



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Linda Mitchell, Principal Planner, linda.mitchell@slcgov.com

Date: June 3, 2020

Re: PLNPCM2020-00122 – *Detached Accessory Dwelling Unit*

Conditional Use

PROPERTY ADDRESS: 1180 South 800 East
PARCEL ID: 16-08-355-010-0000
MASTER PLAN: Central Community – Low Density Residential
ZONING DISTRICT: R-1/5,000 Single-Family Residential

REQUEST: Alexis Suggs, property owner representative, is requesting Conditional Use approval for a detached accessory dwelling unit (ADU) on a property located at approximately 1180 South 800 East. The detached ADU would have a gross floor area of approximately 633 square feet above a new 2-car garage. The property is zoned R-1/5,000 Single-Family Residential, which requires Conditional Use approval for the construction of an ADU.

RECOMMENDATION: Based on the information in this staff report, Staff recommends that the Planning Commission approve the Conditional Use request as proposed, and subject to complying with the following conditions:

1. Compliance with all Department/Division comments and conditions as noted in [Attachment G](#).
2. The property owner shall comply with the registration process as outlined in section 21A.40.200F of the Salt Lake City Zoning Ordinance.
3. No responsible party shall operate or allow the operation of a short-term rental (i.e., less than 30 days) in the single-family dwelling and the accessory dwelling unit as defined in the Salt Lake City Zoning Ordinance.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Plans](#)
- C. [Site Visit Photographs](#)
- D. [Analysis of Standards - Accessory Dwelling Units](#)
- E. [Analysis of Standards – Conditional Use](#)
- F. [Public Process and Comments](#)
- G. [Department Review Comments](#)

PROJECT DESCRIPTION:

This petition for a Conditional Use is for a detached ADU to be placed in the rear yard of the existing single-family dwelling located at approximately 1180 South 800 East. The subject parcel is located on southwest corner of Liberty Avenue and 800 East.

The proposed detached ADU above a new 2-car garage would be located in the rear yard, adjacent to the alley. The gross floor area of the ADU would be approximately 633 square feet and the building footprint would also be approximately 633 square feet. The ADU would be on the second level of the 2-story structure containing one (1) bedroom and one (1) bathroom with a flat roof measured approximately 19 feet 2 inches (19' - 2") in height. The exterior building materials would consist of brick veneer, horizontal lap siding, and wood trims. The proposed detached ADU has a balcony area that is approximately 52 square feet with exterior stairs along the south elevation. The ADU entrance would face the south interior lot line (Figure 1). There are several windows on the all elevations (Figure 2). The proposed windows are similar in size and profile as the windows found on the principal structure. The pedestrian access goes through the proposed concrete driveway to the alley, which leads out to Liberty Avenue.

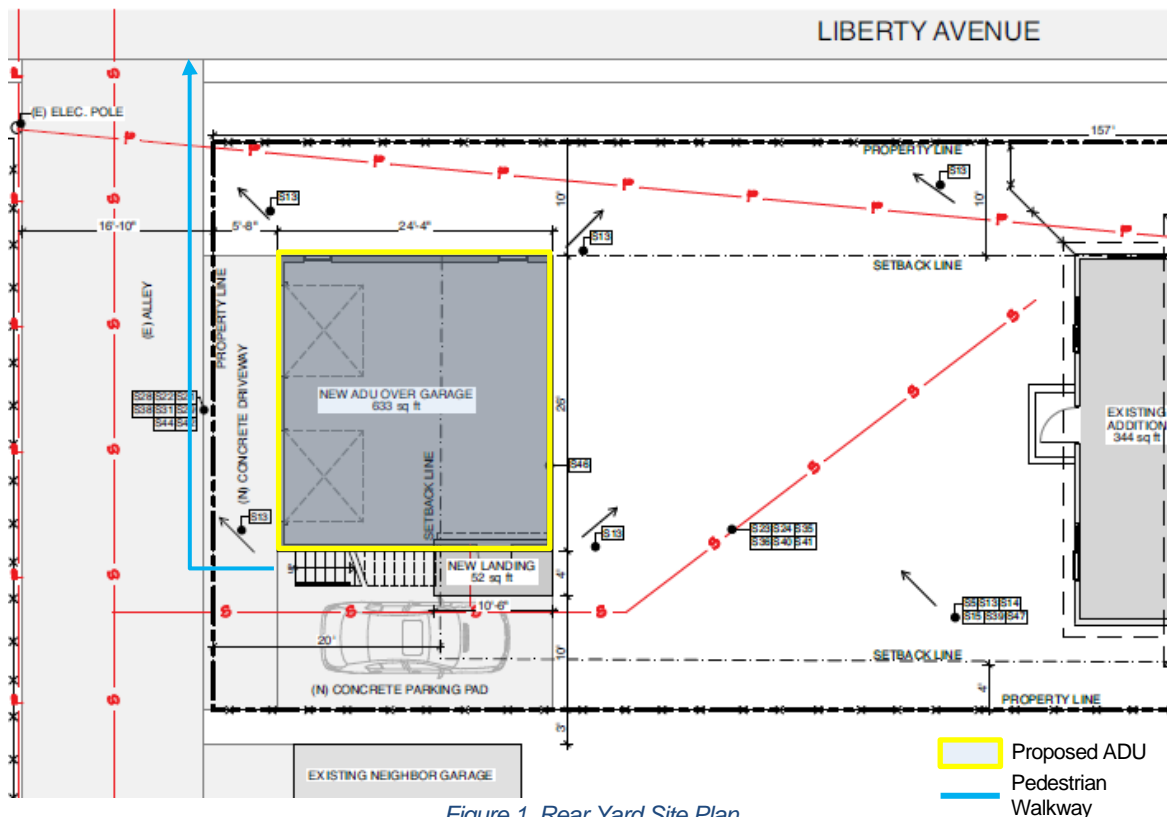


Figure 1. Rear Yard Site Plan

The parking for the existing house would be accommodated by two (2) off-street parking spaces in the new detached garage below the ADU, which would be accessed from the alley. The proposal would

provide one (1) parking space for the ADU in the rear yard between the ADU and south lot line with access from the alley.



Figure 2. Project Renderings (Top: Southwest Elevation; Bottom: Northeast Elevation)

KEY CONSIDERATIONS:

1. Parking Location

The Zoning Ordinance requires one (1) parking space for an ADU. The required parking space may be located on the property or on the street, if legal on-street parking space is available in the front of the property. In this case, one (1) off-street parking space would be provided in the rear yard with access from the alley.

2. Housing Goals

The proposed ADU is consistent with the goals and policies outlined within The Growing SLC Housing Plan. One of the goals outlined in the Housing Plan, includes; increasing housing options. Accessory dwelling units provide and promote diverse housing stock through providing additional units, while minimizing neighborhood impacts. The proposed ADU is in-

line with the goals established within the Housing Plan. Housing goals are also addressed under Standard 3 within [Attachment E](#).

3. Central Community Master Plan

The proposed ADU is consistent with the following Residential Land Use Goals/Policies 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 (RLU-3.2).
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community (RLU3.5).

The proposed ADU is consistent with the Central Community Master Plans as discussed in [Attachment E](#).

PLANNING COMMISSION REVIEW:

The property is zoned R-1/5,000 Single-Family Residential. A Conditional Use approval is required for any ADUs that are located in a single-family zoning district. For complete analysis and findings for compliance with zoning standards for Accessory Dwelling Units and Conditional Use standards, please refer to [Attachment D](#) and [Attachment E](#).

NEXT STEPS:

Approval of Conditional Use

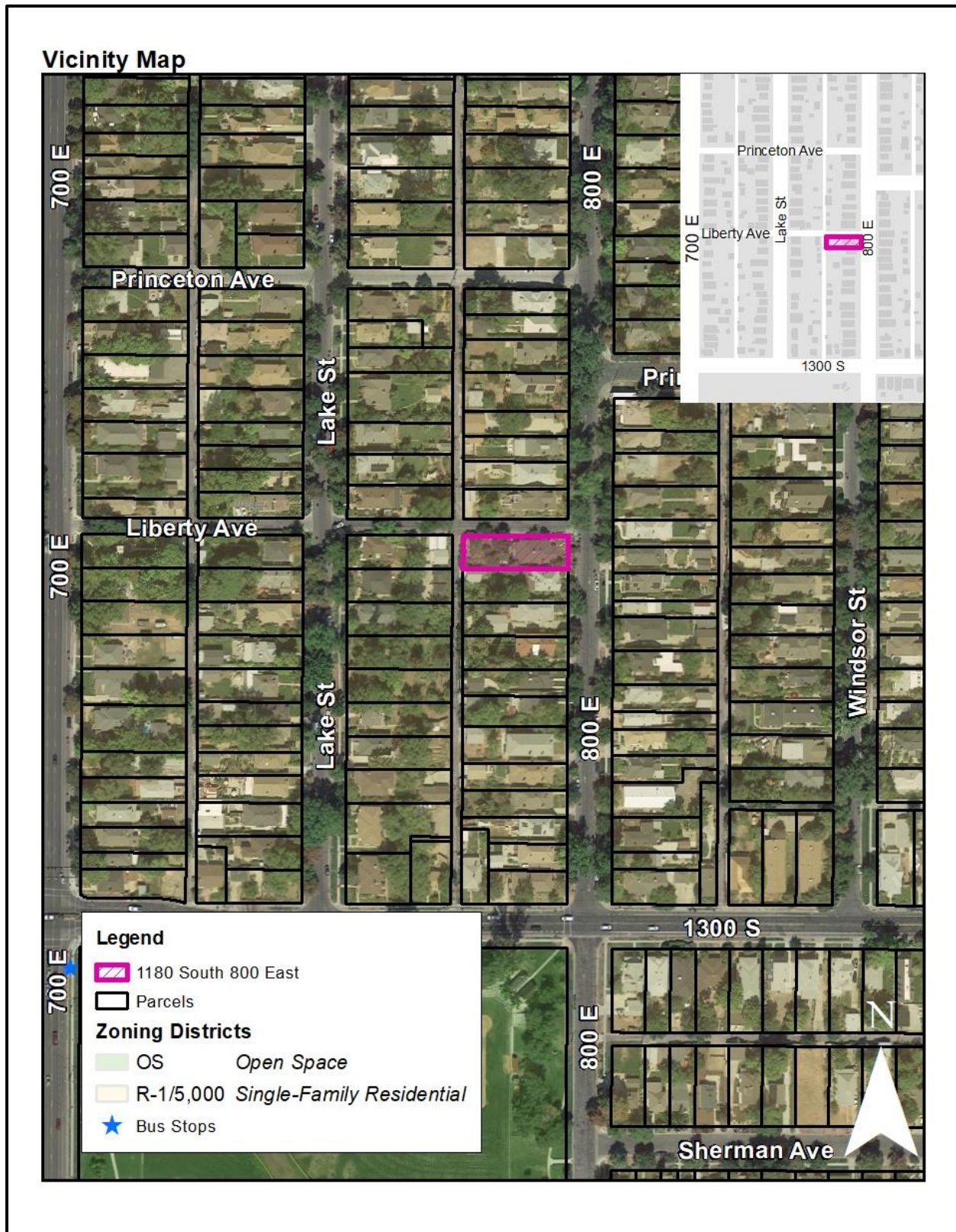
If approved, the applicant may proceed with the project, subject to all conditions imposed by City departments and/or the Planning Commission and will be required to obtain all necessary permits. Building permits and certificate of occupancy for the building would only be issued contingent upon all conditions of approval are met, including the registration process requirements outlined in 21A.40.200F 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 denied, the applicant would not be permitted to construct an ADU. An accessory building would be permitted on the property subject to compliance with the development standards and requirements of the R-1/5,000 Single-Family Residential District; however, no portion of the building may be used as a dwelling unit.

ATTACHMENT A: VICINITY MAP

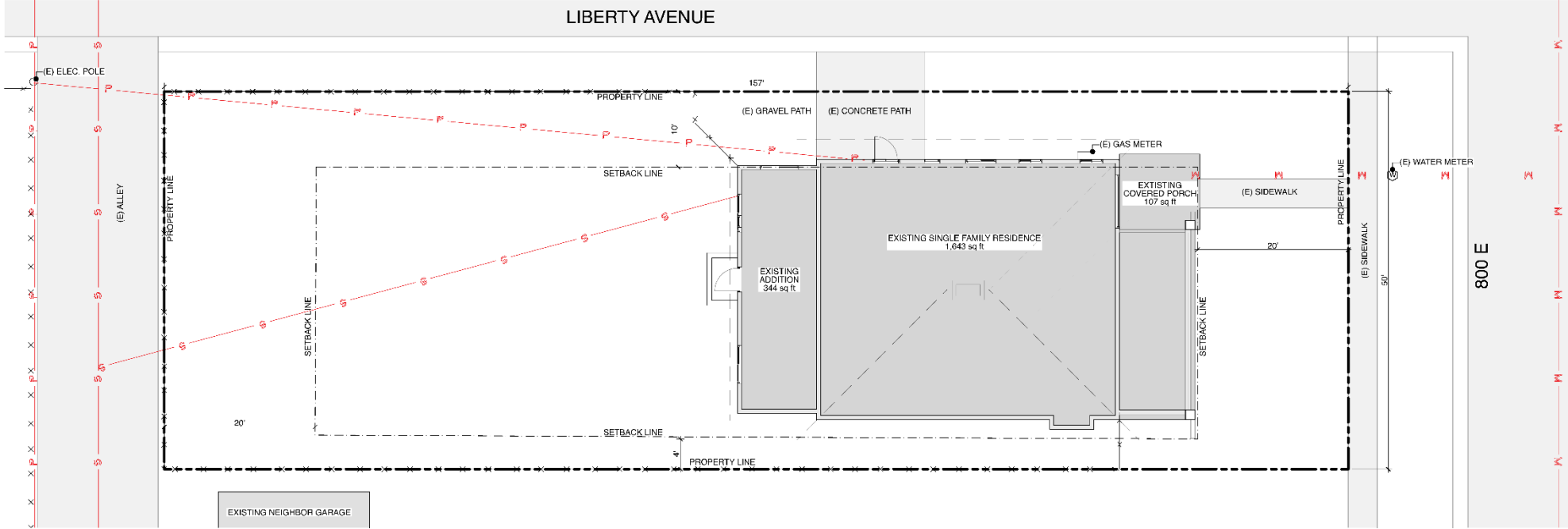


LAWLESS ADU

1180 S 800 E
SALT LAKE CITY, UT 84105

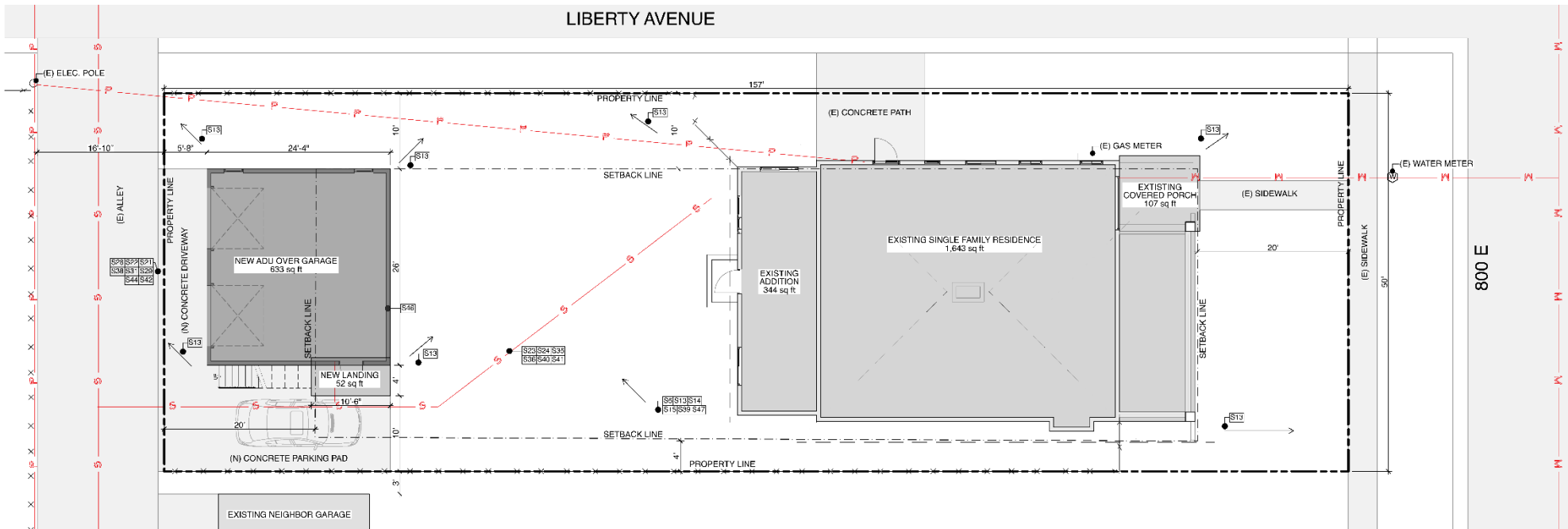
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- SITE & UTILITY NOTES**
- S1. FOOTINGS SHALL BEAR ON FIRM UNDISTURBED NATIVE SOIL, OR COMPACTED ENGINEERED FILL PER CIVIL ENGINEER'S SPECIFICATIONS. IF ORGANIC MATERIAL, SILT OR CLAY IS ENCOUNTERED DURING EXCAVATION, NOTIFY ARCHITECT.
- S2. THE OWNER AND ARCHITECT SHALL DETERMINE WHICH TREES ARE TO BE TRANSPLANTED OR MAINTAINED DURING CONSTRUCTION. ALL TREES DESIGNATED FOR REMOVAL SHALL BE MARKED FOR REVIEW BY THE OWNER OR ARCHITECT.
- S3. TOPSOIL AND LARGE BOULDERS SHALL BE STOCKPILED FOR FUTURE USE BY THE OWNER.
- S4. OBTAIN TOPSOIL FROM LOCAL SOURCES. NO TOPSOIL SHALL BE OBTAINED FROM BOGS OR MARSHES.
- S5. SURFACE WATER SHALL DRAIN AWAY FROM HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET.
- S6. TREE STUMPS AND ALL DEAD FOLIAGE SHOULD BE FULLY REMOVED FROM AROUND AND UNDER THE BUILDING SITE AND DISPOSED OF OFFSITE SO THAT THEY DO NOT ATTRACT TERMITES AND OTHER PESTS.
- S7. COMPACT UNDER-SLAB AREAS TO MINIMUM 95% DENSITY. BACKFILL AREAS NOT UNDER SLABS OR FOUNDATIONS TO MINIMUM 90% ASTM D-899. PRIOR TO BACKFILLING, WALLS SHALL BE LATERALLY GRADED BY THE FLOOR FRAMING AT THE TOP AND THE BASEMENT SLAB AT THE BOTTOM, OR OTHER ADEQUATE TEMPORARY SHORING WHERE APPLICABLE. FILL WHICH IS DIRECTLY UNDER CONCRETE SLABS ON GRADE SHALL BE A MINIMUM FOUR INCHES OF COMPACTED GRANULAR FILL. BASE FILL FOR CONCRETE SLABS AND WALK TO BE GRADED SAND, FREE OF ORGANIC MATTER. BACKFILL EXCAVATIONS AS PROMPTLY AS WORK PERMITS WITH SUBSOIL GRADED FREE OF LUMPS LARGER THAN 6" ROCKS LARGER THAN 3" AND DEBRIS. BACKFILL AROUND BUILDING AND UP TO EDGE OF WALKS TO DRAIN WATER AWAY FROM BUILDING. LEAVE FINAL GRADED AREAS BAKED SMOOTH. BACKFILLING MATERIAL TO BE FREE OF DEBRIS, ORGANIC MATERIAL AND SILT. BACKFILL TO BE GOOD QUALITY WELL DRAINING SAND OR GRAVEL FOR A MINIMUM 1.5 FEET BACK FROM FACE OF WALL.
- S8. PROVIDE NECESSARY CAUTIONS TO PREVENT SOIL EROSION.
- S9. COMPLY WITH IRC CHAPTER 18 FOR EXCAVATIONS, FILLS, CUTS AND GRADING. FOR CUT SLOPES AND GRADE FILL STEEPER THAN 2:1, REFER TO STRUCTURAL NOTES/DETAILS.
- S10. BALANCE CUT AND FILL FOR SLABS ON GRADE AND DRIVEWAY TO REDUCE EXPORT FROM SITE.
- S11. THE CONSTRUCTION AREA AND ACCESS TO THE CONSTRUCTION AREA SHALL BE AS SMALL AS REASONABLE TO FACILITATE CONSTRUCTION. THIS AREA IS TO BE CLEARLY DEMARCATED AND ROPED OFF TO PREVENT ANY DESTRUCTION OF NATURAL TERRAIN OUTSIDE OF CONSTRUCTION AREA BY CONSTRUCTION VEHICLES.
- S12. THE OWNER AND ARCHITECT SHALL APPROVE THE SITE LAYOUT PRIOR TO DIGGING THE FOOTINGS.
- S13. DIRECT ROOF WATER RUNOFF AND SURFACE RUNOFF AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL MIN. 8" IN THE FIRST 10 FEET, WHERE PROXIMITY TO LOT LINES PROHIBITS THIS, DRAINS OR SWALES SHALL BE USED.
- ARROW INDICATES DIRECTION OF SURFACE DRAINAGE
- S14. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING SHALL SLOPE 2% MIN.
- S15. SURFACE DRAINAGE SHALL BE DIVERTED TO STORM SEWERS OR DRYWELLS, NOT ONTO NEIGHBORING PROPERTIES.
- S16. ELEVATION POINTS AT CORNERS OF BUILDINGS AND LOT REFER TO ESTABLISHED GRADE. ELEVATION POINTS AT ROOF LINES REFER TO RIDGES.
- S17. CONTACT ROCKY MOUNTAIN POWER TO COORDINATE THE RELOCATION OF EXISTING ELECTRICAL SERVICE DROPS AND TO ESTABLISH TEMPORARY SERVICE.
- S18. CALL BLUE STAKES BEFORE ANY DIGGING OR EXCAVATING. 811 OR 1-800-682-4111
- S20. NOT USED
- S21. ALL WORK IN THE PUBLIC WAY SHALL CONFORM TO APWA 2012 STANDARD PLANS AND SPECIFICATIONS.
- S22. PRIOR TO ANY WORK IN THE PUBLIC WAY, A LICENSED, BONDED, AND INSURED CONTRACTOR MUST FIRST OBTAIN A PUBLIC WAY PERMIT FROM SLC ENGINEERING PERMITS OFFICE. A TRAFFIC CONTROL PERMIT MAY BE REQUIRED FROM SLC TRANSPORTATION.
- S23. ALL UTILITIES ONTO SITE WILL BE PLACED WITHIN EASEMENTS OR PLACED UNDERGROUND. UTILITY BOX LOCATIONS MUST MEET 21A.40.160.D OR A CONDITIONAL USE APPLICATION IS NEEDED.
- S24. CONTRACTOR TO CONTACT PUBLIC UTILITIES TO OBTAIN UTILITY PERMIT AND TO SCHEDULE SURVEY, INSPECTIONS, AND WYE CONNECTION 1530 S WEST TEMPLE - 801-483-6727.
- S25. MUD TRACKED ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORKDAY.
- S26. CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT MANNER. TRASH AND OTHER DEBRIS MAY NOT ACCUMULATE OUTSIDE THE DUMPSTER.
- S27. ROADSIDE PARKING IS NOT ALLOWED FROM NOV. 1 THRU APR. 1.
- S28. THE CURB AND GUTTER SHALL BE CONSTRUCTED AS PER APWA 205A, AND 251 OR 25 (IF ANY NEW CURB AND GUTTER ARE NEEDED/REQUIRED BY SLC PUBLIC UTILITIES)
- S29. ALL UTILITY TRENCH WORK AND TRENCH RESTORATION IN THE PUBLIC WAY SHALL BE CONSTRUCTED AS PER APWA STANDARD PLAN 255. (FOR ANY NEW TRENCH WORK IN STREET)
- S30. NOT USED
- S31. THE DRIVE APPROACH SHALL BE CONSTRUCTED AS PER APWA 225.
- S32. PRIOR TO OCCUPANCY PERMIT BEING ISSUED, IT IS RECOMMENDED THAT ALL TRIP HAZARDS ON THE PUBLIC SIDEWALK BE REMOVED.
- S33. NOT USED
- S34. NOT USED
- S35. TIE INTO (E) SEWER MAIN. INSTALL PER APWA STANDARD PLAN #431. USE 4" SDR-35 PVC FROM HOUSE TO SEWER LATERAL AT MIN. 2% SLOPE.
- S36. ALL NEW SEWER LINES TO BE 4" PVC-SDR 35 AT MIN. 2% SLOPE.
- S37. CONTRACTOR IS TO ABIDE BY THE UTAH DIVISION OF AIR QUALITY REQUIREMENTS AND SHALL CONTACT THE UTAH DIVISION OF AIR QUALITY AT 801-536-4000.
- S38. TRENCH RESTORATION PER APWA STANDARD PLAN 255.
- S39. ALL GRADING AROUND THE HOME WILL SLOPE AT LEAST 5% AWAY FROM THE HOME FOR PROPER DRAINAGE AS REQUIRED BY IRC 1401.3.
- S40. INSTALL SEWER CLEAN-OUTS AT PROPERTY LINES, AT ALL CHANGES IN DIRECTION OF SEWER PIPES, AND EVERY 50' OF PIPE.
- S41. PUBLIC WAY PERMIT REQUIRED TO TERMINATE/CAP/KILL ANY EXISTING SERVICES IN THE PUBLIC WAY.
- S42. PROTECT EXISTING DRIVE APPROACH, SIDEWALK, AND CURB AND GUTTER. DAMAGE SHALL BE REPLACED TO THE NEAREST JOINT PER APWA STANDARDS.
- S43. LANDSCAPE DESIGN IS NOT INCLUDED IN THIS DOCUMENT. LANDSCAPING, LANDSCAPE ACCESSORIES, AND SITE FURNISHINGS WILL BE UNDER SEPARATE CONTRACT BETWEEN OWNER AND LANDSCAPE CONTRACTOR. EXCEPTION: SOIL AND SITE IMPROVEMENTS REQUIRED FOR BUILDING CONSTRUCTION TO BE INCLUDED IN THIS CONTRACT.
- S44. USE A BARRIER CLOTH UNDER EXTERIOR WALKWAYS TO PREVENT OVERGROWTH. PROTECT EXISTING TREES AND VEGETATION, WHICH ARE TO REMAIN. REPAIR OR REPLACE ANY DAMAGED VEGETATION OR TERRAIN THAT IS INDICATED TO BE PROTECTED OR IS MORE THAN EIGHT FEET FROM THE EDGE OF ANY SPECIFIED CONSTRUCTION AREA.
- S45. A DRAINAGE SYSTEM SHALL BE INSTALLED AROUND THE PERIMETER OF THE FOUNDATION FOOTING. THE DRAINAGE SYSTEM SHALL CONSIST OF THE FOLLOWING ITEMS: DAMP-PROOFING SHALL BE CAREFULLY APPLIED ACCORDING TO MANUFACTURER'S DIRECTIONS TO COVER ALL BELOW GRADE SURFACES TO FORM A WATER-TIGHT BARRIER. CARE SHALL BE TAKEN DURING BACKFILLING AND OTHER CONSTRUCTION TO PREVENT DAMAGE TO THE DAMP-PROOFED SURFACE. A FREE-DRAINING BACKFILL OF 3/4" MINIMUM CRUSHED STONE OR GRAVEL THAT IS FREE OF SMALLER PARTICLES SHALL BE USED TO LINE AND FILL THE EXCAVATION FOR ALL BELOW-GRADE WALLS. AN ENGINEERED DRAINAGE SYSTEM MAY BE SUBSTITUTED FOR A FREE DRAINING BACKFILL. A FRENCH DRAIN SHALL BE INSTALLED SO THAT ALL PERFORATED PIPES ARE LOCATED BELOW THE LEVEL OF THE BOTTOM SURFACE OF THE FOOTING. FRENCH DRAIN PERFORATED PIPES SHALL BE INSTALLED WITH THE HOLES DOWN TO ALLOW WATER TO RISE INTO THE PIPE. THE PERFORATED PIPE SHALL BE SURROUNDED AND SET IN A MINIMUM OF 2" DEPTH BED CONSISTING OF 3/4" MIN. CRUSHED STONE FREE OF SMALLER PARTICLES. THE PERFORATED PIPE AND CRUSHED STONE SHALL BE SURROUNDED BY A FILTER MEMBRANE TO PREVENT ADJACENT SOIL FROM WASHING INTO AND CLOGGING THE FRENCH DRAIN SYSTEM. FRENCH DRAINS SHALL BE SLOPED DOWNWARD A MINIMUM OF 1/4" PER FOOT OF RUN AND CONNECTED TO DAYLIGHT.
- S46. RADON CONTROL SYSTEM: A 4" LAYER OF AGGREGATE IS PLACED UNDER THE BUILDING ENVELOPE. A 4" DIAMETER PERFORATED PIPE IS LAID ON THE AGGREGATE THROUGH THE CENTER OF THE STRUCTURE. THE PIPE IS CONNECTED TO AN UNPERFORATED RISER TUBE THAT VENTS TO THE OUTSIDE. SEAL ALL SLAB PENETRATIONS AND PIPE SEAMS COMPLETELY. ACTIVE OR PASSIVE RADON MITIGATION INSTALLED PER EPA GUIDELINES.
- S47. FRONT AND CORNER SIDE YARDS SHALL BE MAINTAINED AS LANDSCAPED YARDS PER SLC CODE 21A.48.090 AND PARK STRIP SHALL BE LANDSCAPED PER 21A.48.090



3 SITE-EXISTING

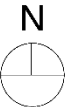
SCALE: 1/8" = 1'-0"



4 SITE-NEW

SCALE: 1/8" = 1'-0"

LINETYPE LEGEND	
---	PROPERTY LINE
- - -	BUILDING SETBACK LINE
- - -	CONTOUR EXISTING
- - -	CONTOUR NEW
---	GAS
---	WATER
---	SEWER
---	POWER
---	ROOF LINE
---	JOIST CENTERLINE
---	BEAM/HEADER CENTERLINE
---	HIDDEN LINE
---	4" PERFORATED PIPE IN GRAVEL BED
---	STRAW WATTLE
---	TREE PROTECTION FENCE



BRACH DESIGN
ARCHITECTURE
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dave@brachdesign.com

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LAWLESS ADU
1180 S 800 E
SALT LAKE CITY, UT 84105

REVISIONS:

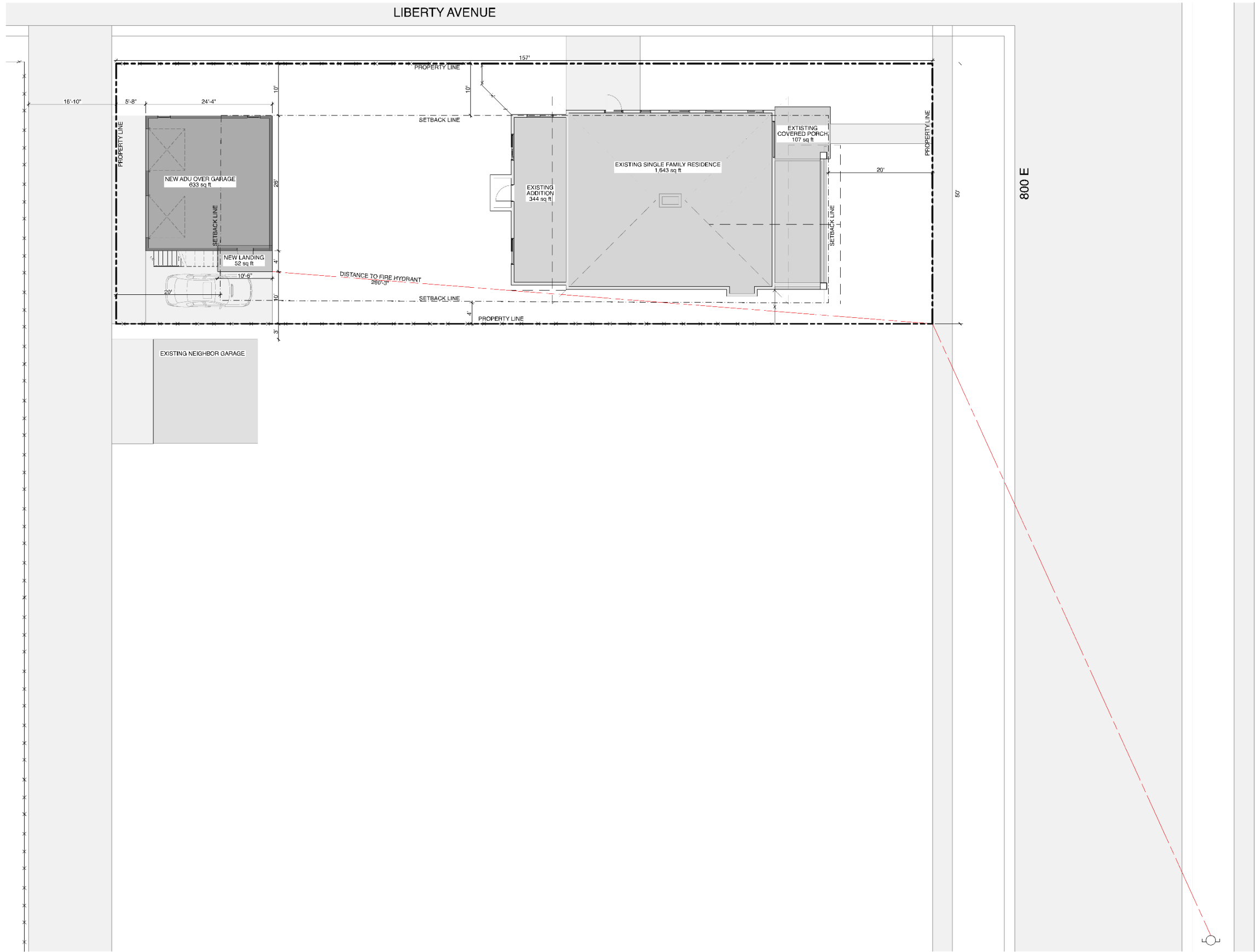
PROJECT NO:

DATE: 6/18/20

DRAWN BY:

SCALE: AS NOTED IN DRAWING

SITE PLAN
A0.3



1 SITE- FIRE HYDRANT
SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION NOT FOR CONSTRUCTION NOT FOR CONSTRUCTION NOT FOR CONSTRUCTION



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ARCHITECTURE
801-865-7648
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LAWLESS ADU
1180 S 800 E
SALT LAKE CITY, UT 84105

REVISIONS:

PROJECT NO:

DATE: 5/18/20

DRAWN BY:

SCALE: AS NOTED IN DRAWING

FIRE HYDRANT
ACCESS
A0.4



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LAWLESS ADU
1180 S 800 E
SALT LAKE CITY, UT 84105

REVISIONS:

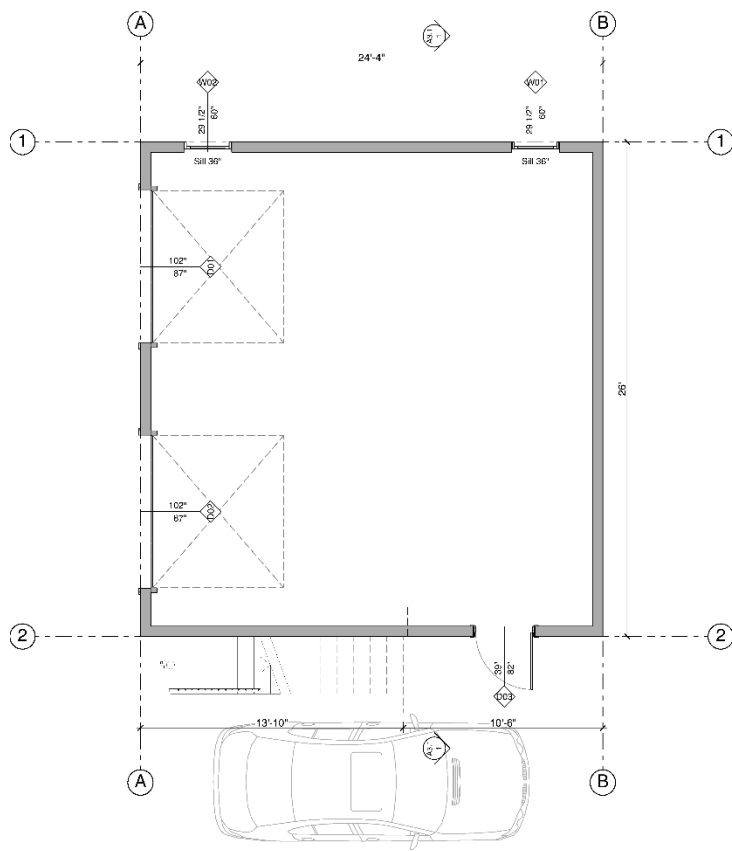
PROJECT NO:

DATE: 6/18/20

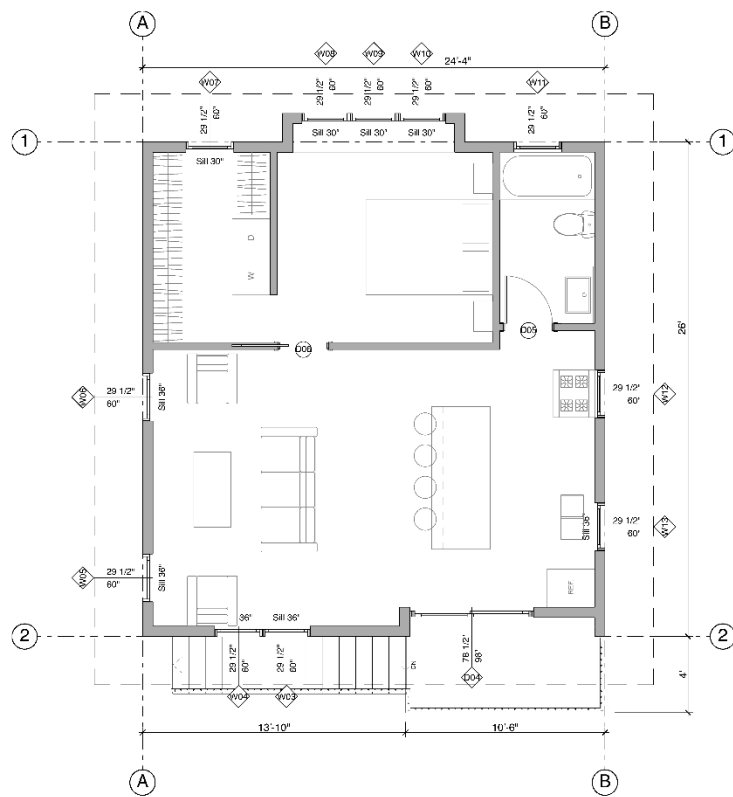
DRAWN BY:

SCALE: AS NOTED IN DRAWING

3D VIEWS
A0.5



2 FIRST FLOOR NEW
SCALE: 1/4" = 1'-0"



3 SECOND FLOOR NEW
SCALE: 1/4" = 1'-0"

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LAWLESS ADU
1180 S 800 E
SALT LAKE CITY, UT 84105

REVISIONS:

PROJECT NO:
DATE: 5/18/20
DRAWN BY:
SCALE: AS NOTED IN DRAWING

FLOOR PLANS
A1.1



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LAWLESS ADU
1180 S 800 E
SALT LAKE CITY, UT 84105

REVISIONS:

PROJECT NO:

DATE: 5/18/20

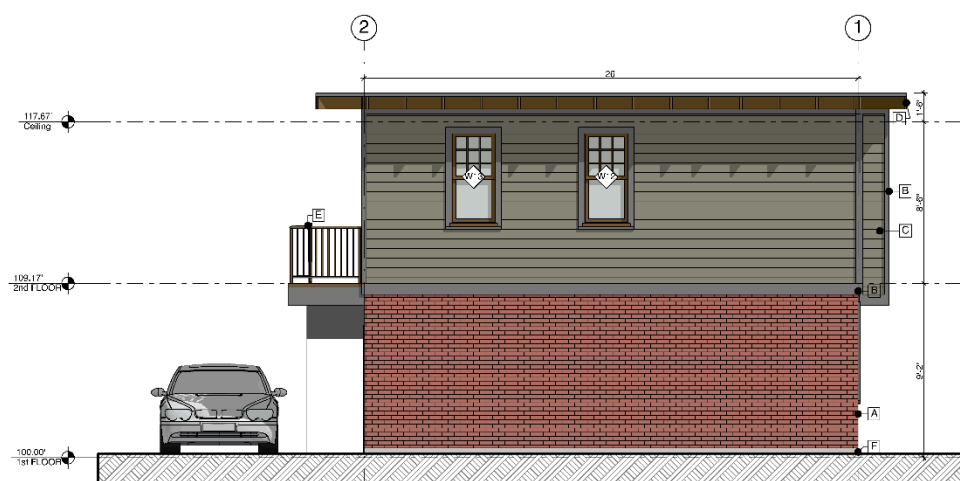
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SCALE: AS NOTED IN DRAWING

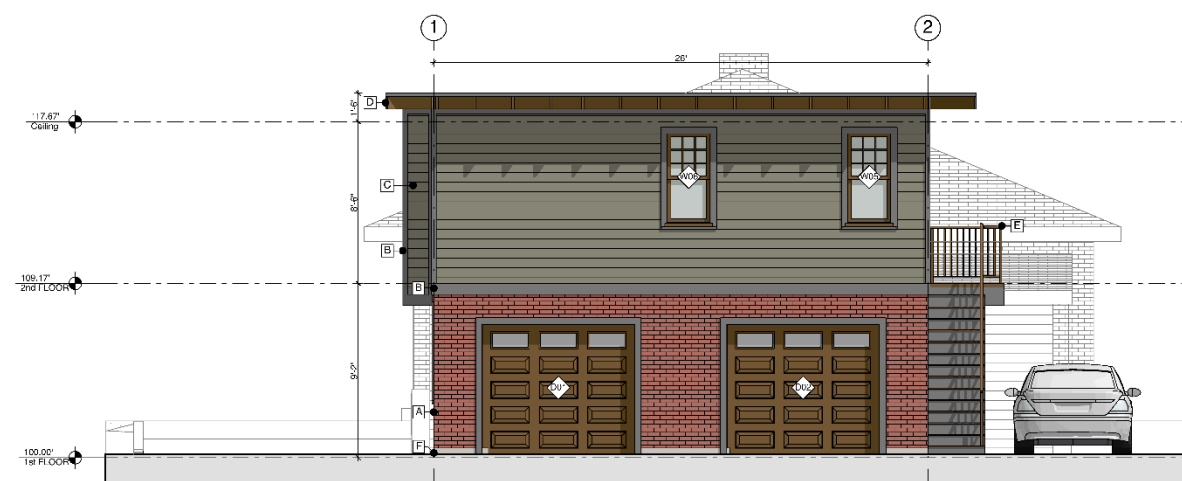
NEW
ELEVATIONS
A2.1

NOT FOR CONSTRUCTION NOT FOR CONSTRUCTION NOT FOR CONSTRUCTION

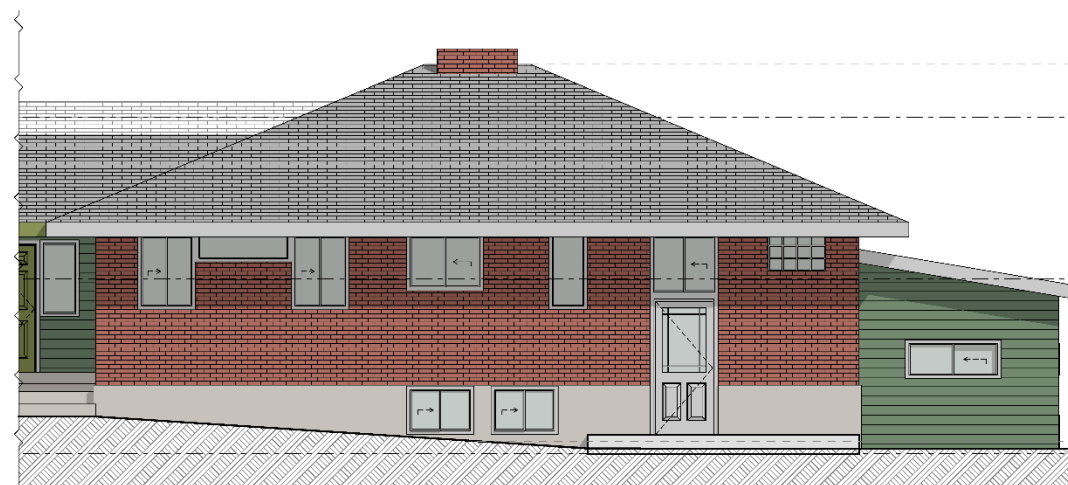
ELEVATION KEYNOTES	
A.	TAN BRICK VENEER
B.	PAINTED WOOD TRIM
C.	HORIZONTAL LAP SIDING
D.	EXPOSED WOOD RAFTER TAILS
E.	WOOD RAILING
F.	CONCRETE FOUNDATION WALL



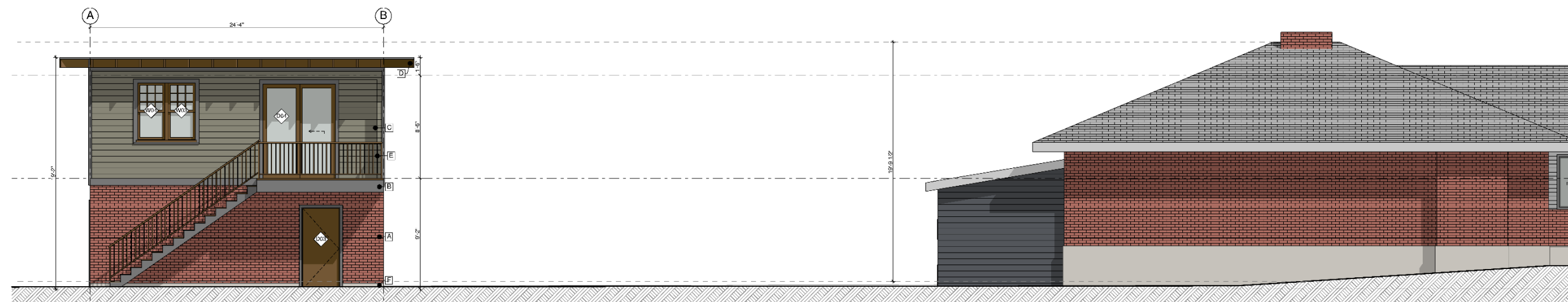
1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



3 Interior Door Schedule

2 Door/Window Schedule
SCALE: 1' = 1'-0"

BUILDING SECTION A3.1

ATTACHMENT C: SITE VISIT PHOTOGRAPHS



Top Left:
Principal Building
from 800 East



Top Right:
Principal Building
from Liberty Avenue



Bottom Left/Right:
Rear yard from alley



Top Left:
Rear yard from the corner of Liberty Avenue and alley

Top Right:
View of alley facing south from Liberty Avenue



Bottom Left:
View of alley facing north from Liberty Avenue

Bottom Right:
Liberty Avenue facing towards 800 East with subject property on the right

ATTACHMENT D: ANALYSIS OF STANDARDS - ACCESSORY DWELLING UNITS

21A.40.200: Accessory Dwelling Units

Standard	Proposed	Findings
Size <i>An ADU shall not have a footprint that is greater than fifty percent (50%) of the footprint of the principal dwelling, and shall not exceed six hundred fifty (650) square feet (SF).</i>	Principal dwelling (includes porch) is approximately 2,094 SF. Fifty percent (50%) of principal dwelling equals approximately 1,047 SF. Proposed ADU is approximately 633 SF .	Complies
Maximum Coverage <i>The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot.</i> <i>[Rear] Yard Coverage: In residential districts, any portion of an accessory building, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, shall occupy not more than fifty percent (50%) of the total area located between the rear façade of the principal building and the rear lot line.</i>	Lot size is approximately 7,850 SF. Forty percent (40%) of the lot is approximately 3,140 SF. Primary Dwelling: 1,987 SF Existing Porch: 107 SF Proposed ADU: 633 SF Total Coverage: 2,727 SF The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately 35% of the lot. Rear yard area: 3,790 SF Proposed ADU: 633 SF Yard Coverage: 17%	Complies
Building Height <i>Exception: If the single family dwelling on the property is over seventeen feet (17') in height, an accessory building containing an accessory dwelling unit may be equal to the height of the single family dwelling up to a maximum building height of twenty four feet (24') for an accessory building with a pitched roof or twenty feet (20') for an accessory building with a flat roof provided the accessory building is set back a minimum of ten feet (10') from a side or rear property line. The setback for additional height may be reduced to four feet (4') if the side or rear lot line is adjacent to an alley.</i>	Height of proposed ADU flat roof is approximately 19' - 2" . The height of the principal building is approximately 19'-9 1/2". The proposed ADU meets the minimum setbacks for additional height.	Complies
Side or Rear Yard Setbacks <i>New Accessory Buildings [ADU] shall be located a minimum of four feet (4') from any side or rear lot line.</i>	Corner Side [North] Lot Line: 10 feet Side [South] Lot Line: 10 feet Rear (alley) [West] Lot Line: 5' - 8"	Complies

<p>Separation <i>All ADUs [located in an accessory building] shall be located a minimum of ten feet (10') from the single family dwelling located on the same parcel and any single family dwelling on an adjacent property.</i></p>	<p>The proposed ADU is approximately 42' - 10" from the principal dwelling on the same parcel.</p> <p>The nearest single-family dwelling on an adjacent property is approximately 68'.</p>	<p>Complies</p>
<p>Entrance Locations <i>The entrance to an ADU in an accessory building shall be located:</i></p> <p>(1) <i>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.</i></p>	<p>The entrance for the proposed ADU is oriented towards the side [south] property line. The entrance is approximately 15' - 3" from the side property line.</p>	<p>Complies</p>
<p>Requirement for Windows <i>Windows on an accessory building containing an ADU shall comply with the following standards:</i></p> <p>(1) <i>Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required.</i></p> <p>(2) <i>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.</i></p> <p>(3) <i>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.</i></p>	<p>There are several windows on all elevations. The proposed windows are similar in size and profile as the windows found on the principal structure.</p>	<p>Complies</p>
<p>Parking <i>An ADU shall require a minimum of one on-site parking space.</i></p>	<p>The principal dwelling would have two (2) off-street parking spaces in the new detached 2-car garage below the ADU with access from the alley.</p> <p>The proposal would provide one (1) off-street parking space between the proposed ADU and south lot line with access from the alley.</p>	<p>Complies</p>

ATTACHMENT E: ANALYSIS OF STANDARDS – CONDITIONAL USE

21A.54.080: Standards for Conditional Uses

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 use is a small residential unit that should be readily compatible with surrounding uses, which are all single-family homes. The proposed ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the principal dwelling on the property.

Finding: The proposed use is compatible with the surrounding uses.

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

Analysis: The proposal is located in the Liberty neighborhood planning area as established by the Central Community Master Plan. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5,000 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/Policies 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 (RLU-3.2).
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community (RLU-3.5).

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 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 Effects Determination analysis below).

21A.54.080B: 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:

Standards	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, community, and small area master plans and future land use maps;	Complies	The uses are 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 requirements.
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	Uses surrounding the subject property are generally single-family residential properties. The residential lots in this area are large enough to provide separation between the proposed ADU and the principal dwelling on the property as well as adjacent primary residences. 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.
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 principal dwelling on the property as well as surrounding structures. The proposal also meets the building footprint and height requirements for an ADU. An ADU may have a maximum height of 17 feet; however, there is a height exception if the existing building height of the home exceeds 17 feet, then the ADU may be also exceed 17 feet but limited to 20 feet for a flat roof, not to exceed the building height of the existing home, with additional setback requirements. The proposed ADU has a flat roof with a building height of approximately 19'-2" and meets the additional setback requirements. The proposed ADU is located in the rear yard 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	Complies	The proposal would provide a new concrete driveway/pad in the rear yard with access from the alley. The proposed ADU would utilize the proposed off-street parking from the

major streets, and not impede traffic flows;		alley. A new access point from the alley is proposed but the proposal would not impede traffic flows since it would not have direct vehicular traffic onto a major street.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;	Complies	The proposed ADU would be accessible from the alley. It is not anticipated that the proposed ADU would create any adverse impacts in terms of motorized, nonmotorized and pedestrian traffic.
7. The site is designed to enable access and circulation for pedestrian and bicycles;	Complies	The site is designed for pedestrian and bicycle access. There is a path from proposed concrete driveway/pad to the alley, where access to Liberty Avenue is around the corner from the proposed ADU.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;	Complies	There is vehicular access to the site. 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	One (1) off-street parking space for the proposed ADU would be provided in the rear yard with access from the alley.
10. Utility capacity is sufficient to support the use at normal service levels;	Complies	The Public Utilities department provided comments on the project (Attachment G). As proposed, the existing sewer lateral would need to be inspected for compliance concurrently with the building permit review.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;	Complies	The proposed ADU may result in increased activity in the rear yard of the subject property. This must be taken into account for potential impacts to the abutting properties that appear to be single family residences. There is an existing six-foot (6') high wooden fence along the south lot line that would provide screening from the adjacent property.
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 project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.

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; and	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 Historic District and the proposal does not involve removal or any historic resources or structures.

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

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Meetings:

- March 24, 2020 – Notice of the project was provided to the East Liberty Park Community Organization as well as property owners and residents within 300 feet of the subject property. The community council did not ask the applicant or staff to present or provide formal input on the proposal.

Public Notice:

- Early notice of application mailed on March 18, 2020
- Public hearing notice mailed on May 28, 2020
- Public hearing sign posted on the property on May 29, 2020
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on May 28, 2020

Public Comments:

No comments were provided from East Liberty Park Community Organization. As of the publication of this Staff Report, Staff has not received any comments.

Any public comments received up to the public hearing meeting will be forwarded to the Planning Commission and included in the public record.

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

Fire (Doug Bateman at douglas.bateman@slcgov.com)

When submitting plans for a permit, please provide the location(s) of fire hydrant that meets the minimum required fire flows and is located within 600-feet of all first story exterior portions of buildings on the parcel.

Transportation (Michael Barry at michael.barry@slcgov.com or 801-535-7147)

No comments.

Public Utilities (Jason Draper at jason.draper@slcgov.com or 801-483-6751)

1. The existing home has sewer service from the alley and a sewer lateral that was installed in 1919.
2. The existing sewer lateral will need to be video inspected with a public utilities inspector onsite prior to building permit if they would like to reuse it.
3. The new garage/adu cannot be placed over the existing sewer lateral. It is likely the sewer lateral will need to be replaced/relocated.

Building (William Warlick at william.warlick@slcgov.com or 801-535-7292)

If you need to change the roof height, please be aware that the minimum ceiling height of the habitable area per IRC R305 is 7 feet, with exceptions for sloped ceilings.

R305.1 Minimum height.

Habitable space, hallways and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm). Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exceptions:

1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).
2. The ceiling height above bathroom and toilet room fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a ceiling height of not less than 6 feet 8 inches (2032 mm) above an area of not less than 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.