Conditional Use

PROPERTY ADDRESS: 613 S Emery
PARCEL ID: 15-02-383-003
MASTER PLAN: Westside Master Plan
ZONING DISTRICT: R-1/5000 Single-Family Residential

REQUEST: Andrea Palmer, representing the property owner, is requesting approval from the City to allow a detached Accessory Dwelling Unit (ADU) at 613 S Emery Street. The applicant is proposing a one-bedroom structure with a building footprint of approximately 432 square feet. The structure will be approximately 11 feet 8 inches in height and located in the rear of the lot.

RECOMMENDATION: Based on the information in the staff report, Planning Staff recommends that the Planning Commission approve the proposal with the following conditions:

1. Applicant shall comply with all other department/division requirements.
2. Applicant shall comply with the registration process outlined in section 21A.40.200.F of the Salt Lake City zoning ordinance.

ATTACHMENTS:
A. Vicinity and Zoning Map
B. Site Photographs
C. Application Materials
D. ADU Zoning Standards
E. Analysis of Standards
F. Public Process and Comments
G. Department Review Comments

PROJECT DESCRIPTION: The proposed project is for the construction of a detached ADU to the rear of the house on the property located at approximately 613 S Emery Street. The ADU will be located behind the existing house on the property and will not be readily visible from the street. The structure will be adjacent to the alley that runs behind the property and close to the northeast corner of the lot.
The proposed ADU will have a building footprint of approximately 432 square feet and contain one bedroom, one bathroom and a combined kitchen and living room. The structure will be one-story high with a flat roof. The facades will be clad with vertical and horizontal wood siding and two facades of the structure oriented to the interior of the lot will have openings. The main entrance to the ADU will face the south property line.

The existing single-family home on the property is required to have 2 off-street parking stalls, whereas the ADU is required one stall. The applicant is proposing on-street parking. Per the zoning standards, parking for the ADU may be waived when on-street parking is available directly in front of the subject property.

**KEY CONSIDERATIONS:**

**Consideration 1: Current use of the primary home on the property**
Comments received from the neighbors show concern with the current use of the primary home on the property. The dwelling on the property is permitted as a single-family dwelling only. Therefore, occupants of the property shall comply with the definition of family found in the Zoning Ordinance,
section 21A.62:

**FAMILY:** A. One or more persons related by blood, marriage, adoption, or legal guardianship, including foster children, living together as a single housekeeping unit in a dwelling unit; or

B. A group of not more than three (3) persons not related by blood, marriage, adoption, or legal guardianship living together as a single housekeeping unit in a dwelling unit; or

C. Two (2) unrelated persons and their children living together as a single housekeeping unit in a dwelling unit.

The term "family" shall not be construed to mean a club, group home, residential support dwelling, a lodge or a fraternity/sorority house.

The public comments received indicate that the property is currently being occupied by 4 or 5 unrelated individuals, which is a violation of the above definition. However, there are no records of zoning enforcement on the property related to the matter and staff found no evidence of the violation when visiting the site. While staff cannot state that there are no violations occurring on the property, the claim is unsubstantiated at this point and should not serve as a base of decision for this request.

Furthermore, an ADU is only permitted when an owner occupant lives on the property within either the principal or accessory dwelling unit. The recordation of this condition will be done through a Deed Restriction after the conditional use is granted. Any use of the property that violates the zoning regulations, including the deed restriction, should be reported to city’s Civil Enforcement division for investigation. If a violation is found, that division will take action to have the issue resolved or to initiate fines. Any conditional use granted to the property may be suspended or revoked if:

1. A change in the conditional use approval made without authorization or an amendment; or

2. Noncompliance with the conditions prescribed upon approval of the conditional use or with representations by the applicant as to the nature of the conditional use to be conducted; or

3. Operation of the conditional use in a manner that creates a nuisance for neighboring persons or property.

**Consideration 2: Parking**

The existing single-family dwelling meets the minimum required off-street parking, which is two stalls. However, overutilization of on-street parking has been raised as an issue in the public comments received. The neighbors claim that the tenants of the property do not use their required off-street parking (garage and driveway) and instead park multiple cars on the street. They claim that the current situation creates congestion and competition for on-street parking and that the proposed ADU will intensify the problem as the applicant has proposed that the ADU utilize on-street parking.

When reviewing the proposal, the existing and proposed parking satisfy zoning requirements. While required off-street parking is intended to lessen traffic congestion, there is no zoning or traffic regulations on this area to limit on-street parking or enforce that the off-street stalls be used instead of on-street parking. Because parking on the street is public, it is an option and decision of any driver, property owner or not. In terms of the proposed ADU, the conditional use standards are specific to the new use. The new use complies with the provisions of the zoning ordinance, including parking as discussed in Attachment D.

**DISCUSSION:**

The key considerations discussed above and presented by the general public are beyond the scope of this land use decision. Attachment D and Attachment E shows that the proposed development, as presented, complies with the standards of review.
**NEXT STEPS:**
If the request is approved, the applicant will be required to obtain a building permit and certificate of occupancy for the new building. Plans may be submitted for building permit at any point, but the certificate of occupancy will only be issued once all the conditions of approval are met.

If the request is denied, the applicant would not be able to construct an ADU on the property.
ATTACHMENT B: Site Photographs

Figure 3 – Front of the existing home on the property

Figure 4 – Front of the existing home on the property. The proposed ADU would be located on the left of the photo, but it would not be readily visible from Emery St.
Figure 5 – Back of the property. The proposed ADU would be located on the right of the photo.

Figure 6 – Back of the property. The proposed ADU would be located on the right of the photo.
ADU Project Description - 613 S Emery St

Features

The MODAL 01 is a one-bedroom, one-bathroom, 432-square foot footprint Accessory Dwelling Unit (ADU) built in compliance with current residential building codes (IBC/IRC 2018).

- 9' tall ceilings
- Built-in furniture
  - Day bed
  - Custom wardrobe
  - Bed frame with integrated storage
- Fully equipped kitchen
  - Dishwasher
  - Refrigerator and freezer
  - Garbage disposal
  - 4-burner electric stove
- Full-size bathroom
  - Washer & dryer
- Composite glass front door
  - 8' tall by 9' wide
- Bedroom window
  - 3' tall by 6' wide
- 2-head independently-zoned, ductless mini-split heating, and cooling units
- Efficient LED lighting
- Plug and play utility hookups

Specifications

- Weight: 19,000 lbs
- Dimensions (L/W/H): 32'13''-6''/11'
- Foundation: Continuous, full perimeter thickened slab foundation

Materials

Exterior

- Building facade: tongue and groove western red cedar cladding, painted black and sealed.
- 2x6 wood frame construction
- Double plated top and bottom framing
• TPO roofing system with an internal drain
• R53 roofing/flooring insulation
• R24 wall insulation
• Double pane composite windows and doors

Interior
• 13 ply Baltic Birch cabinetry and wall finishes
• Quartz countertops
• Tiled shower surround
• 3Form custom kitchen backsplash
• Euro glass shower divider
• Forbo Marmoleum flooring

Site Specifications

• This Conditional Use application proposes one Accessory Dwelling Unit (ADU) to be placed at 613 S Emery St, currently a single-family home located in the R-1/5,000 zone.

• The property is 6,534 SQ.FT. or .15 acres that has an existing single-family dwelling with a footprint of 880 SQ.FT. and does not exceed more than 50% of the ADU size (432 SQ.FT.).

• Existing lot coverage is 17% and with the ADU, 23%. This will not exceed the 40% maximum building coverage allowed in the R-1/5,000 zone.

• Existing rear yard coverage is 13% and with the ADU, 19%. This will not exceed the 50% rear yard coverage allowed for ADU’s.

• The maximum height of the single-family dwelling is 17'-3” and will not exceed the height of the ADU, 11’.

• Setbacks are as follows: rear yard: (4’), front yard: (87'-8”), side yards: (4’ North, 33’-2 ½ " South).

• The proposed ADU would be placed 37'-7’ behind the primary dwelling and the closest primary dwelling on an adjacent property is 36'-4 ½ “.

• The entrance for the proposed ADU is oriented towards the south property line and over the 10’ requirement for an ADU facing a property line.

• The south elevation will have a 9’ wide by 8’ high glass sliding door and a 6’ wide by 3’ high window to the bedroom. The west elevation will have a 7’ wide by 2’ high clerestory
window to provide for additional light while providing privacy for the primary dwelling. The north and east elevations have no windows.

- On-site parking can be waived for the ADU occupant due to legal street parking space in front of the property.

- The proposed ADU will be 338'-2 ½" away from the nearest fire hydrant and 150' distance from the nearest fire department access road, measured from the furthest point of the unit.

- Sewer, power, and water service to the ADU will be connected to the existing primary dwelling’s utility lines. A televised sewer lateral inspection was performed on the existing sewer line on September 27th, 2019. The city inspector found that the lateral looked good except for a few roots that need to be maintained and a crack in the wye. He recommended having a liner installed but not necessary at this time and replace the connection to the city main. Our plan is to replace the connection to the city main prior to placing the ADU.

- To install the unit, we will crane drop the unit in the rear yard.

- The proposed use of the ADU is a rental property. The property owner intends to comply with all applicable laws and ordinances.
DRAWING LIST

000 - INDEX
001 - S0 - CERTIFIED SURVEY
002 - G001 - TITLE SHEET, SITE PLAN
003 - G002 - NOTES, ABBREVIATION, SYMBOLS, GENERAL NOTES
004 - G003 - ASSEMBLIES
005 - A200 - FLOOR PLAN, ROOF PLAN, FOUNDATION PLAN, INTERIOR ELEVATIONS
006 - A201 - FINISH PLAN, ELECTRICAL PLAN, SCHEDULES
007 - A300 - BUILDING ELEVATIONS & 3D VIEWS
008 - A350 - BUILDING SECTIONS
009 - A400 - BUILDING DETAILS
010 - S0.0 - GENERAL NOTES
011 - S1.0 - STRUCTURAL PLANS
012 - S1.1 - DETAILS
BOUNDARY SURVEY:

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH,
RANGE 2 WEST, 5TH帶, HURON AND GLENDALE STREET.

615 SOUTH EMERY STREET, SALT LAKE CITY, UTAH.

WARD ENGINEERING GROUP

6' WOODEN FENCE (PUBLIC STREET)

ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH HEREBY CERTIFY THAT I HAVE MADE A
SURVEY OF THE HEREON DESCRIBED TRACT OF LAND AND THIS PLAT IS A TRUE AND ACCURATE
REPRESENTATION OF SAID SURVEY.

FOUND SALT LAKE CITY MONUMENT
AT THE INTERSECTION OF 600 SOUTH
AND GLENDALE STREET

S 89°47'35" E 33.00'

S 89°46'35" E 333.19'

35.01'

265.18'

32.99'

15.00'

N 0°13'25" E

N 0°11'56" E

103.07'

52.04'

249.79'

125.09'

S 89°46'35" E 125.09'

15.00'

N 0°13'25" E

S 89°46'35" E 125.09'

30.55'

30.50'

N 89°46'35" W

N 0°11'56" E

103.07'

125.09'

404.78'

S 00°12'25" W 468.20'

S 0°08'38" W 468.40'

71.26'

17.98'

24.43'

6' CHAINLINK FENCE

12' TREE

17.98'

12.29'

24.43'

4228

4229

4228

N 89°46'35" W

N 0°11'56" E

N 89°46'35" W

249.68'

249.79'

34.58'

34.57'

S 0°10'04" W

S 89°49'56" E 332.67'

REVISIONS

No.           DATE           BY        REVISION

www.wardeg.com

fax (801) 487-8668

GUTTER HEIGHT: 7'

GUTTER HEIGHT: 10'

PEAK HEIGHT: 9'

PEAK HEIGHT: 10.5'

PEAK HEIGHT: 15.5'

CONCRETE DRIVEWAY

CONCRETE PAVERS

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It is the responsibility of the contractor to become fully aware of any and all conditions and details material to the work to be done.

2. The mechanical work must adhere to all requirements of the construction documents.

3. Each item not dimensioned on plans. Dimensions on plans are to face of framing, exterior face or other surface material unless noted otherwise on drawings. Offset or clearance distances shall be in accordance with the applicable building code or standards, he/she shall bring discrepancies to the attention of the architect before proceeding.

4. All plumbing work is to be subcontractor designed and permitted. The final design shall be certified by a licensed plumber.

5. The electrical contractor shall be responsible for providing and wiring all fans, fan motors, as required. All connections shall be in accordance with the 2018 IRC.

6. The mechanical contractor shall design and permit HVAC systems. Final design shall be certified by a licensed HVAC contractor.

7. Provide makeup air to laundry room.

8. Building sections shall be designed to meet the 2015 IRC for requirements of air changes.

9. Minimum required pressure shall be 1.75 psig.

10. Provide all required pipe and fittings with the exception of those shown on detail.

11. See ResCheck for all Insulation "R" & "U" values.

12. Fire Hose Cabinet shall be provided as shown.

13. Fire protection systems shall meet NFPA 13 standards.

14. Provide all required electrical equipment with the exception of those shown on detail.

15. Provide all required plumbing fixtures with the exception of those shown on detail.

16. Provide all required mechanical equipment with the exception of those shown on detail.

17. Provide all required HVAC equipment with the exception of those shown on detail.

18. Provide all required electrical equipment with the exception of those shown on detail.
R-21 HIGH PERFORMANCE FACED FIBERGLASS BATT INSULATION BETWEEN STUDS
EXTERIOR VERTICAL WOOD SIDING, SEE EXTERIOR ELEVATIONS FOR FINISH SCHEDULE.

2 1/2" GYP. BD., PAINTED. ATTACHMENT PER CODE.

*1/2" CEMENTITIOUS TILE BACKER BD. AT ALL WET AREA LOCATIONS IN BATHROOM, KITCHEN & UTILITY ROOMS

3 1/2" SOUND ATTENUATION BLANKETS @ ALL BATHROOM LOCATIONS

1/2" BIRCH PLYWOOD WHERE OCCURS, SEE FINISH PLANS. 4'X8' SHEETS, GLUED TO WD. STUDS PER CODE.

CONT. ROLL ON WATER PROOFING MEMBRANE
WALL TILE OVER THINSET MORTAR WHERE OCCURS, SEE FINISH PLANS

1/2" GYP. BD., PAINTED. ATTACHMENT PER CODE.

1/2" GYP. BD., PAINTED. ATTACHMENT PER CODE.

1/2" CEMENTITIOUS TILE BACKER BD. AT ALL WET AREA LOCATIONS IN BATHROOM, KITCHEN & UTILITY ROOMS
CONT. ROLL ON WATER PROOFING MEMBRANE
WALL TILE OVER THINSET MORTAR WHERE OCCURS, SEE FINISH PLANS

1/2" BIRCH PLYWOOD WHERE OCCURS, SEE FINISH PLANS. 4'X8' SHEETS, GLUED TO WD. STUDS PER CODE.

CONT. ROLL ON WATER PROOFING MEMBRANE
WALL TILE OVER THINSET MORTAR WHERE OCCURS, SEE FINISH PLANS

1/2" BIRCH PLYWOOD WHERE OCCURS, SEE FINISH PLANS.

1/2" CEMENTITIOUS TILE BACKER BD. AT ALL WET AREA LOCATIONS IN BATHROOM, KITCHEN & UTILITY ROOMS
CONT. ROLL ON WATER PROOFING MEMBRANE
WALL TILE OVER THINSET MORTAR WHERE OCCURS, SEE FINISH PLANS

VAPOR BARRIER

1/2" GYP. BD.
CONT. VAPOR BARRIER

FLOOR FINISH PER FINISH SCHEDULE

PLYWOOD SHEATHING PER STRUCTURAL

ROOF SHEATHING PER STRUCTURAL

1/2" PLYWOOD SHEATHING

FULLY ADHERED 60-MIL REINFORCED TPO MEMBRANE ROOF, WHITE

3" R19.5 CLOSED CELL MEDIUM DENSITY SPRAY FOAM INSULATION. CONFIRM WITH MNFR MIN. & MAX THICKNESS FOR PERFORMANCE OF CLASS II VAPOR RETARDER

SOFFIT FINISH PER REFLECTED CEILING PLAN

LEGEND - WALL TYPES

LEGEND - FLOOR & ROOF TYPES
GENERAL NOTES - RCP

1. ALL DIMENSIONS EXCEPT CENTER OF STRUCTURAL WALL OR FACE OF STRUCTURAL MATERIAL (U.N.O. 3/4"
2. SCALES TO DRAWING SHEETS MUST BE IN MILLIMETERS. DIMENSIONS FROM CENTER OF STRUCTURAL MATERIAL
3. CENTER TO CENTER OF STRUCTURAL MATERIAL (U.N.O. 3/4"
4. PREPARE TO PREPARE AND RECHECK FOR CORRECTION AND CONFIRMATION.
5. DIMENSIONS FROM CENTER OF STRUCTURAL MATERIAL (U.N.O. 3/4"
6. DIMENSIONS FROM CENTER OF STRUCTURAL MATERIAL (U.N.O. 3/4"
7. PROVIDE CONCEALED PENDANT TYPE SPRINKLER HEADS AT ALL UNIT

LEGEND - RCP

LOCATION TYPE MANUFACTURER MODEL # / COLOR

ACCESSORY SCHEDULE

PLUMBING FIXTURE SCHEDULE

EQUIPMENT SCHEDULE

FINISH PLAN & SCHEDULE
WHEN SHOWN IN ELEVATION OR SECTION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE OR TOP OF CEMENT BASED UNDERLAYMENT, U.N.O. DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS GOVERN. ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.

1. T.O. Sheathing 0' - 0"
2. T.O. Concrete 1' - 3 1/8"
3. T.O. Wall Low 8' - 10"
4. B.O. Foundation 4' - 0 1/8"
5. Wall Vent for Dryer, Paint Grille to match adjacent exterior siding
6. Wall Vent for Bathroom Ceiling Fan, Paint Grille to match adjacent exterior siding
7. Prefinished MTL. Downspt & Gutter, Paint to match adjacent exterior siding
8. Downspt Elbow and 24" Splash Block
9. Finish Grade 1' - 9 1/8"
10. Overall Structure Height 11' - 8 1/2"
1. THESE BUILDING SECTIONS ARE SHOWN FOR SPACIAL RELATIONSHIPS ONLY AND SHOULD NOT BE SOLE BASIS FOR JOINING MATERIALS. REFER TO CALLOUT DETAILS OR ASK ARCHITECT IF UNCERTAIN OR IF CONFLICTS OCCUR.

2. WHEN SHOWN IN ELEVATION OR SECTION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE, U.N.O.

3. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.

4. ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.

5. 1/2" = 1'-0"
STRUCTURE HAS NOT BEEN DESIGNED FOR CRANE PICK POINTS. CONTRACTOR TO PROVIDE CONTINUOUS SUPPORT UNDER FLOOR BEAMS DURING HOISTING OF THE STRUCTURE.
## ATTACHMENT D: ADU Zoning Standards

### 21A.40.080: Accessory Dwelling Units

<table>
<thead>
<tr>
<th>Standard</th>
<th>Proposed</th>
<th>Status</th>
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<tbody>
<tr>
<td><strong>MAXIMUM SIZE</strong> 50% of the footprint of the principal dwelling, not to exceed 650 square feet.</td>
<td>The principal dwelling is approximately 888 square feet. The proposed ADU will have a footprint of approximately <strong>425 square feet (~48%)</strong>.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>MAXIMUM COVERAGE</strong> The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot.</td>
<td>The surface coverage all principal and accessory buildings (including the proposed ADU) will be approximately <strong>24%</strong> of the lot.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>MAXIMUM HEIGHT</strong> The height of the single-family dwelling on the property or 17 feet, whichever is less.</td>
<td>The proposed ADU will be <strong>11 feet 8.5 inches</strong> in height.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>MINIMUM SETBACKS</strong> 4 feet from any side or rear lot line. 10 feet from any primary dwelling on the property or adjacent property.</td>
<td>The ADU will be located <strong>5 feet</strong> from the side lot line and <strong>9 feet</strong> from the rear lot line. The ADU will be over <strong>37 feet</strong> away from the nearest dwelling on an adjacent property.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>ENTRANCE LOCATIONS</strong> When facing a side or rear property line, the entrance shall be a minimum of 10 feet from the side or rear property line.</td>
<td>The entrance is proposed at <strong>33 feet 8.5 inches</strong> of the side (south) property line.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>WINDOWS</strong> No larger than necessary to comply with the minimum Building Code requirements for egress where required. Shall maintain similar dimension and design as the windows found on the principal structure.</td>
<td>Windows comply with the size and location requirements and are similar in shape and size to those on the principal structure.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>OFF-STREET PARKING</strong> Minimum of one parking space on site, unless on street parking is available along the street frontage of the property or property is located within 1/4 mile of transit stop.</td>
<td>Parking for the proposed ADU is waived because on street parking is available directly in front of the subject property.</td>
<td>Complies</td>
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</table>
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 property is located in the R-1/5000 Single-Family Residential zoning district, where an Accessory Dwelling Unit is a conditional use. As analyzed in Attachment D, the proposed ADU complies with applicable zoning standards.

   Finding: If approved by the Planning Commission, the proposed use complies 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 property is surrounded by residential uses, primarily single-family dwellings. The proposed ADU will be used for residential purposes and will function in the same manner as adjacent single-family dwellings.

   Finding: The proposed ADU will function as a small single-family dwelling and therefore, it is compatible with the surrounding residential uses.

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

   Analysis: The Westside Master Plan designates the future land use of this area as Neighborhoods, which is intended to preserve the character, scale and land use of the neighborhoods while promoting appropriate growth. This appropriate growth is related to providing new housing opportunities, given that the population of the Westside community has been increasing at a rate that exceeds the city as a whole. The plan recognizes that over time the demand for new housing will necessitate a change in the community’s development pattern. However, new development should consider the nature of the surrounding areas.

   In order to satisfy the initiative to determine unique and compatible ways to add incremental density through infill development, the plan specifically calls out for allowing accessory dwelling units as an appropriate tool for infill development in the Westside neighborhoods. Accessory dwelling units is discussed as an opportunity to help redeveloping underutilized parcels, increasing the number of residential units, and introducing more variety in housing types without impacting the predominant development pattern.

   Both the citywide master plan, Plan Salt Lake, and the city’s housing plan, Growing SLC, focus on accommodating growth and providing housing options. Plan Salt Lake includes initiatives such as to promote infill and redevelopment of underutilized land, accommodate and promote an increase in the City's population, and encourage housing options that accommodate aging in place. Likewise, the goals and policies outlined in Growing SLC: A Five Year Housing Plan aim to
increase housing options, promote diverse housing stock, and allow for additional units while minimizing neighborhood impacts.

Per the Zoning Ordinance, 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.

**Finding:** The proposed ADU is better utilizing the rear of the lot and it is providing an additional housing unit that is in character with the neighborhood. Thus, the use is 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.54.080B Detrimental Effects Determination

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

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Finding</th>
<th>Rationale</th>
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<tr>
<td>1. This title specifically authorizes the use where it is located</td>
<td>Complies</td>
<td>Accessory Dwelling Unit is allowed as a conditional use in R-1/5000 Single-Family District.</td>
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<tr>
<td>2. The use is consistent with applicable policies set forth in adopted citywide,</td>
<td>Complies</td>
<td>The proposed use complies with the applicable provisions of the Salt Lake City Zoning Ordinance and is consistent with goals of the Westside Master Plan,</td>
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<td>community, and small area master plans and future land use maps</td>
<td>Plan Salt Lake and Growing SLC as discussed above.</td>
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<tr>
<td>3.</td>
<td>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</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Uses surrounding the property are generally single-family residential and the proposed ADU will function as a single-family dwelling. The proposed building is similar in scale to adjoining homes and it is smaller in size.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Although smaller, the proposed structure is architecturally compatible with the main house on the property as well as surrounding structures and complies footprint and height requirements for an ADU.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The property is currently accessed form Emery Street via a driveway and walkway. The applicant is proposing concrete pavers on the rear of the lot as an access to the alley. The concrete pavers will not change the topography of the lot.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The access points for the proposed ADU will be the same as existing for the main house. Therefore, it's not anticipated that the accessory unit will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>The site is designed to enable access and circulation for pedestrian and bicycles</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The site has walkways and driveways, which provide adequate access for pedestrians and bicycles.</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Access to the site does not unreasonably impact the service level of any abutting or adjacent street</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Vehicular access to the site is existing. Thus, no unreasonable impacts to the service level of the alley or adjacent streets is anticipated.</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>The location and design of off-street parking complies with applicable standards of this code</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The existing single-family home on the property is required to have 2 off-street parking stalls, whereas the ADU is required one stall. The applicant is proposing on-street parking. Per the zoning standards, parking for the ADU may be waived when on-street parking is available directly in front of the subject property.</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Utility capacity is sufficient to support the use at normal service levels</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>The use is appropriately screened, buffered, or separated from adjoining</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Adjoining uses are residential. The proposed ADU will be located on the</td>
<td></td>
</tr>
<tr>
<td>Dissimilar uses to mitigate potential use conflicts</td>
<td>Rear of the property and behind the primary structure and will not be readily visible from the public way.</td>
<td></td>
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<tr>
<td>---------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td>Complies</td>
<td>The proposed use does not significantly impact sustainability plans nor does it encroach onto a stream or water way. The project supports sustainability objectives by increasing housing in a developed neighborhood with existing infrastructure, thereby reducing sprawl which would create greenhouse gas emissions and fossil fuel consumption.</td>
</tr>
<tr>
<td>13. The hours of operation and delivery of the use are compatible with surrounding uses</td>
<td>Complies</td>
<td>The proposed use is an accessory residential structure and is compatible with the surrounding uses that are also residential.</td>
</tr>
<tr>
<td>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</td>
<td>Complies</td>
<td>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.</td>
</tr>
<tr>
<td>15. The proposed use does not undermine preservation of historic resources and structures</td>
<td>Complies</td>
<td>There are no designated historic resources or structures on this site nor in the surrounding area.</td>
</tr>
</tbody>
</table>

**Finding:** In analyzing the anticipated detrimental effects of the proposed use, Planning Staff finds that the request complies with the criteria listed above and that the proposed use will have no significant detrimental effects to the surrounding neighborhood.
ATTACHMENT F: Public Process and Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to this project:

Public Notices:

- Notice of the project and request for comments sent to the Chair of the Poplar Grove Community Councils on February 27, 2020 in order to solicit comments. The community council did not request a meeting. The 45-day recognized organization comment period expired on April 13, 2020.

- Early engagement notices were sent to owners and tenants of properties located within 300 feet of the project on February 27, 2020.

Public Hearing Notice:

- Public hearing notice mailed on May 1, 2020.

- Public hearing notice posted on City and State websites on May 1, 2020.

- Sign posted on the property on May 1, 2020.

Public Comments:

- At the time of the publication of this staff report, three public comments were received. Staff received two calls and one email in opposition. The public comments concerned the current use of the property and parking as discussed in the Key Considerations. The email comment is attached below.

- Any additional comments received after the publication of the staff report will be forwarded to the Planning Commission.
My husband & I would like to take this time to explain why we believe the expansion to 613 Emery Street is a bad idea for our neighborhood. Currently there are 5 people living in that home and all are driving vehicles, they don't have a garage or extra parking for all of the vehicles so they are parking on the street. This adds to the congested situation our street is already experiencing.

We have a couple of homes in this area that have multiple tenants or family members living in the same home and all driving vehicles. The competition for parking is already strained. They are taking up parking areas outside other homes in the area where our trash cans are supposed to be and we have already experienced no garbage pickup on occasions because they can't get to our cans to empty them. If the expansion allowed for multiple car parking off the street and in the ally behind the home this might be an acceptable situation. But currently there is too much traffic, kids, cars and pets that could fall victim to speeding vehicles and emergency response teams that use our street for responding to emergencies.

Please reconsider allowing this expansion until parking resolutions can be covered for the amount of multiple family homes with cars.

Thank you for your time,
Donald & Cherise Palmer
ATTACHMENT G: Department Review Comments

The following comments were received from other City divisions/departments with regards to the proposed development:

Zoning – Scott Browning
- Property lines need dimensioned
- site plan – needs alley shown
- site plan – needs North arrow
- site plan – needs lot coverage table –21A.24.070.F

Building Code – William Warlick
For purposes of building code compliance of the building permit application (a separate process), significant additional information will be required. This will include, among other things:

- Show that the elevation facing an interior lot line less than 3 feet away shall have no windows or doors (the elevation drawings appear to be mis-labeled).
- Information on how the exterior walls within 5’ of a lot line will comply with 2015 IRC R302.1.
- Minimum clearance below overhead electrical service lines per E3604.2, and horizontal clearance to utility power lines per approval of Rocky Mountain Power.
- Frost protection of the foundation per R403.1.4, R403.3 and/or AE502.3
- Clarification whether or not this proposed structure is a manufactured home (as defined in the building codes), installed per 2015 IRC Appendix E, and with a manufactured home installation permit per Subsection 15A-2-104 of the State of Utah Code.
- The work shall comply with the 2015 IRC as amended in Utah.

Fire - Douglas Bateman
It appears that the distance requirements from the fire hydrant (600-feet) and fire department access road (150-feet) have been met for this proposed ADU. No additional comments at this time.

Public Utilities - Jason Draper
- Building and utility permit will be required.
- Recommendations included in the sewer lateral inspection.
- All improvements must meet SLC Department of Public Utilities standards, policies and ordinances.

Engineering - Scott Weiler
The SLC Engineering has no comments regarding ADUs unless they somehow impact the public way.

Transportation - Michael Barry
One additional parking space is required for the ADU. The on street parking space is acceptable.