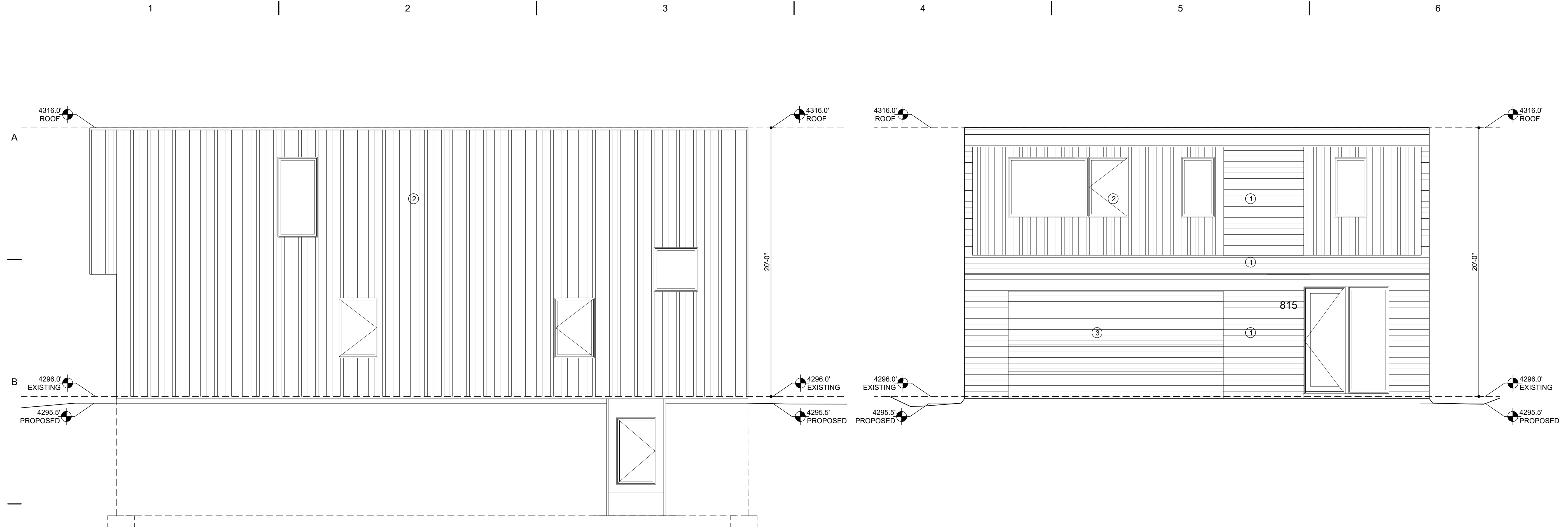


815 EMERSON AVE. Salt Lake City, UT
Garth & Tara Hare
Hare Residence

REVISIONS	DATE
PERMIT SET	12/28/2018
REVISED DWG	3/5/2019

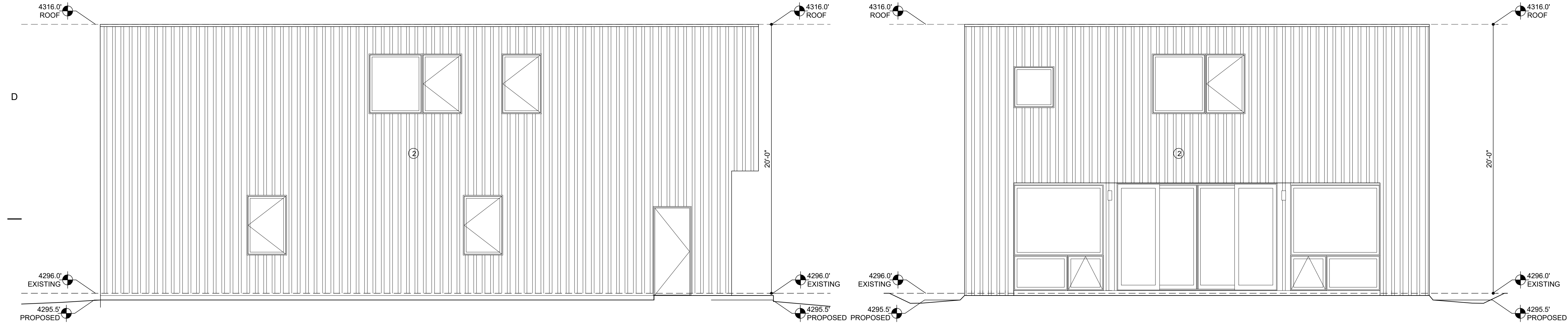
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ELEVATION
SHEET NO.



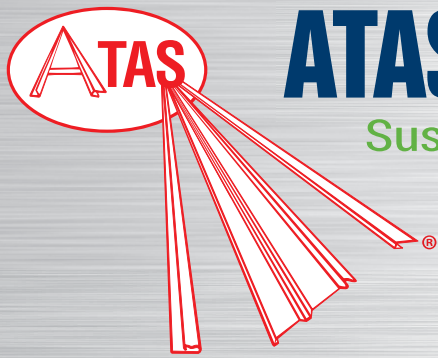
C5 EAST ELEVATION
A2.1 SCALE: 1/4"=1'-0"

C5 SOUTH ELEVATION
A2.1 SCALE: 1/4"=1'-0"



E2 WEST ELEVATION
A2.1 SCALE: 1/4"=1'-0"

E5 NORTH ELEVATION
A2.1 SCALE: 1/4"=1'-0"



ATAS International, Inc.

Sustainable Building Envelope Technology



Numerous hole sizes,
pattern placement
options, custom
shapes and variations

PERFORATED PANELS

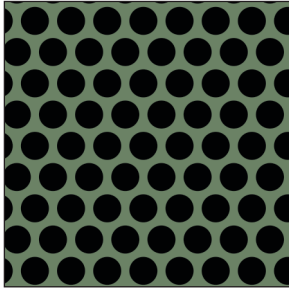
GATEN SERIES

GATEN SERIES PATTERNS

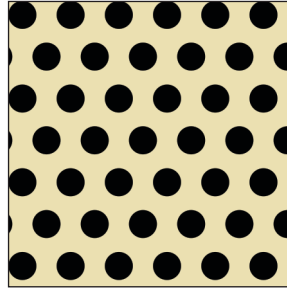
Available in a wide selection of gauges, materials, panel profiles, and colors, Gaten Series perforated panels are ideal for numerous applications including architectural design, passive solar shading, ventilation, acoustical solutions, and equipment screens. ATAS offers six standard hole size patterns, as well as custom options to fit any project's design needs. Additionally, ATAS can color-match each side of the panels for applications where both sides are visible.

ATAS provides a single source package for your project's needs, including engineering expertise, structural hat channels and framing, corners, end caps, trims, and flashings. Contact your local product representative to discuss your project: www.atas.com/rep-finder

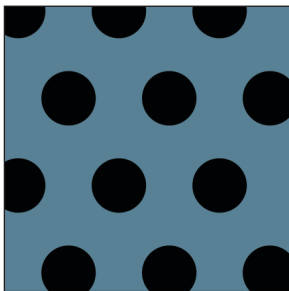
An aluminum substrate is recommended for all perforated applications due to its inherent corrosion-resistant properties.



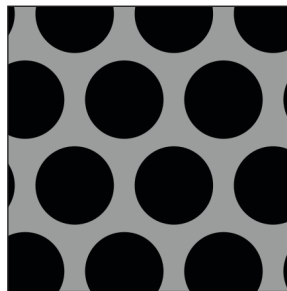
A13
1/8" holes
3/16" staggered centers
40% open area
Shown in Patina Green



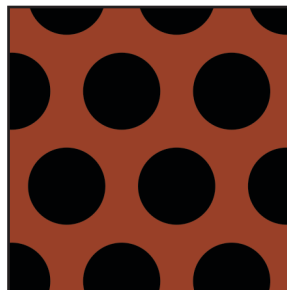
A15
1/8" holes
1/4" staggered centers
23% open area
Shown in Concord Cream



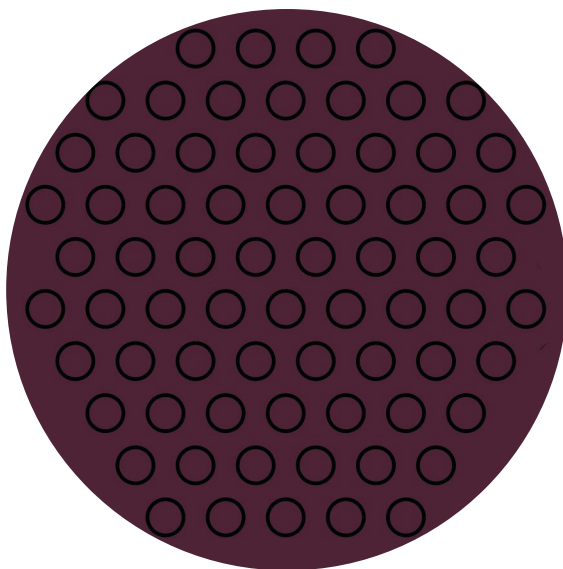
A23
1/4" holes
1/2" staggered centers
23% open area
Shown in Slate Blue



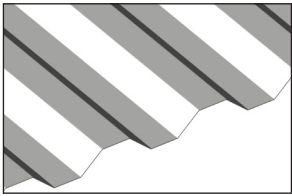
A24
3/8" holes
1/2" staggered centers
51% open area
Shown in Silversmith



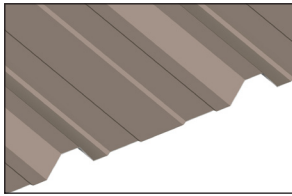
A25
3/8" holes
9/16" staggered centers
40% open area
Shown in Mission Red



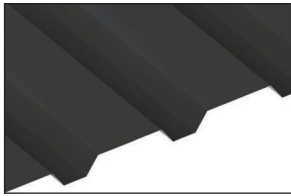
A19
3/16" holes
5/16" staggered centers
33% open area
Shown in Boysenberry



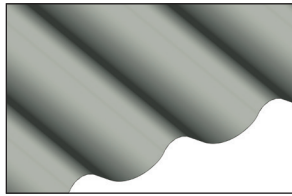
Belvedere 7.2" Rib



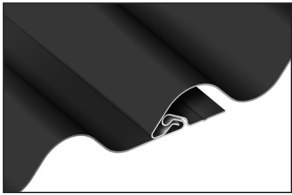
Belvedere Grand R



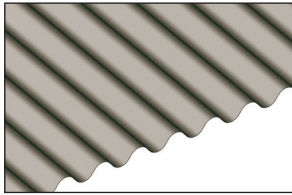
Belvedere PenumWall



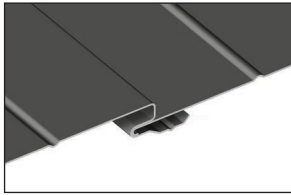
Belvedere Wave Panel



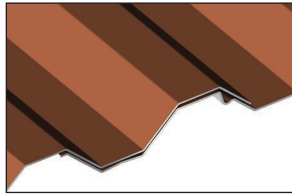
Corra-Lok



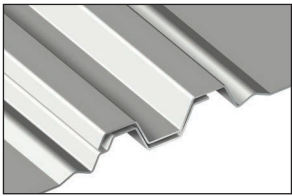
Corrugated Panel



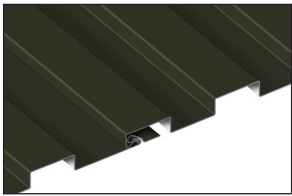
Design Wall



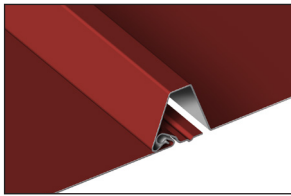
Grand C



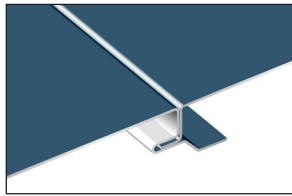
Grand V



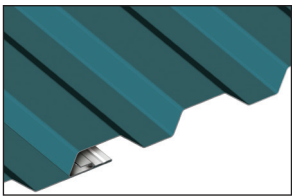
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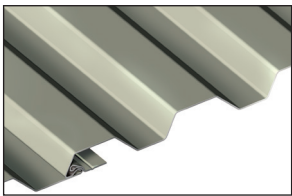
Multi-Purpose Panels



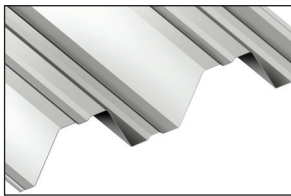
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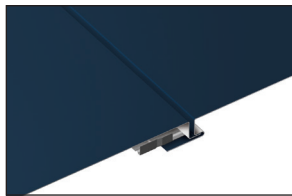
Rigid Wall



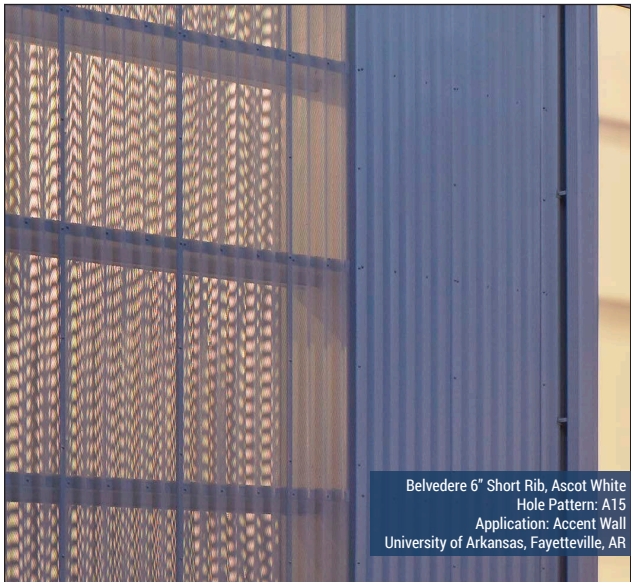
Rigid Wall II



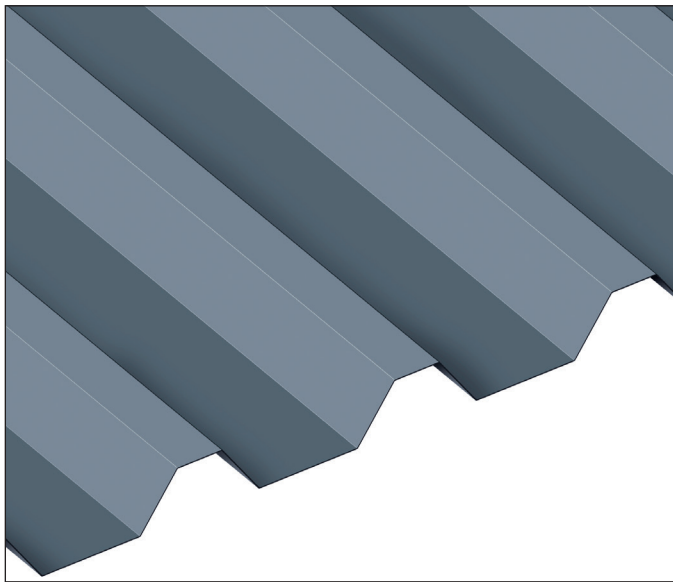
Span Wall



Versa Series



Belvedere 6" Short Rib, Ascot White
Hole Pattern: A15
Application: Accent Wall
University of Arkansas, Fayetteville, AR



↑ **ON THE COVER: Belvedere 6" Short Rib** ↓

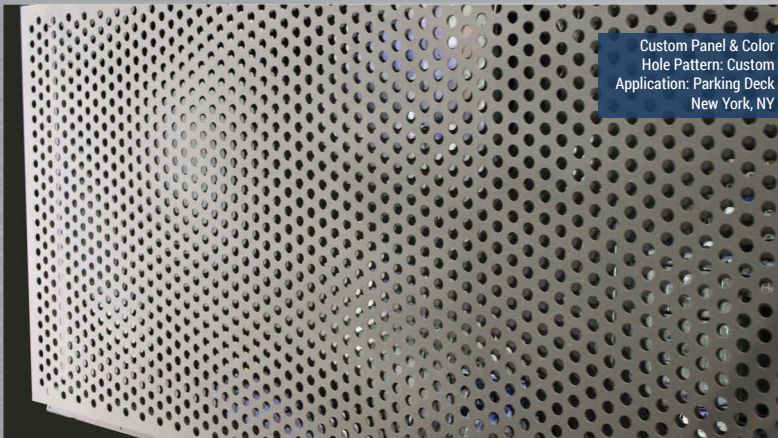
Corrugated Panel, Slate Grey
 Hole Pattern: Custom
 Application: Accent Wall
 Flying Fish Brewery, Somerdale, NJ



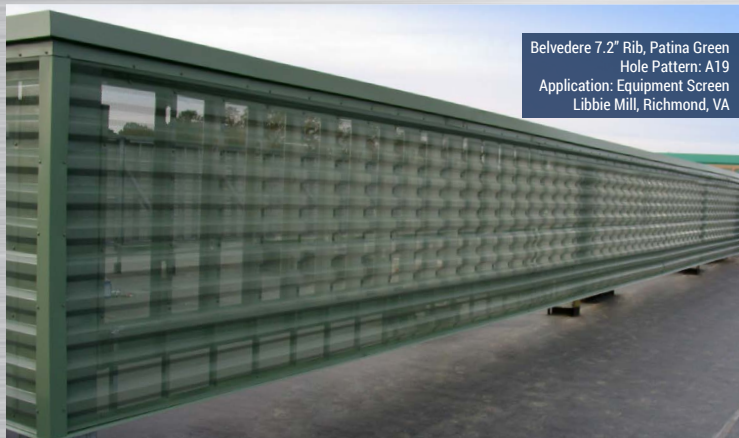
Corrugated Panel, Ascot White
 Hole Pattern: A13
 Application: Accent Wall
 Fromagex, Rimouski, Québec



Corrugated Panel, Custom Color
 Hole Pattern: Custom
 Application: Accent Wall
 West-MEC NE Campus, Phoenix, AZ



Custom Panel & Color
 Hole Pattern: Custom
 Application: Parking Deck
 New York, NY



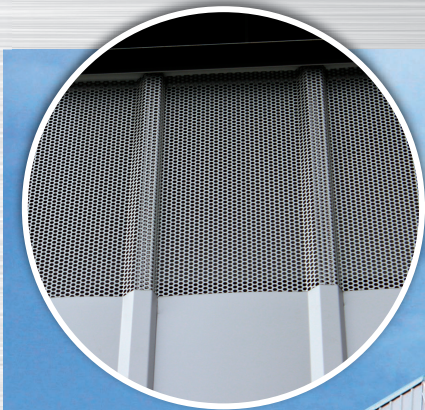
Belvedere 7.2" Rib, Patina Green
 Hole Pattern: A19
 Application: Equipment Screen
 Libbie Mill, Richmond, VA



Belvedere 6" Short Rib, Clear Satin Anodized
 Hole Pattern: A23
 Application: Accent Wall
 33.7 North, Tustin, CA



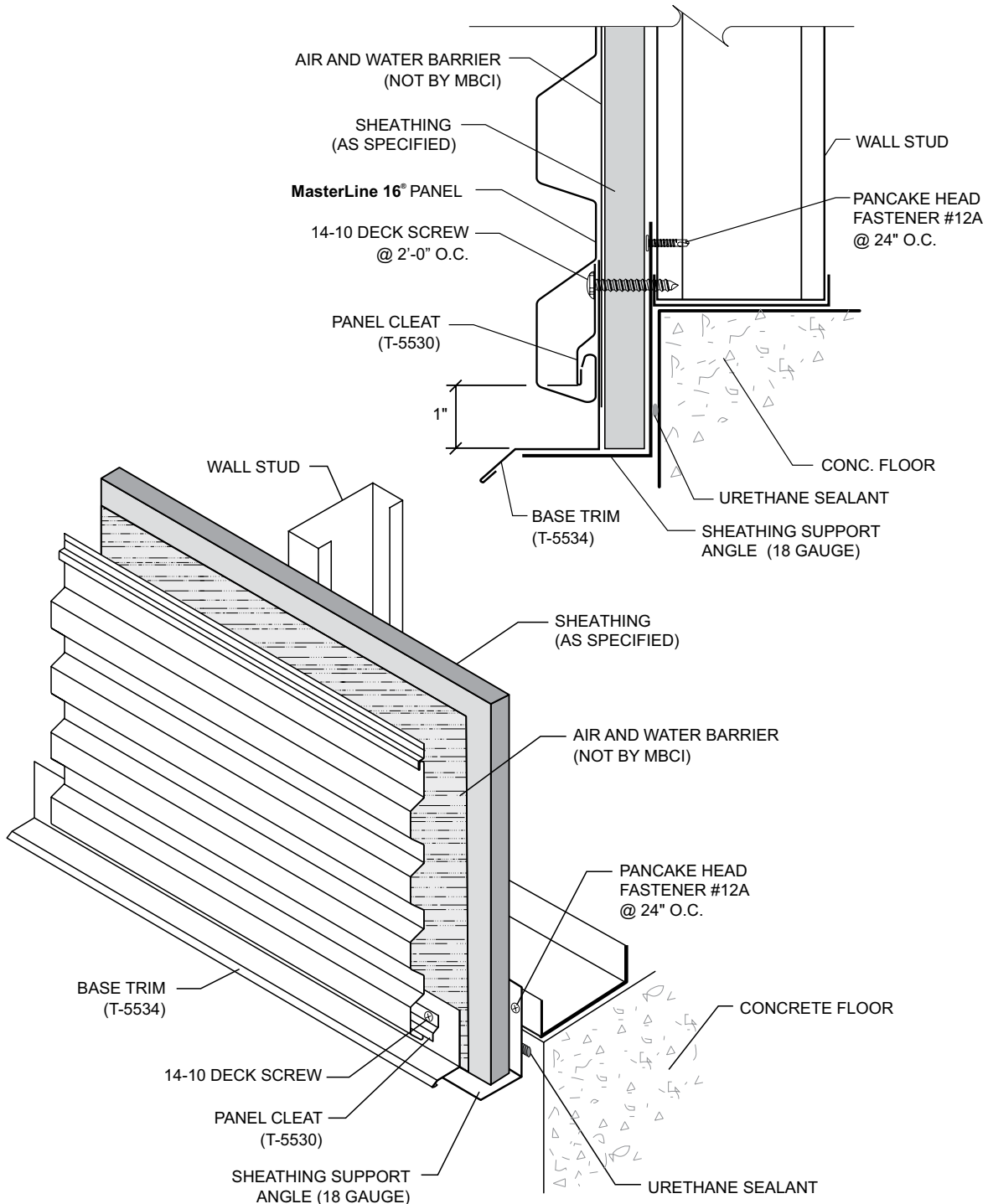
Corrugated Panel, Titanium
 Hole Pattern: A25
 Application: Accent Wall
 Vinton Library, Vinton, VA



Rigid Wall II & Multi-Purpose Panels, Silversmith
 Hole Pattern: A24
 Application: Sunscreen
 The Residences At Twelve40, Philadelphia, PA

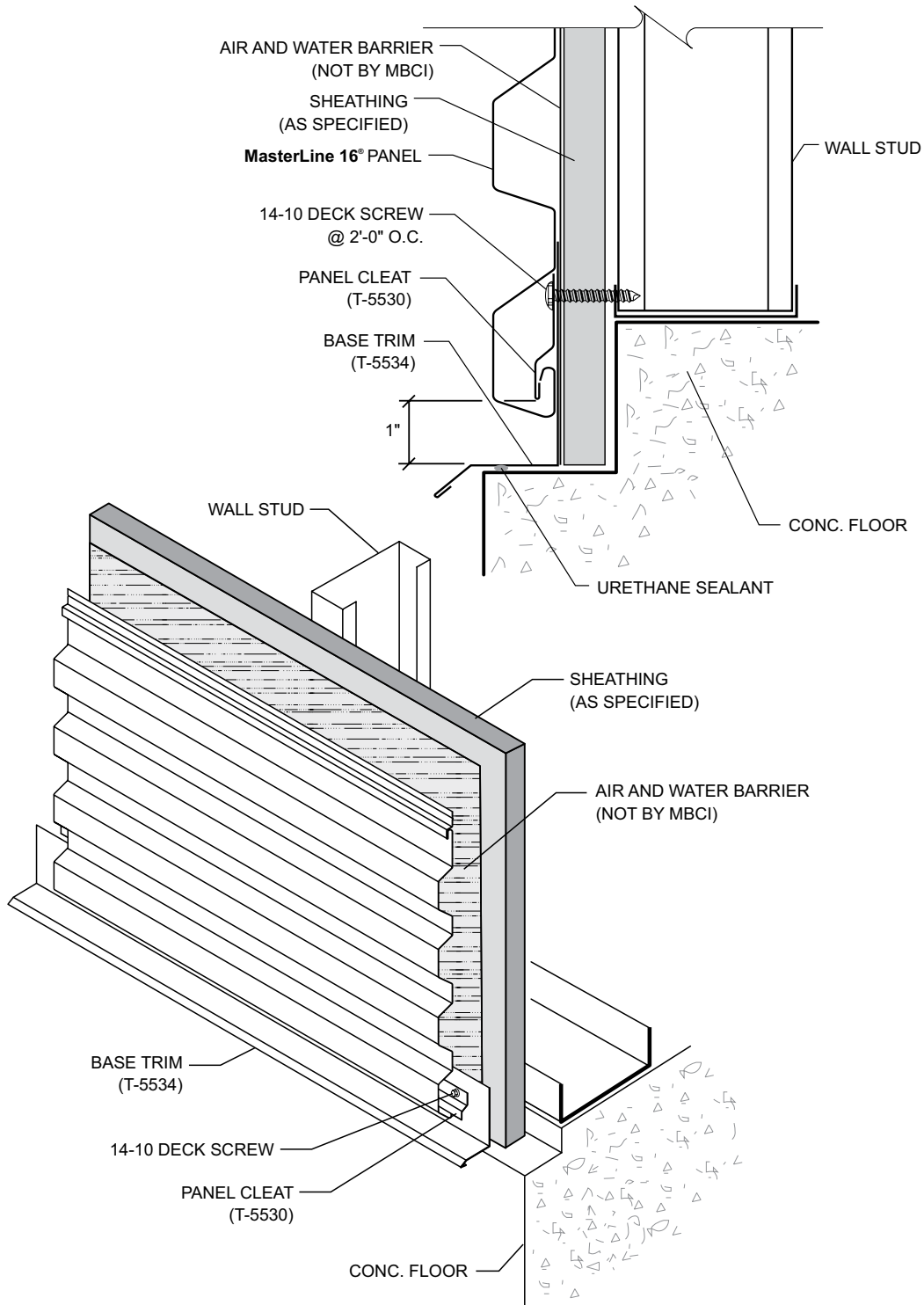
DETAILS

BASE DETAIL WITH ANGLE



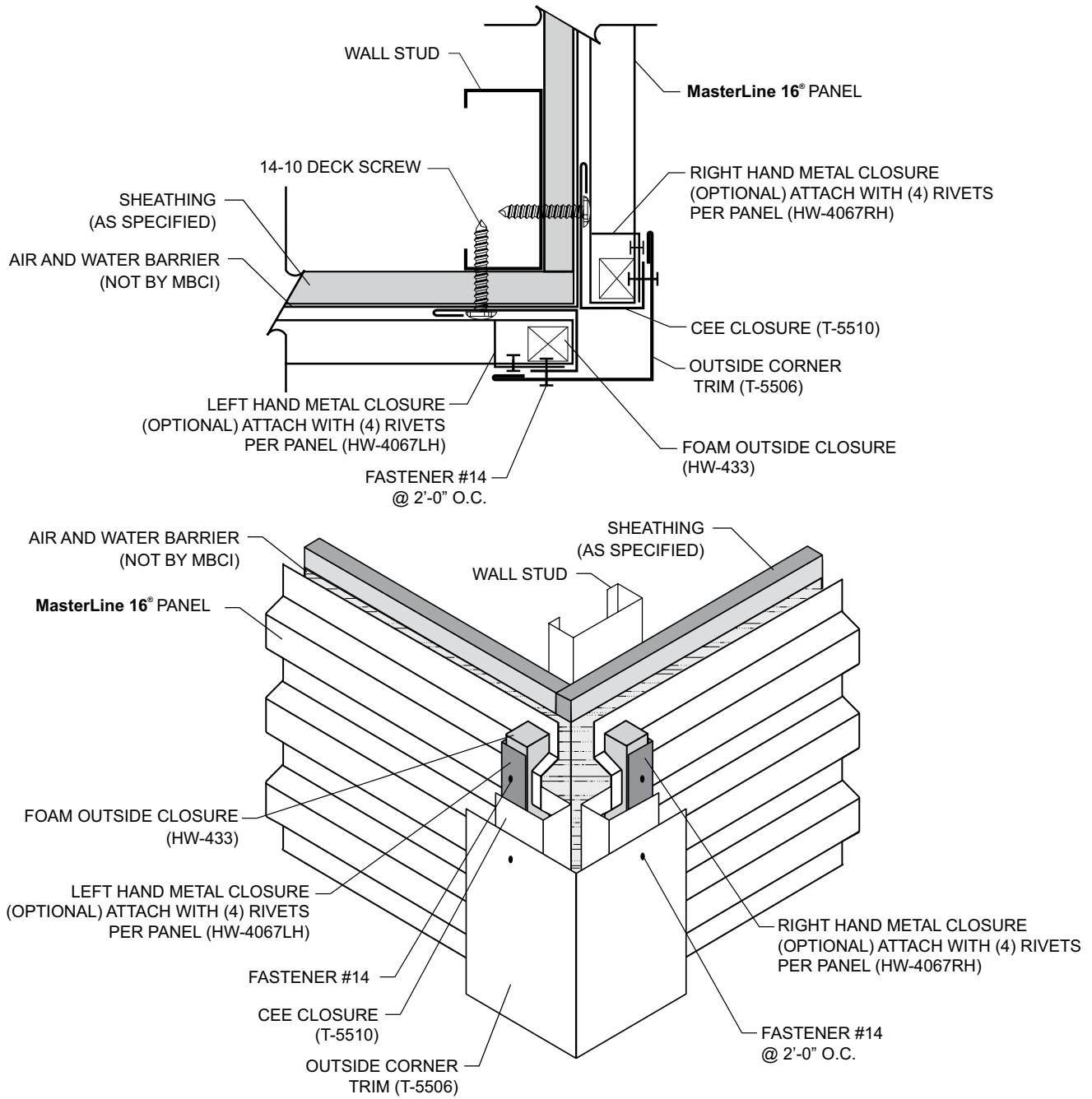
DETAILS

BASE DETAIL WITH SHEATHING NOTCH



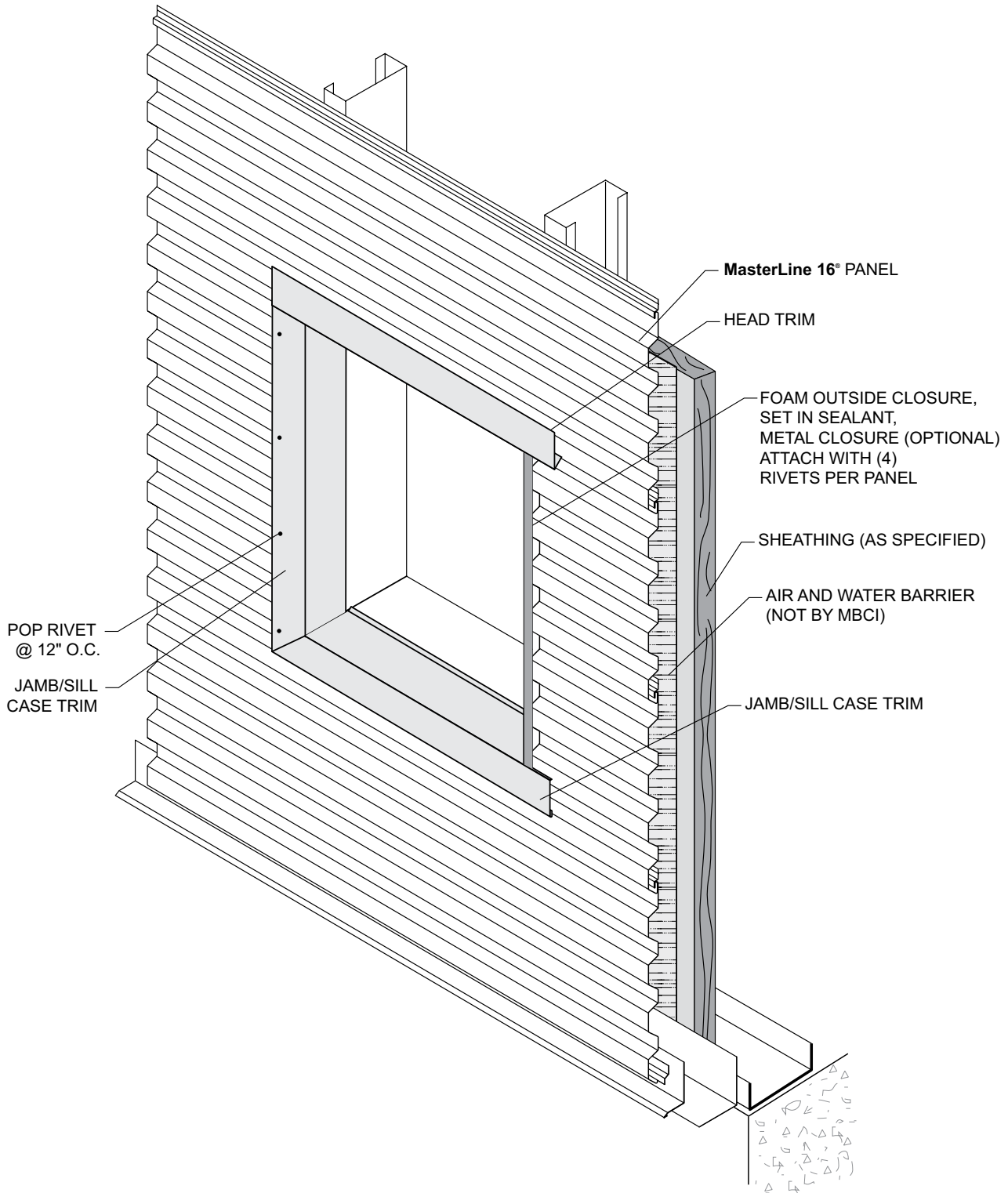
DETAILS

OUTSIDE CORNER DETAIL



DETAILS

WINDOW FRAMING DETAILS



ATTACHMENT C – ADU ZONING STANDARDS

21A.40.200 – ACCESSORY DWELLING UNITS:

ADU STANDARDS	PROPOSED	COMPLIES (Y/N)
<p>SIZE: ADU footprint shall not exceed 50% of footprint of principal dwelling, up to a maximum of 650 sf.</p>	<p>The footprint of the principal dwelling currently being constructed will be 1,625 square feet and the footprint of the proposed ADU is 427 square feet.</p>	<p>Complies</p>
<p>MAXIMUM COVERAGE: The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot area.</p>	<p>Lot area measures 5,844 sf (40% coverage) = 2,337.6 sf maximum building coverage</p> <p>Proposed coverage of combined principal and accessory structures on the lot is 2,310 square feet or 39.5% of the total lot area.</p>	<p>Complies</p>
<p>HEIGHT: Shall not exceed the height of the single-family dwelling on the property or 17 feet, 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 feet if 10 foot side and rear yard setbacks are provided. The setback for additional height may be reduced to 4 feet if the side or rear lot line is adjacent to an alley.</p>	<p>The proposed ADU will be 17 feet tall.</p>	<p>Complies</p>
<p>SETBACKS: New accessory structures shall be located a minimum of 4 feet from any side or rear lot line.</p>	<p>The proposed ADU will be located in the northwest corner of the property 4 feet from the rear (north) property line and 4 feet from the interior (west) property line.</p>	<p>Complies</p>
<p>SEPARATION: Shall be located a minimum of 10 feet from any primary dwelling on the property or adjacent property</p>	<p>The site plan (Sheet AS1.1) has the 10-foot required separation labeled from the house that is currently being constructed on the lot and the house on the lot to the west.</p>	<p>Complies</p>
<p>ENTRANCE LOCATIONS: The entrance to an ADU in an accessory building shall be located:</p> <p>(1) Facing an alley, public street, or facing the rear façade of the single family dwelling on the same property.</p>	<p>The proposed entry is facing the east interior property line, but is over 10 feet away as noted on the site plan. There is also a detached garage in between the proposed ADU and the east property line. No exterior stairs are being proposed off of the ADU.</p>	<p>Complies</p>

<p>(2) Facing a side or rear property line provided the entrance is located a minimum of ten feet (10') from the side or rear property line.</p> <p>(3) Exterior stairs leading to an entrance shall be located a minimum of ten feet (10') from a side or rear property line unless the applicable side or rear property line is adjacent to an alley in which case the minimum setback for the accessory building applies to the stairs.</p>		
<p>REQUIREMENTS FOR WINDOWS:</p> <p>(1) 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.</p> <p>(2) Except as required in subsection E3g(1) of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure.</p>	<p>(1) Egress windows are required in sleeping rooms. To meet this section of the ordinance, the proposed lofted bedroom window on the west elevation shall not exceed the minimum size required to satisfy egress requirements:</p> <ul style="list-style-type: none"> • Bottom of window egress opening shall not exceed 44 inches in height, measured from finished floor; • Minimum window opening area of 5.7 sf; • Minimum window opening height of 24 inches; • Minimum window opening width of 20 inches <p>The height of the window off of the sleeping room is currently 3'5" and; therefore, this must be reduced to 24" per the listed condition.</p> <p>The windows on the north and west elevations are within 10 feet of the side and rear property lines, but will have obscured glazing to meet this condition.</p> <p>(2) The window openings proposed for the ADU are similar in dimension, proportion, and general style as those that will be on the proposed single-family home as seen in the application materials.</p>	<p>Complies per condition</p> <p>Complies</p>
<p>PARKING: 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 the property is within ¼ mile of a transit stop.</p>	<p>There is one on-site tandem parking space as noted on Sheet AS1.1 of the plan set to accommodate the ADU and a bus stop within a quarter mile at 1447 S. 900 East. The single-family home currently being constructed also has an attached garage.</p>	<p>Complies</p>

ATTACHMENT D – 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-1/5000 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 C](#), 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-1/5000 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. There is also a large church just to the north of the property, which may be considered a higher intensity use than the proposed ADU.

Finding: The proposed development and use is generally compatible with the surrounding uses. It is a residential use being located in a residential neighborhood.

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

Analysis: The proposal is located in the East Liberty Park neighborhood within the Central Community Master Planning Area. By 1925, most of the area was filled in with modest single-family dwellings with architectural styles ranging from cottages to bungalows. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5000, single family residential.

The purpose of the R-1/5,000 Single-Family Residential District is to provide 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.

The purpose of accessory dwelling units are to:

- 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 following Residential Land Use Goals included in the Central Community Master Plan:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Encourage a mix of rental properties for those who cannot afford or do not choose home ownership.
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community.

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.

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

3. 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.54.080B 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-1/5000 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 C .
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	The use is located in an area zoned and designated by the associated master plan for low density residential. This land use designation allows moderate sized lots (i.e., 3,000-10,000 square feet) where single-family detached homes are the dominant land use. Low-density includes single-family attached and detached dwellings as permissible on a single residential lot subject to zoning.

		As discussed under Conditional Use standard 3 above, the proposed ADU is consistent with the purpose of the ADU ordinance, several residential land use policies in the Central Community Master Plan and supports goals outlined in Growing SLC: a Five Year Housing Plan by providing more housing options, and creating 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	An ADU is residential in nature and the subject property is located in a single-family residential neighborhood. The unit will also be relatively compact with a footprint of 427 square feet.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	The scale of the proposal will be compatible with the main house on the property and meets the footprint and height requirements for an ADU. Though it has a flat roof unlike neighboring homes, it does not exceed the 17-foot height limit for ADUs. Its location in the corner of 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 and ADU on the subject property will be accessed by a driveway off of Emmerson Avenue. No new access points are proposed and the proposal will not impede traffic flows.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The site will be laid out similar to all of the other single-family lots on the block with a driveway backing out on to Emerson. The ADU is also located within ¼ mile of a transit stop and has street parking on the street adjacent to the property so off street parking for the ADU could be waived. It's not anticipated that the addition of the accessory unit will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The proposed ADU will not affect circulation for pedestrians and bicycles in the area.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	The site will be laid out similar to all of the other single-family lots on the block with a driveway backing out on to Emerson and will not have an unreasonable impact on the street.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	There is one on-site tandem parking space as noted on Sheet AS1.1 of the plan set to accommodate the ADU.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	The Public Utilities department provided comments on the project. A utility plan will need to be submitted for review and compliance will be ensured during the building permitting process. The applicant is also aware of restrictions with Emigration Creek Culvert and that they will need to obtain a flood control permit from Public Utilities.

<p>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts</p>	<p>Complies</p>	<p>The surrounding properties are all residential uses and the proposed use is also residential. Windows on the side elevations of the ADU that are within 10 FT of a property line will have obscured glazing. The ADU will also be located in the northwest corner of the property minimizing its impact on the adjacent single-family homes.</p>
<p>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</p>	<p>Complies</p>	<p>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.</p>
<p>13. The hours of operation and delivery of the use are compatible with surrounding uses</p>	<p>Complies</p>	<p>The proposed use is an accessory residential structure and is compatible with the surrounding uses are also residential.</p>
<p>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</p>	<p>Complies</p>	<p>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.</p>
<p>15. The proposed use does not undermine preservation of historic resources and structures</p>	<p>Complies</p>	<p>The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.</p>

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 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:

- April 23, 2019 – Notice of the project was provided to the East Liberty Park Community Council as well as property owners and residents within 300 FT of the development.
- May 23, 2019 – The applicant and Planning Staff attended a small community focused meeting hosted and organized by the East Liberty Park Community Council. During the meeting, attendees asked general questions about the ADU height, distance from adjacent property lines, privacy, parking, as well as owner occupancy requirements for all ADUs in general.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on June 28, 2019

Public notice posted on City and State websites and Planning Division list serve on June 28, 2019

Public hearing notice posted on June 28, 2019

Public Input:

No formal public comments have been submitted regarding this conditional use request to date.

ATTACHMENT H – DEPARTMENT REVIEW COMMENTS

Building Code (Jason Rogers) –

Building code will need the requested redlines notated in the files, to continue review.

Engineering (Scott Weiler) – No objections

Fire (Douglas Bateman) –

A fire hydrant must be within 400-feet of all exterior walls of the proposed unit. Identify location of existing or proposed hydrant(s)

The fire department access road must be within 150-feet of all portions of the exterior walls of the dwelling. This measurement is taken from the road and measured in straight lines and right angles in the route the hose would be pulled. Distances and route not provided.

See applicant's response in Application Materials.

Public Utilities (Jason Draper) –

The Emigration Creek Culvert runs behind this property. Prior to accepting the conditional use, they need to identify the location and the easement to make sure they are outside of the easement with the proposed ADU.

Additional comments:

A Salt Lake County Flood Control Permit will be required for this construction.

The site utility plan needs to be updated and submitted as part of the building permit showing the water and sewer connections for the proposed ADU.

Existing and proposed flowline of the sewer needs to be shown on the plan.

Conditional use does not provide building permit or utility connection permits.

See applicant's response in Application Materials.

Transportation (Michael Barry) – It appears that parking can be satisfied for the ADU with tandem parking.

Zoning (Kevin Hamilton) –

It is unclear if the proposed ADU to be located at 819 E. Emerson Ave. (the drawings show 815 E.) complies with section 21A.40.200.E.3.g: Requirements for Windows. Building code reviewer will need to determine if the proposed windows exceed the minimum Building Code requirement, which is not allowed. North and West facing windows require obscured glazing.

The owners will need to comply with section 21A.40.200.F: Registration Process.

No other zoning issue noted.