COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

Item Schedule:
Briefing: April 10, 2018
Set Date: TBD
Public Hearing1: TBD
Potential Action: TBD

TO: City Council Members

FROM: Nick Tarbet
Policy Analyst

DATE: April 10, 2018

RE: **Text Amendment: Accessory Dwelling Unit Regulations**
PLNPCM2014-00447

ISSUE AT A GLANCE

The Council will receive a follow-up briefing about an ordinance that would amend the City's Accessory Dwelling Unit (ADU) regulations. ADUs are small apartments that share a lot with a single-family home. They can be basement apartments, above and inside garages, or entirely separate buildings. Currently, new ADU permits are only available for properties located a half mile or less from a fixed rail transit stop.

The Council discussed the ADU ordinance during many briefings in 2017. During the December 5, 2017 work session the Council conducted a straw poll and voted unanimously to send the ADU ordinance back to the Planning Division for modifications and return to the Council with a revised ordinance for consideration, particularly related to recommendations to consider ADUs as a conditional use permit.

Based on the Council's feedback, Planning Staff transmitted a revised ADU ordinance that incorporates the following changes:

1. Eliminate the boundary in the Planning Commission Proposal – allow ADUs citywide.
    a. Make ADUs a conditional use in the FR (Foothill Residential District) and R-1 (Single Family Residential) zoning districts. *These are the zoning districts that only allow detached single family dwellings.*
    b. Allow ADUs a permitted use in all other residential zoning districts that already allow duplexes, triplexes, and multi-family as permitted uses. (SR-1, SR-3, R-2 RMF-30 RMF-35, RMF-45, RMF-75, RB R-MU-35, R-MU-45, R-MU, and RO)
2. Prohibit ADUs from being used as short term rentals.
3. Require properties with ADUs to have a deed restriction stating that the owner must occupy the property.
4. Provide different standards for Attached and Detached ADUs.
5. Amend the wording of some standards for clarity.

6. Add design standards to address compatibility with principle structures.

OUTLINE OF PLANNING STAFF REPORT

The Administration's Transmittal Letter is divided up into the following sections:

- ADUs and the Conditional Use Process (pages 2-4)
- Impact to Planning Division and Planning Commission Workloads (pages 4-5)
- ADUs and Short-term Rentals (pages 5-6)
- Addressing Enforcement Issues (pages 6-7)
- Technical Issues associated with Planning Commission Recommendation (page 7)
- How the Ordinance Address Concerns Raised by Neighbors (pages 7-8)
- ADUs in SLC Report from Planning Division (*Attachment A*)
    - History of ADUs in SLC (pages1-3)
    - What the City can expect from the updated ADU ordinance (pages 3-5)
    - University of Utah Urban Design Studio Study (pages 5-6)
    - How the ADU ordinance could help address Housing Issues (pages 6-7)
    - Other Possible Improvements to ADU ordinance (pages 7-9)

PUBLIC PROCESS GOING FORWARD

One of the major concerns expressed last year about the ADU ordinance is that the public was not adequately notified about the changes. Especially because the Council was considering allowing them Citywide, many felt a more significant outreach effort to the public was needed.

The Council may wish to discuss what type of public outreach should be conducted going forward. At a minimum, the Council could consider the notification tools below to invite the public to provide feedback on the changes. The Council schedule would automatically include a new public hearing, and possibly more than one, as has been the Council's practice for large issues. The Council may also consider requesting additional outreach, such an open house or other public meetings.

The following list outlines public engagement tools that Council staff uses:

- Direct email to Community Council Chairs/recognized community organizations
    - Include key dates
    - Include link to Open City Hall (OCH) site
    - Provide an option to be added to the email list for the topic.
    - Ask them to share with their membership lists
- Open City Hall
    - Includes key meeting dates
    - Ways to provide feedback
    - Fact sheet
- Distribute information via website/email updates/social media
    - Link to OCH website
    - Ways to provide feedback
- Postcard mailing or other notification about proposed changes (delivered citywide to all residential properties)
- Following Council action, provide information back to those who have provided feedback or asked questions throughout the process.

ADDITIONAL INFORMATION

The City's existing ADU ordinance has been in effect since September 2012. According to Planning Staff, City staff has responded to dozens of inquiries from residents interested in establishing an ADU. However, only one ADU has been constructed since 2012. "Staff found that the primary reason the ordinance failed to achieve its purpose is the requirement to locate ADUs within one-half mile of an operational fixed transit stop, which narrows the applicability of the ordinance."

In June of 2014, former Mayor Ralph Becker initiated a petition to amend the City's ADU regulations.

Over the course of 2017, the Council held seven briefings on the proposed ADU ordinance. There were many revisions to the ordinance. *Attachment B - Council Staff Report, December 5, 2017*, includes a summary of the straw polls the Council conducted over the course of the many briefings.

Additionally, the Council received lots of feedback from interested constituents about the proposed ADU ordinance. *Attachment C* includes the most current ADU Open City Hall and Council Office Public Comment Matrix. A general summary of the comments and concerns includes:

- Parking
- Privacy
- Maintenance of property
- Used as short term rentals
- Building and site design (scale primarily, but also some desire to have ADU match existing architecture of principal structure)
- Height, size, setbacks, etc.
- Taking into account local context (comparing a proposed ADU to what is around it in terms of size)
- Access (parking access, entrances to ADU)
- Utility capacity
- Owner occupancy
- Number of people living in an ADU
- Revoking an ADU approval
- ADUs essentially change single family zoning
- Appropriateness of a boundary
- Possible Fair Housing concerns
- Sample ADU drawings that could be used to construct an ADU
- ADU focused staff person to help navigate the process
- Enforcing the regulations
- Abating nuisances
- Negative impact on neighborhood character
- Enforcement/compliance issues

Summary of Council requested changes

On December 5, 2017 the City Council held the final work session discussion on ADUs for 2017. At that meeting, the Council asked that the Planning Division to take back the proposed ADU ordinance for further refinement and consider including the following items in the revisions:

- Consider using the conditional use process for reviewing ADUs;
- Address issues related to using ADUs as short term rental units;
- Address enforcement issues, particularly through recording deed restrictions for approved ADUs;
- Correct some of the technical issues associated with the proposed ordinance so that it is easier to understand and administer; and
- Review some of the public concerns with ADUs and consider addressing those concerns

Since these changes are within the scope of the petition, and the Council has the ability to modify recommendations from the Planning Commission. The Council felt the changes did not need to go back to the Planning Commission for consideration and they did not request the Planning staff to do additional public outreach on the proposed changes to the ordinance.

Summary/Comparison of Changes

The following table outlines the notable changes in the proposed ADU ordinance compared to the existing ordinance.

ADU Ordinance Summary of Proposed Changes		
Regulation	**Existing**	**Proposed**
Location where ADUs are allowed in the City	ADU must be located within (1) a permitted residential district, and (2) ½ mile of an operational fixed rail station.	ADUs would be allowed Citywide as: A conditional use in the FR and R-1 zoning districts. Permitted use in all other residential zoning districts that already allow duplexes, triplexes and multi-family uses.
Permit Limit	None	None
Building Height	Underlying zoning district standards apply, however ADU may not be taller than principal dwelling.	Shall not exceed the height of the single family dwelling on the property or 17', whichever is less. *Exception: if the single family dwelling if over 17', and ADU may be equal to the height of the dwelling up to a maximum of 24' for pitched roofs and 20' for flat roofs.*
Maximum Square Footage	50% of principal dwelling, or 650 square feet, whichever is less.	Attached ADUs: must comply with building coverage requirements of underlying zoning, may not occupy more than 50% of the gross square footage of the single family dwelling. Detached ADUs: must comply with general yard, bulk and height limitations (21.A.40.050), may not exceed 650 square feet.
Lot Area	Minimum 5,000 square feet for detached ADU, no minimum for attached ADU, however lot coverage restrictions apply.	No minimum lot area

Parking	One parking stall for one bedroom ADU, and two parking stalls for two (or more) bedroom ADU.	A minimum of one on-site parking space that is a minimum of 9' wide by 20' deep. Planning and Transportation Director may approve parking waiver if: (1) street parking is available immediately in front of the lot, (2) the lot is located within ¼ mile from a fixed transit line or arterial street with designated bus route. Tandem Parking may be allowed.
Entrance Requirements	Additional entrance not allowed on front façade unless setback 20 feet from front façade.	Attached ADU: (1) An existing entrance to the single family dwelling, (2) When located on a building façade that faces a corner side yard, the entrance shall be setback a minimum of 20' from the front building façade, (3) Exterior stairs leading to an entrance above the first level of the principal structure shall only be located on the rear elevation of the building. Detached ADU: Must face an alley, public street or face the rear façade of the single family dwelling on the same property. (2) Face a side or rear property line provided the entrance is located a minimum of 10' from the side or rear property line. (3) Exterior stairs leading to an entrance shall be located a minimum of 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.
Existing Windows	Must be removed if not compliant with ADU regulation.	Attached ADUs: No Specific requirements. Detached ADUs: Shall be no larger than necessary to comply with the minimum building code requirements for egress.

		Glazing shall be used when facing a side or rear property line. Windows on ground floor of an existing accessory structure may be retained if compliant with building/fire codes, However, windows on second level shall be brought into compliance with this section.
Owner Occupancy	Owner occupancy required in either principal or accessory dwelling.	Owner occupancy required in either principal or accessory dwelling.
Deed Restriction	None	Yes. Must be filed with the County Recorder's Office and shall run with the land until the ADU is abandoned or revoked.
Business License	Required	Required
Certificate of Occupancy	Not Required	A certificate of occupancy will be not granted until the property owner completes the registration process.
Short Term Rentals	Does not address short term rentals.	Prohibits ADUs from being used as a short term rentals.
Rooftop Decks	Prohibited	Prohibited

Conditional Use Process Summary

According to the transmittal letter (*page 2),* the conditional use process was chosen because:

- It is a public process that allows neighbors the opportunity to help identify specific impacts;
- The approval body is the Planning Commission, not staff; and
- The zoning ordinance already has a list of detrimental impacts that are to be considered when reviewing a conditional use.

Legally the City cannot deny a conditional use based on lack of support. The only way a conditional use can be denied is if there is a detrimental impact that cannot be reasonably mitigated.

The conditional use process does provide the City with additional enforcement tools if an owner of an ADU violates any applicable regulation or condition of approval.

A Conditional Use is defined by the City's zoning ordinance as:

- A land use which, because of its unique characteristics or potential impact on the municipality, surrounding neighbors or adjacent land uses, may not be compatible or may be compatible only if certain conditions are required that mitigate or eliminate the negative impacts.

- Conditional uses are allowed unless appropriate conditions cannot be applied which, in the judgment of the planning commission, or administrative hearing officer, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site.

21.A.54.080: Standards for Conditional Uses outlines the standards that must be met in order for a conditional use to be approved:

- 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:
    - The use complies with applicable provisions of this title;
    - The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
    - The use is consistent with applicable adopted city planning policies, documents, and master plans; and
    - The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.
- 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:
    - This title specifically authorizes the use where it is located;
    - The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
    - 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;
    - The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
    - Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
    - The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
    - The site is designed to enable access and circulation for pedestrian and bicycles;
    - Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
    - The location and design of off street parking complies with applicable standards of this code;
    - Utility capacity is sufficient to support the use at normal service levels;
    - The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
    - 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;
    - The hours of operation and delivery of the use are compatible with surrounding uses;
    - Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
    - The proposed use does not undermine preservation of historic resources and structures.
- Conditions Imposed: The planning commission may impose on a conditional use any conditions necessary to address the foregoing factors which may include, but are not limited to:

- Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
- Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

POLICY QUESTIONS / POINTS FOR CONSIDERATION

1. The Council may wish to weigh the benefits of ADUs with the concerns that have been raised. Does the Council feel the proposed ordinance sufficiently balances the Council priorities with the benefits and concerns which have been raised?

   The purpose statement of the proposed ADU ordinance outlines some potential or intended benefits:
   - Create new housing units
   - Provide more housing options in residential districts
   - Allow more efficient use of existing housing stock
   - Support affordable housing options
   - Support transit oriented development and reduce automobile dependency
   - Support economic viability of historic structures

   Additionally, though not in the purpose statement:
   - Support aging in place for older residents

   Concerns that have been raised in relation to ADUs include:
   - Negatively impacting the character of single-family residential neighborhoods through increased density
   - Impacts to adjacent properties due to poor building and site designs
   - Loss of privacy and general nuisance issues
   - Increases traffic and parking issues
   - Inability to adequately enforce the ordinance and monitor for these impacts

In *Attachment A - ADUs in SLC Report from Planning Division*, staff notes a few potential conflicts and potential changes the Council may wish to consider.

The Council may wish to further discuss these items with the administration.

2. Potential conflict with State Statute (*page 5: transmittal letter*)
   - Utah Code 10-6-160(3)(a) states that "a city shall complete an initial plan review for a one to two family dwelling or townhome by no later than 14 business days after the day on which the plan is submitted to the town."
   - This is due to the Zoning Certificate requirement and 30 day hold for noticing

   - ***Does the Council wish to discusss this potential conflict with the Administration?***

3. Proposed Owner Occupancy requirements may be too restrictive (*page 6-7:Transmittal Letter and pages 7-8: ADUs in SLC Report from Planning Division*)

- If the goal of the owner occupancy requirements is to avoid absentee owners, the current requirements may be more restrictive than necessary
- Pages 7-8 of the Planning Division report outlines sample language for a simplified definition of "Owner Occupied."

- ***Does the Council wish to consider making changes to the Owner Occupied requirement?***

4. Streamline process by making attached ADUs a permitted use in all zoning districts. (*page 8: ADUs in SLC Report from Planning Division)*
    - Planning Staff notes that internal ADUs do not have the same physical impacts on a property as a detached ADU. Allowing them as permitted in all zoning districts would result in more ADUs being built in the City.

    - ***Does the Council wish to further discuss this potential change to the ADU ordinance?***

5. Allow for the ADU parking requirement to be eliminated even if the primary dwelling does not meet the current parking requirement. (*pages 8-9: ADUs in SLC Report from Planning Division)*
    - Planning Staff notes many older properties in the City do not meet current parking requirements and could not qualify for a waiver.

    - ***Does the Council wish to further discuss potential changes to the parking requirements of the ADU ordinance?***

6. Notice to Neighbors (*page 9: ADUs in SLC Report from Planning Division)*
    - The proposed ordinance includes a requirement for a zoning certificate and requires a 30 day notice period before the certificate can be issued.
    - The purpose is to let the property owners know that a building permit has been submitted for an ADU, though this does not create any appeal rights for the neighbors.

    - ***Does the Council wish to further discuss potential changes to the noticing requirements of the ADU ordinance?***

7. Business License Requirement (*page 9: ADUs in SLC Report from Planning Division)*
    - If an ADU is occupied by a family member, there may not be a rental contract or any sort of financial transaction, and any rental unit is already required to have a business license

    - ***Does the Council wish to discuss the business licensing requirements of the ADU ordinance?***

8. Abandonment of an ADU(*page 9: ADUs in SLC Report from Planning Division)*
    - Planning Staff notes the abandonment section of the ADU ordinance may be difficult to enforce.

    - ***Does the Council wish to ask the Administration if they have recommendations for further clarifications to the abandonment section of the ADU ordinance***

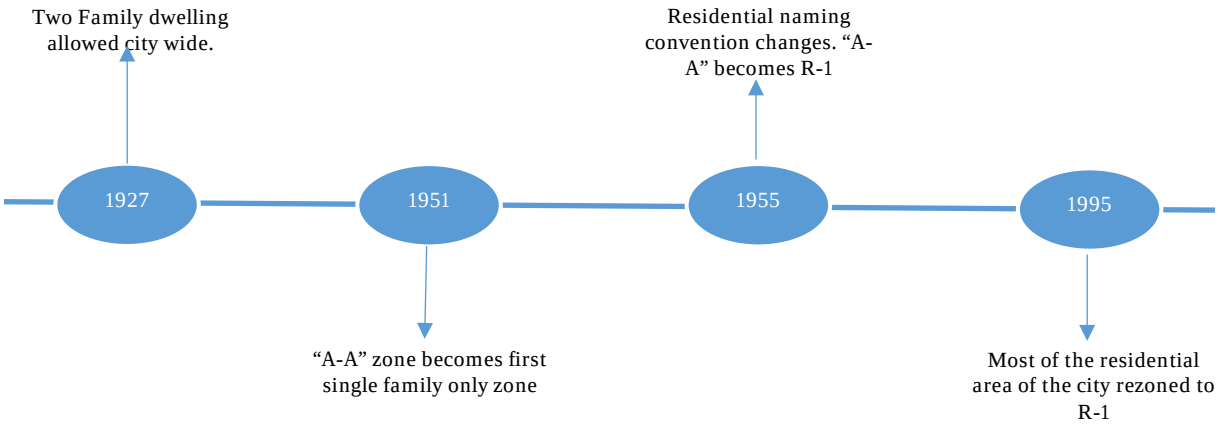
1.
Accessory Dwelling Units in Salt Lake City Report

Accessory Dwelling Units in Salt Lake City

This report is intended to provide city decision makers with an analysis of the proposed Accessory Dwelling Unit (ADU) Ordinance as it relates to the housing goals of the city. This analysis also establishes a framework for evaluating ADU's in terms of how they may help to achieve city housing goals and impact neighborhoods.

History of ADU's in Salt Lake City

Accessory dwelling units have been built in Salt Lake City for as long as the city has existed. Early ADU's were built as small additions onto homes and as small, backyard cottages. In the City's first zoning ordinance (1927), a two family dwelling was permitted in all residential zones and the minimum lot sizes depending on the zone were between 3,500 and 9,000 square feet for a two family dwelling. By 1951, the "A-A" zone was adopted and only allowed single family dwellings. It was mapped exclusively in the Federal Heights Neighborhood. By 1955, the residential zones were renamed to R-1, R-2, R-3, R-4, R-6, and R-7. The "AA" zone became R-1 and was mapped in Federal Heights and the upper Avenues, east of 11th Ave. The rest of the city allowed for at least 2 dwelling units on a lot with a minimum lot size of 6,000 square feet. In 1995, most of the city zoned R-2 was rezoned to an R-1 zone and two family dwellings were prohibited in most of the City.



Prior to 1927, backyard cottages, additions to the rear of homes, and second story apartments were constructed throughout the City. After 1927, this trend continued with a number of building permits being issued for additional dwelling units in all residential areas of the city. An unknown number of dwelling units were created without permits. When the city rezoned the entire city in 1995, the zoning ordinance included a process to legalize dwelling units that were built without permits provided the unit met basic life-safety requirements. Since 2004,

approximately 100 accessory dwelling units have been approved through the unit legalization process.

There are approximately 2,300 properties in the City that contain two dwelling units according to Salt Lake County Assessor data. More than 60% of these properties are located in residential zoning districts that only allow single family dwellings. The other 40% are located in zoning districts that allow two-family dwellings. Without field checking each property, the available data does not identify properties that were originally constructed as a two family dwelling (duplex or twin home) or if they were later converted to a two-family dwelling. The Salt Lake County Assessor's office primarily uses building permits to identify properties that change from year to year. It is likely that most of the properties identified in the adjacent table were created through some permitting process.

Zoning District	# of Two Family Dwellings
R-1/5,000	786
R-1/7,000	652
R-1/12,000	5

The purpose of this data is to demonstrate that although the city allowed two family dwellings by right from 1927-1995, a relatively small number of properties contain two family dwellings. For example, there are approximately 16,644 properties that are zoned R-1/5,000. The number of R-1/5,000 zoned properties that contain a two family dwelling is about 4.7%. One of the reasons why the number of two-family dwellings in the R-1/5,000 and R-1/7,000 zones is substantially higher than the R-1/12,000 zone is that most of the properties in the R-1/5,000 and R-1/7,000 zones were developed prior to 1951 when the minimum lot sizes for a two family dwelling were lower.

Despite not knowing the nature of how the two family dwellings in the city were created, a number of these properties are legally recognized as having two dwellings on the property. If a property was not originally constructed as a two-family dwelling, it likely was created through the conversion of interior space to a second unit, such as a basement or on a second level of the home.



A detached ADU located in the Wasatch Hollow neighborhood.

Second dwelling units were rarely built as a detached structure, although some do exist. Some were built as second dwellings and have remained that way over time. Others were built and eventually subdivided off of the main parcel and are now considered single family dwellings. The aerial view to the right shows properties located on 400 East and about 950 South. The "backyard cottages" were built prior to the city having zoning regulations. The dwellings have a footprint of approximately 800 square feet and the lots are approximately 1,300 square feet. A sizeable amount of the lot goes out into the alley, which skews the lot size.



"Backyard cottages" in Salt Lake City

What can the City expect from the updated ADU ordinance?

The expectations in this section were identified by reviewing the history of ADUs in different cities to see how many ADUs have been constructed under ordinances that are similar to the updated proposal. It only takes into consideration detached single family dwellings and does not include ADUs that may be part of a townhome. Townhomes make up a very small percentage of the total housing units in Salt Lake City and the data does not differentiate between small apartment buildings that have only 4 units and townhomes that have 4 units.

Salt Lake City is following the same path that most cities do with ADUs: take a measured approach with a more restrictive ordinance to see what happens. As a city's housing shortage continues, communities make fairly bold modifications to the ADU ordinance, such as eliminating owner occupancy, reducing lot coverage requirements, increasing size allowances, waiving parking requirements, and addressing restrictions on height.

Portland, OR and Denver, CO are two cities where data regarding ADUs is readily available, but on opposite ends of the spectrum in terms of number of ADUs constructed. Portland is probably the most successful ADU program in the US. Approximately 1,900 ADUs have been built in Portland since 1997. That equates to 1.3% of all of the single family dwellings in Portland, the equivalent of one ADU for every 76 single family dwellings in the city. From 2000 to 2010, a total of 271 ADUs were permitted in Portland. This is about 0.2% of all single family homes in Portland. In 2010, Portland made changes to the ADU regulations and waived utility hook-up fees for ADUs. That year, 86 ADUs were permitted and that number climbed to 615 ADUs permitted in 2016. More than 98% of single family homes do not have an ADU on the property. This indicates that the impact to single family zoning is limited. If every ADU in Portland had

three adjacent properties, about 4% of all properties would have an ADU next door. Allowing ADUs in all residential districts does increase the development right of properties, but the evidence shows only a small percentage of property owners build ADUs. In other words, nearly all of the single family zoned properties are not impacted by an ADU.

Denver, CO is in a similar situation as Salt Lake City. Between 2010 and September 2016, 84 ADUs were constructed in Denver (source: www.denverite.com/carriage-houses-work-parts-denver-better-others-15159/). Denver has a similar ordinance to the updated proposal but does not allow them citywide. Denver has recently acknowledged that it cannot fully fund the resources necessary to address the housing supply and affordability issue in the City and that ADUs can help them address housing needs. Denver has determined that they can reach city housing goals if three properties per block add an ADU. According to Denver, the typical block has about 30 homes.

Table: projections of ADUs in SLC compared to Portland and Denver

City	# of single family dwellings (2010 census data)	# of ADUs	% of SFD with an ADU	Average ADUs per year since ADU ordinance passed
Portland	145,000	1,900 (since 1997)	1.3%	95
Denver	150,000 (estimated)	84 (From 2010 to Sept. 2016)	0.005%	14
Salt Lake City (projected based on Portland)	42,000	546 (projected)	1.3%	27 (over a 20 year period)
Salt Lake City (projected based on Denver)	42,000	24	0.005%	4

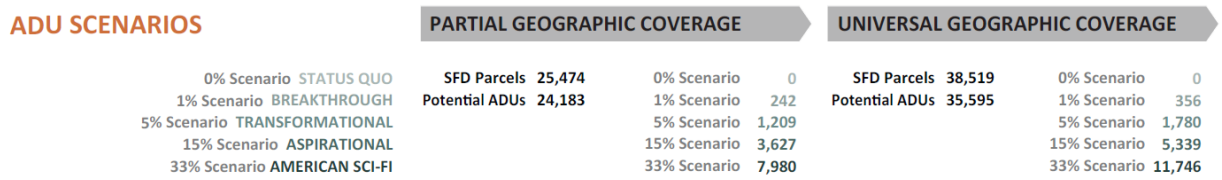
A projection for total number of ADUs Salt Lake City could expect based on what Portland has experienced would result in about 550 ADUs in the City over a 20 year period, which is one ADU for every 77 single family dwelling in the city. Approximately 2,200 properties would have an ADU next door. This equates to about 27 ADUs per year.

A projection based on the Denver experience would result in a total of 24 ADUs over a 6 year period. This equals one ADU for every 1,750 single family dwelling in the City. About 100 homes would have an ADU next door. Salt Lake City would likely see more ADUs than Denver has seen because the proposed ordinance allows them in all residential zoning districts, while Denver only allowed ADUs in certain neighborhoods.

The University of Utah conducted an Urban Design Studio class in the fall of 2017 that focused on ADUs. They did some analysis of what is possible based on an “aspirational” ordinance that was intended to show the impacts of ADUs if 3% of the properties in the city contained an ADU. The study identified approximately 38,500 single family parcels in the city, which is less than what the 2010 census shows and Salt Lake County Assessor data shows. In the table above, census data is used because it was easier to find census data from other cities versus trying to find other housing numbers.

The studio class used various scenarios (15, 5%, 15%, and 33%) to determine how many ADU’s were likely. The 1% scenario identified 356 ADU’s in SLC, which is similar to the numbers in the

above table when adjusted for the census data numbers of total single family dwellings. A snapshot of the ADU scenarios is below.



Detached ADUs or Attached ADUs?

The University of Utah Urban Design Studio was intended to demonstrate what was possible in SLC, to measure the impacts of ADUs, and to make policy recommendations to the City that would help create an ADU program that was "aspirational." The work of the Studio Class provides some useful insight into what the city can expect.

The Planning Division reviewed some of the final work of the Studio Class to see how existing accessory building regulations and the proposed ADU regulations will impact the ability of a property owner to build an ADU. The findings indicate that detached ADUs are going to primarily be limited by an existing regulation for accessory buildings that limits the *cumulative total footprint* of all accessory buildings to no more than 50% of the footprint of the home or 720 square feet, whichever is less. This standard applies to all single family dwellings (attached and detached) located in an FR, R1, R2 or SR zoning district. A single family home in an RMF zoning district does not have the cumulative total footprint requirement. The RMF zone is limited only by a yard coverage requirement that limits accessory structures to 50% of the rear yard (the space between the rear wall of the building and rear property line).

It is common for a city to limit the size of accessory structures. Salt Lake City's regulations appear to be more restrictive than most other communities. A better approach for the City to consider would be to limit an individual accessory dwelling to be a maximum of 50% of the footprint of the principal building and use a rear yard coverage to determine the maximum cumulative size. Ironically, Salt Lake City's rear yard coverage (50%) is exceptionally large compared to other cities. A rear yard coverage of 25% is more commonly used. This approach allows the regulations to be proportionate to the individual characteristics of the lot and the principal structure.

Where Can Detached ADUs Be Expected?

Properties that contain homes with large footprints

Homes that have attached, 2 car garages

Properties with large back yards

Properties with 2 story homes

Properties located in RMF zones

Given the restrictions within the updated ordinance, the most likely scenario for ADUs will be as attached units. This is because:

- The zoning ordinance allows more lot coverage for principal structures;
- The zoning ordinance allows for more building height for principal structures;
- There will be some cost savings because the principal structure already has all utilities to the building;

- Internal modifications are generally less expensive than making additions or building a detached ADU on the property.

The Planning Division is aware of one development in the Fairpark Neighborhood that could potentially include an ADU in each of the proposed 12 units. This development includes a mix of single family attached dwellings and single family detached in an SR-3 zoning district. It is likely that all of these would be internal to the principal dwelling.

How the ADU Ordinance Could Help Address the City's Housing Issues

Growing Salt Lake establishes a goal that states "Revise the Accessory Dwelling Unit ordinance to expand its application throughout the city and develop measures to promote its use." The proposed updated ordinance would expand the use of the ADU ordinance because it allows ADUs citywide.

The proposed updated ordinance, however, includes a number of regulations that will make it difficult to establish and maintain an ADU in Salt Lake City. It may be that the intent of the regulations is to purposefully limit ADUs because of the unknowns and the fear of certain impacts and to allow ADUs in a cautious manner. This approach does allow a community to become more accepting of ADUs over time, but it reduces the ability of ADUs to help achieve housing needs and goals.

Portland and Santa Cruz are examples of cities that had a restrictive ADU ordinance that produced few ADUs. After removing some of the restrictions, the number of ADUs increased rather dramatically. Santa Cruz has updated their ADU ordinance six times since 2002. Honolulu updated its ADU ordinance in 2015 and has permitted 150 ADUs since then. The Honolulu ordinance is rather simple and includes:

- Limits on the square footage of an ADU;
- A simple owner occupancy requirement that does not require every listed owner to reside on the property;
- Requires one parking stall, but waives the parking requirement if within ½ mile of a rail transit station;
- Requires a deed restriction; and
- Prohibits short term rentals.

The analysis in this report indicates that the city is not likely to see a large number of ADUs constructed in the city. This is primarily due to the restrictions placed on accessory buildings that are currently in the code combined with the proposed ADU regulations. The code could be improved to promote more ADUs, as stated in Growing Salt Lake. The University of Utah Design Studio Class mad a number of policy recommendations that would promote ADUs and address some of the impacts. Many of these recommendations have been discussed within this report and some are included in the proposed ordinance. The recommendation to employ a, ADU specialist is not supported by the Planning Division. Assigning a department specialist as a point of contact would be a difficult position to manage given the unknown number of applications that we would receive and the need for increased capacity within the Planning Division. The Division does not dedicate employees to specific tasks because the workload is never balanced and the types of applications received come in waves. This requires a constant shifting of personnel to make sure that all of our applications are processed in a timely manner that matches our resource. Specialized planning offices the size of Salt Lake City do not work

well because the workloads of various programs are not balanced. Specialized staff are often not trained to work on planning work that is outside their area of specialization, which creates uneven workloads amongst staff. A better approach given the resources of the Planning Division would be to have several staff members who are highly familiar with the regulations and processes that can help people navigate the permitting process.

The design of an ADU is often a point of concern in many communities that are seeing an increase in the number of ADUs. Some do include design standards within their ordinance. The Council could decide to apply design standards to ADUs. Common design standards are addressed below:

- Roof Design: The design of the roof shall match the shape, pitch, and roofing material of the roof of the principal structure for new accessory structures containing an ADU or when a second level is added to an existing accessory structure.
- Building Materials: The exterior building materials of the accessory dwelling unit shall match the type, dimension, and orientation of the exterior building materials of the principal structure for new accessory structures containing an ADU.
- Windows: windows shall maintain a similar dimension and design as the windows found on the principal structure.

The use of guidelines are fairly difficult in Utah due to language in State Code and should not be used without adopted review standards. Using more extensive standards than those listed above could be time consuming to produce and would likely require additional zoning text amendments so they are more legally defensible. One of the challenges with writing design standards for ADUs is that it is often difficult to mesh the bulk standards with the design standard. For example, a tudor style home typically has steep roof lines. A requirement to match the roof design would likely mean that the ADU would be taller than what would be allowed under the proposed ordinance. This occurs under the existing standards for accessory buildings because accessory buildings have a strict height limit and exceptions to the height limit are based on the height of other accessory buildings on the block face instead of the relationship between accessory building and primary building.

Other Possible Improvements to the ADU Ordinance

Owner Occupancy

The definition of owner occupancy is too narrow, does not allow for a variety of ownership types, and requires all owners to live on the property. A simpler version of owner occupancy would allow for a property to be owner occupied even if it has multiple owners. For example, two siblings that jointly inherited a house could not create or maintain an ADU under the updated proposal unless they both live in the home. It would also eliminate the sections of the proposed ordinance that requires all listed owners to live on the property. Below is some sample owner occupancy language that could be considered:

> For the purpose of this title, an owner occupant shall mean:
>
> 1. An individual who is listed on a recorded deed as an owner of the property;
> 2. Any person who is related by blood, marriage, or adoption to an individual who is listed on a recorded deed as an owner of the property;

3. An individual who is a trustor of a family trust which possesses fee title ownership to the property.

Make Attached ADUs Permitted

An ADU that is internal to an existing structure does not have the same physical impacts on a property as a detached ADU. Allowing them as permitted in all zoning districts would result in more ADUs being built in the City. This would be accomplished by changing the "C" in the land use tables for single family zoning districts to a "P".

Modify the Cumulative Footprint Requirement for Accessory Buildings

The maximum size for accessory buildings make it very difficult to build a detached accessory dwelling unit and a garage on most properties in the City. This issue is a result of the maximum cumulative size of all accessory buildings on a property being limited to no more than 50% of the footprint of the home or 720 square feet, whichever is less. This could be accomplished in a number of ways:

- Eliminate the maximum, cumulative size of all accessory structures requirement that is found in the accessory use chapter of the zoning ordinance. Accessory buildings would still be regulated by the maximum lot coverage, maximum rear yard coverage, and maximum footprint size of no more than 50% of the principal structure. If a property did not exceed the lot coverage or rear yard coverage, and ADU could be built as a stand-alone structure provided it was less than 50% of the footprint of the home or 650 square feet (whichever is less), it did not result in a rear yard coverage of more than 50% and did not exceed the total lot coverage of the underlying zoning district.
- Exempting an ADU from the cumulative total will also address this issue.
- Eliminating the cumulative maximum footprint size of 50% or 720 ft^2 so it is not cumulative and modifying the maximum rear yard coverage to 25%. This would eliminate the issue of accessory buildings overwhelming the principal structure but allow more flexibility, particularly for larger lots.

Some of the suggestions to modify the accessory building footprint regulations are outside the scope of the ADU ordinance and would need to be addressed as a separate application.

Parking Requirements

Allow for the ADU parking requirement to be eliminated even if the primary dwelling does not meet the current parking requirement. While the updated proposal includes a process for reducing the parking requirement, it can only occur if the property already has enough parking to meet the parking requirement for the principal dwelling. If the property does not have two legally located off street parking spaces, the ADU has to have an on-site parking stall. Properties built before about 1950 often do not have two on-site parking stalls that meet current parking requirements and would not qualify for a waiver of the parking requirement for an ADU. These properties have a higher likelihood of being located in parts of the city that are served by Trax, the S Line, or high frequency bus routes. Not allowing a waiver for these properties because they were built when the zoning ordinance required less parking contradicts city policies and goals of promoting development along transit routes. This could be accomplished by:

- Adding language to the ADU ordinance that says that the square footage of the ADU footprint is in addition to cumulative total allowed in the accessory use chapter;

- Eliminating the cumulative total of all accessory buildings from the accessory use chapter and rely on the maximum rear yard coverage and total lot coverage.

Notice to Neighbors

The proposed ordinance includes a requirement for a zoning certificate and requires a 30 day notice period before the certificate can be issued. The purpose the 30 day notice period serves is to let the property owners know that a building permit has been submitted for an ADU. This type of notice is a courtesy notice. A notice of a pending zoning certificate does not create any sort of appeal rights for the neighbor because it is not a final decision and does not provide any neighbor with any sort of process to object to the issuance of a zoning certificate. Any sort of appeal would start from the time that a final decision is made and that a person is noticed of that final decision. If the purpose of the notice is to let a neighbor know an ADU has been proposed next door, it shouldn't include a 30 day waiting period and instead provide instruction on how to find out more about the proposal, how to find out if or when a building permit has been issued, and the deadline to file an appeal.

The ordinance could also be changed to state that the notice be sent out once the permit is issued. Doing this would establish the start of an appeal period so that a neighbor could review the building permit and determine if they believe that the permit was issued in error. Those ADUs that require a conditional use would not be subject to the notice because the conditional use process already has a notice period and a clear appeal process.

Business License Requirement

A business license should not be required in every instance. For example, if an ADU is occupied by a family member, there may not be a rental contract or any sort of financial transaction. Furthermore, any rental unit is already required to have a business license under city code so adding it to the ADU section of the zoning ordinance is not necessary.

Abandonment of an ADU

The abandonment section of the code may not be enforceable. The issue is with the requirement to remove "those elements that make the unit an ADU." The language is vague and does not provide enough direction as to specifics of what would have to be removed or when it would have to be removed by. If the modification is simply removing a door or a lock that divides the ADU from the rest of the property, it is an easy modification. But if the ADU is completely separate with a separate outside entrance then it might be extremely difficult to remove the features that make it an ADU and may require internal connections between the principal dwelling and the ADU.

A detached ADU is probably easier to enforce the abandonment requirement because removing a kitchen and bathroom from an accessory building clearly would result in the unit not being an ADU. However, the ordinance does not state what should be removed.

COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

Item Schedule:
Briefing 1: Jan 17
Briefing 2: July 11
Briefing 3: Sept 5
Briefing 4: Oct 17, 2017
Briefing: 5 November 21
Briefing: 6 November 28
Briefing: 7 December 5
Set Date: July 25, 2017
Public Hearing1: Sept 19,
Public Hearing 2: Oct 3
Potential Action: TBD

TO: City Council Members

FROM: Nick Tarbet
Policy Analyst

DATE: December 5, 2017

RE: **Text Amendment: Accessory Dwelling Unit Regulations**
PLNPCM2014-00447

November 28 Work Session Summary

During the November 28 work session briefing the Council conducted a series of straw polls, the results of which are listed below:

1) Keep the boundary forwarded by the Planning Commission
   - Yes (5-2)

2) Remove the annual cap of 25 (*no limit on the number of ADUs allowed per year*)
   - Yes (6-1)

3) Revisit the ADU ordinance in three years.
   - Yes (7-0)

4) Only allowing interior ADUs in local historic districts. (*this does not allows ADUs areas of the city where the boundary doesn't permit them*)
   - Yes (7-0)

Straw polls that may be considered on December 5

1. Does the Council support including a sunset clause of 4 years for the ADU ordinance?

2. Does the Council support including any of the following items as part of a legislative action:

    - Setting a follow-up date to consider revisions to the ADU ordinance.
        - Date to be determined by the Council
    - Research and provide recommendations on whether a process such as conditional use, special exception or another process would be appropriate for ADUs.
    - Research and provide recommendations on enforcement issues, including owner occupied and three unrelated individuals.
    - Research and provide recommendations on whether or not to create City staff position assigned to ADUs for processing, facilitating, design etc.
    - Create City-supplied ADU designs/plans for the public to use.

Responses to the Council's Requests for more information

1. Can a deed restriction signifying an owner occupied requirement be included with the ADU application?
    - The current ordinance includes a provision requiring a deed restriction which states the owner must occupy the property. Additionally the deed restriction must be filed with the County.

      21A.40.200.F.2:
      Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the city attorney, filed with the county recorder's office. The form shall state that the owner occupant must occupy the property as required within this section. Such deed restriction shall run with the land until the accessory dwelling unit is abandoned or revoked.

2. What are the property tax implications of building and renting an ADU?
    - Staff contacted the County Assessor's Office to ask about potential tax implications of building and renting an ADU. The Assessor's Office provided the following information:
        - Building and renting an ADU doesn't change how the property is taxed (it does increase the property value and thus increases the taxable value and the tax).
            - Difference in assessment usually comes with 3 rental units or more, at which point the property is assessed on the value of projected income from the rentals.
        - A primary dwelling and accessory dwelling on one parcel are assessed together. The ADU would enhance the taxable value of the property commensurate with how value changes from any other improvement, like a garage or a barn.

3. Do the ADU owners have to participate in the good landlord program?
    - No. City ordinance permits rental properties that have four units or less and *are owner occupied* to be exempt from per unit fees and landlord/tenant participation.

The following information was provided for the November 28 work session. It is provided again for background purposes

During the October 17 work session, the Council identified eight items they requested more information on from the Administration (see list below). A timeline was not set for when the information would be brought back to the Council.

1. Determine where/if a boundary is appropriate
2. Setting a follow-up date to consider revisions to the ADU ordinance (2-3 years out)
3. Identify the pros/cons of the conditional use vs. special exception process
4. Off street parking assessment/survey
    - Identify which neighborhoods have capacity vs. which don't.
5. More information on enforcement complexities
    - Specifically on owner occupied and three unrelated
6. Create staff position assigned to ADUs for processing, facilitating, design etc.
7. Create 4-6 designs for people to use.
8. Water/sewer capacity concerns.

Planning staff have indicated they will need more time to provide responses to these requests. If the Council is interested in adopting the ADU ordinance before the end of the year, it will likely need to be done without receiving an official response from the Administration on these items.

If the Council is interested in moving forward on ADUs before the end of the year, it can consider the following options:

1. **Defer Action until information is transmitted**
   Defer action until the Administration is able to transmit a response the information requested by the Council during the October 17 briefing.

2. **Adopt proposed ordinance and include legislative actions**
   Adopt an ADU ordinance and choose from the following options:
    a. Decide on whether ADUs will be allowed Citywide or just in certain areas.
        i. Allow ADUs citywide
        ii. Add the boundary delineating where ADUs would be allowed in the City
            - Planning Commission recommended Boundary.
        iii. Consider a different version of the proposed boundary line.

    b. Decide whether or not to keep the proposed citywide cap of 25.

    c. Include legislative action requesting the Administration come back to the Council at a time yet to be determined, with a report on ADUs and proposals for amendments.
       Some or all of the following items should be included for consideration:
        i. Identify the pros/cons of the conditional use vs. special exception process
        ii. Off street parking assessment/survey
            - Identify which neighborhoods have capacity vs. which don't.
        iii. More information on enforcement complexities
            - Specifically on owner occupied and three unrelated
        iv. Create staff position assigned to ADUs for processing, facilitating, design etc.
        v. Create 4-6 designs for people to use.
        vi. Water/sewer capacity concerns.

Additional Items for Consideration

The following items have been raised as discussion points during previous briefings; however, the Council has not indicated if they would like these changes incorporated in to the final draft of the ordinance. The Council may wish to discuss these items and give staff further direction as to which of these items should be changed in the final draft of the ordinance.

- Maximum size of an ADU
  Some constituents have raised concerns that the maximum size of an attached ADU could be very large and have recommended the ordinance be revised to only allow smaller units in attached ADUs.
  - Currently, the maximum size for ADUs depends on the whether it is an attached or detached units:
    - Attached: may not exceed 50% of the gross floor area of the principal dwelling
    - Detached: may not exceed 50% of the gross floor area of the principal dwelling or 650 sf, whichever is less.

  Does the Council wish to consider revising the ADU ordinance pertaining to the maximum size of attached units?

- Outdoor Roof Decks and Balconies
  Some constituents have raised privacy concerns about allowing outdoor roof decks and balconies with an ADU
  - Currently, these are allowed if they do not exceed 86 sf, are located facing an alleyway

  Does the Council wish to consider revising the ADU ordinance pertaining to outdoor roof decks and balconies?

Comments from University of Utah, Department of City and Metropolitan Planning

- Professor Michael Larice met with a few of the Council Members to discuss ADUs. He is currently teaching an urban design studio focused on ADUs. His class has done research on other cities who have implemented an ADU ordinance.
- He provided the UPDATED attached white paper (ATTACHMENT A) with 12 recommendations. This updated paper incorporates feedback that the Studio received from City Staff on their original proposal.

The following information was provided for the October 17 work session. It is provided again for background purposes.

The Council held two public hearings on the proposed ADU ordinance. The following items have been identified by staff as points of potential discussion for the Council to consider. The Council may wish to discuss these items and give staff further direction as to which of these items should be changed in the final draft of the ordinance, and whether the Council is interested in pursuing additional public notice, such as a city-wide mailing.

- Maximum size of an ADU
  Some constituents have raised concerns that the maximum size of an attached ADU could be very large and have recommended the ordinance be revised to only allow smaller units in attached ADUs.

- Currently, the maximum size for ADUs depends on the whether it is an attached or detached units:
    - Attached: may not exceed 50% of the gross floor area of the principal dwelling
    - Detached: may not exceed 50% of the gross floor area of the principal dwelling or 650 sf, whichever is less.

  Does the Council wish to consider revising the ADU ordinance pertaining to the maximum size of attached units?

- Outdoor Roof Decks and Balconies

  Some constituents have raised privacy concerns about allowing outdoor roof decks and balconies with an ADU
  - Currently, these are allowed if they do not exceed 86 sf, are located facing an alleyway

  Does the Council wish to consider revising the ADU ordinance pertaining to outdoor roof decks and balconies?

- Design Guidelines

  Some have suggested the proposed ordinance needs more detailed design guidelines that will help make ADUs more compatible with the surrounding properties. Others have suggested there should be different standards for attached and detached ADUs.

  Currently, the draft ordinance outlines the requirements for height, setbacks, maximum size, entrances to the ADU, parking, and the location of upper level windows.

  Does the Council wish to consider requesting more information on the process to create detailed design guidelines for ADUs?

- Parking Requirements

  The current Draft Ordinance requires one off-street parking stall for one and two bedrooms units. Many comments received have focused on parking concerns, specifically about the impact increased demand for on street parking might have on neighborhoods where street parking is already scarce. Some comments suggested that certain neighborhoods can handle more cars parking on the street, while other neighborhoods may not have the capacity.

  Does the Council wish to discuss parking requirements and request more information on ways to potentially mitigate concerns from specific neighborhoods?

- Minimum Lot Area

  Some raised concerns about removing the minimum lot area requirements. The current ordinance requires a minimum lot area of 5,000 sf for detached ADUs. Although there is no minimum lot area for internal or attached ADUs in the draft ordinance, underlying lot coverage restrictions still apply.

  Does the Council wish to discuss minimum lot areas for ADUs?

- Enforcement Issues

Many comments were focused on enforcement concerns that the City would be unable to enforce on the owner occupied requirement, ensuring that no more than 3 unrelated adults live in a property or the parking requirements.

Some suggested the Council needs to hire more staff to focus on ADUs, for both permitting and enforcements.

The Administration provided the following response on how Civil Enforcement handles complaints about illegally occupied ADUs with no record of a building permit:

- Initiate enforcement for work done without appropriate permits and approvals
- Check our records to ascertain owner information
- If the conversion took away the legally situated off street parking include that in enforcement
- Start with a friendly notice and hope for a response from responsible party (Owner)
- If the property owner is cooperative and wants to bring the property into compliance we're flexible on timeframes as long as they're reasonable.
- Consider fire and life safety concerns in expediency to force compliance

- If we get no response or it's clear that a property owner isn't interested in bringing the property into compliance a notice and order is issued. Before any fines are ever imposed there is a five day notice that goes out prior to the expiration date of a notice and order. If an extension is granted another five day notice is issued prior to the expiration of that extension.

- Building Services has only done four of these types of units since the previous ordinance was passed, so limiting these units to 25, will most likely, have little impact on the civil enforcement team.

Does the Council wish to further discuss enforcement of ADUs, including potential staffing needs that may arise? Does the Council wish to ask the Administration what a staffing model would need to look like to fully address enforcement concerns, and how that might be funded?

- <u>Reporting Requirements</u>

The Council requested reporting requirements to be included in the ADU ordinance so the City can adequately track where ADUs are being built and how they are impacting neighborhoods. The following langue has been added to the draft ordinance:

> Reporting: The planning division shall provide an annual report to the city council detailing the number of applications, address of each unit for which an application was submitted, a brief explanation of reasons why an application was denied, and a map showing approved accessory dwelling units. The report shall be transmitted to the city council by February 15th for the previous year.

The proposed language may not sufficiently address the Council's desire to track potential impacts from ADUs on neighborhoods.

Does the Council wish to add more requirements in the reporting section of the ADU ordinance? Additional information may include: enforcement cases pertaining to issues such as; complaints of any kind to the City, reported parking problems and Housing and Zoning enforcement.

ADDITIONAL FOLLOWUP

- **Does the current version of the ordinance which allows ADUs citywide need a recommendation from the Planning Commission**
  - Based on public comments, Council Staff requested a legal opinion from the Attorney's Office on whether or not the current draft ordinance to allow ADUs citywide should also receive a recommendation from the Planning Commission. *(The Planning Commission's recommendation included a boundary delineating areas of the City where ADUs would be permitted.*)
  - The Attorney's Office responded that the ordinance does not need to go back to the Planning Commission for a recommendation based on the following reasons:
    - The notice of the planning commission hearing from June 22, 2016 at which the planning commission voted to forward a positive recommendation to the council, indicates that the ADU regulations were proposed to apply to certain zoning districts and the notice did not include language indicating a proposal to geographically limit the ADU regulations in any other way.
    - The Planning Commission staff report listed as "options" for the commission that it could forward a recommendation to the city council with "[r]emoval or modification of proposed 'Accessory Dwelling Units Boundary'" and the commission discussed whether its recommendation should remove that boundary area limitation. Accordingly, the planning commission was presented with a proposal that omitted the recommended ADU boundary area, though it voted to recommend its inclusion.

- **Comments from University of Utah, Department of City and Metropolitan Planning professor**
  - Professor Michael Larice met with a few of the Council Members to discuss ADUs. He is currently teaching an urban design studio focused on ADUs. His class has done research on other cities who have implemented an ADU ordinance.
  - He provided the attached white paper (*ATTACHMENT A*) with 12 recommendations. The Council may wish to discuss these comments.

- **Enforcement of ADU family Trust Rules**

  In order for a trust owned property to have an ADU, the current ordinance states: "Each living trustor of the trust shall so occupy the dwelling unit."

  It is further clarified that all parties of a trust or 50% ownership must live in the property in order to have an ADU:

  > "Even if a person meets the requirements of subsection B.1 or B.2 of this section, such person shall not be deemed an owner occupant if the property on which the

dwelling unit is located has more than one owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence."

- The Council's Attorney, Neil Lindberg, was asked to provide a response on the enforceability of provisions regarding a person who occupies an accessory dwelling unit located on property owned by a family trust.
- According to the memorandum (*Attachment B)*, successful enforcement depends on the degree to which the regulations are explicit and objective because ambiguous regulations will be construed to favor the property owner. It is his opinion that these provisions should be readily enforceable based on the following reasons:
  - They are based on a Provo ordinance upheld by the Utah Supreme Court.
  - Relevant language in the proposed ordinance should be readily enforceable as written because it is consistent with the Anderson case and unambiguous

Public Hearings Summary

Public hearings were held on September 19 and October 3. At the conclusion of the October 3 hearing, it was noted a follow-up briefing will be held on October 17 to discuss the comments raised during the public hearings. Additionally, another public hearing could be scheduled in the future if the Council makes changes to the current DRAFT ordinance based on the public comments.

A general summary of the comments from both public hearings is provided below.

Comments in general support of the proposed ADU ordinance

- Could provide new type of affordable housing.
- Communication could have been better, but generally support.
- Good policy that allows incremental growth.
- Eliminate any boundaries or limitations to where ADUs are allowed.
- The owner occupied requirement is good.
- ADUs can help alleviate the City's housing shortage
- ADUs can enhance family and community by helping families who want to live close together
- City should consider allowing tiny houses.
- ADUs can provide supplemental income to some who need it.
- ADUs can help provide affordable housing in every neighborhood
- Helps increase density
- University of Utah students are doing research that shows ADUs can be successful.
- The ordinance needs refining, but could be a good pilot program.
- More housing everywhere in the City is needed – ADUs can help create more housing.
- The limit of 25 per year is a good start.
- ADUs are good when close to transit; can help alleviate traffic.
- Eliminate the off street parking requirements when close to transit.
- ADUs could create more housing in SLC and decrease the need to commute to SLC for work.
- The cap of 25 is too low. Should allow more ADUs every year.

- The height restriction that keeps the ADU subordinate to the primary dwelling will prevent many ADUs from being built; need to eliminate that restriction.

Comments in general opposition to the proposed ADU ordinance

- Survey on Council website is biased
- The proposal changes all single-family zones in the city to multi-family.
- There hasn't been sufficient public outreach and notice for this big of a change to the City's zoning.
- Poor communication with city residents about the changes.
- ADUs will simply create more rentals and more nuisance issues
- ADUs are not an affordable housing solution.
- Increases density.
- Increased nuisance issues for neighborhoods such as: traffic, parking, garbage and snow removal
- Written notice about the proposed change needs to be mailed Citywide before the Council takes action.
- This is a citywide up-zone that changes the character of the City.
- City should require two off-street parking stalls if an ADU has two bedrooms
- Because of the recent change to allow ADU citywide, a new mailing and public process is needed
- The proposal will make some neighborhoods student housing for the universities.
- There needs to be different standards for attached vs. detached ADUs
- More demolitions to existing housing will occur as a result in order to build bigger homes with ADUs.
- Don't allow greater heights for ADUs.
- Concerns that the design requirements are not done very well.
- Adding ADUs could increase taxes so that homes are no longer affordable.
- Concerns that ADUs will be used as nightly rentals.

The following information was provided for the September 19 public hearing. It is provided again for background purposes.

September 5 Work Session Summary

During the September 5 work session the Council conducted a series of straw polls to amend the final proposed draft. The following changes were of the result of the straw poll voting:

- ADUs will be allowed Citywide (though still an annual limit of 25 per year).
- Administrative review process that includes a 30 day notification of proposed ADUs to abutting property owners (including across the street).
- Reporting requirements to be included so the City can adequately track how ADUs are impacting neighborhoods, and where they are being built, so future changes could be made if needed.
- More information was requested on how the owner occupied requirement affects properties owned by Trusts and how enforcement issues will be addressed.

The following information was provided for the September 5 briefing. It is provided again for background purposes.

ISSUE AT-A-GLANCE

The Council will hold a third discussion about an ordinance that would amend the City's accessory dwelling unit (ADU) regulations. The amendments would generally allow ADUs west of Canyon Road, south of South Temple, west of 1300 East and north of I-80. Currently, new ADU permits are only available for properties located a half mile or less from a fixed rail transit stop. Additionally, the amendments will limit the number of ADU permits issued per year to 25.

At the Council's first briefing, the Council asked some questions about enforcement, role of ADUs within affordable housing, and other sample city ADU ordinances. Some Council Members raised the broader questions about the ADU ordinance and its role in housing.

The Council's Affordable Housing priority identifies the following goals and potential solutions:

- **Goal** – Create more affordable housing for all income levels, with specific focus on creating affordable units for individuals at or below the poverty level.

- **Solutions** - Success includes adopting a new citywide Housing Plan, implementing action steps that will lead to the creation of more affordable housing and identifying funding sources that can help fill the financial gaps in order to create more affordable housing.

    - Funding Solutions – Identify and establish a long-term funding source for affordable housing
    - Policy Solutions – Identify and change City ordinances and policies that are roadblocks to creating more housing options.

Because Affordable Housing is one of the Council's priorities, the Council may wish to begin with a discussion of whether there is value in having ADUs as a tool to expand affordable housing options in the City, and whether they fit in other / all areas of the City. The Council may also discuss if there are ways to make them compatible citywide and if they should they be limited geographically.

July 11 WORK SESSION SUMMARY

During the July 11 work session briefing, much of the Council's discussion revolved around the need to increase the supply of housing without creating major disruptions for existing neighborhoods. Some Council Members commented that neighborhoods could be negatively impacted if ADUs are used as short-term rentals, and asked whether or not the City can adequately enforce the ordinance.

The Council asked staff to outline a robust public engagement plan that will help inform the public about the propose ordinance. On July 25, the Council was provided the following outline for public engagement:

Timeline

- Council approval of timeline: July 25, 2017 via announcements/work session discussion

Begin Public Engagement & Notification to interested parties. Will continue through Council action.

- Consent – Set Date — August 8, 2017 (early notice of public hearings)
- Follow-up Work Session — September 5, 2017
- Public Hearing #1 — September 19, 2017
- Public Hearing #2 — October 3, 2017
- Potential Action — October 17, 2017 *or later*

Public Engagement Tools

- Direct email to Community Council Chairs/recognized community organizations
  - Include key dates
  - Include link to OCH site
  - Provide an option to be added to the email list for the topic.
  - Ask them to share with their membership lists
- Open City Hall
  - Includes key meeting dates
  - Ways to provide feedback
  - Fact sheet
- Distribute information via website/email updates/social media
  - Link to OCH website
  - Ways to provide feedback
- Following Council action, provide information back to those who have provided feedback or asked questions throughout the process.

POLICY QUESTIONS FOR CONSIDERATION

1. The Council may wish to weigh the benefits of ADUs with the concerns that have been raised. The Council may identify priorities or policy direction based on a balance of the benefits and concerns.

   The purpose statement of the proposed ADU ordinance outlines some potential or intended benefits:

   - Create new housing units
   - Provide more housing options in residential districts
   - Allow more efficient use of existing housing stock
   - Support affordable housing options
   - Support transit oriented development and reduce automobile dependency
   - Support economic viability of historic structures

   Additionally, though not in the purpose statement:

   - Support aging in place for older residents

   Concerns that have been raised in relation to ADUs include:

   - Negatively impacting the character of single-family residential neighborhoods through increased density
   - Increases traffic and parking issues
   - Inability to adequately enforce the ordinance and monitor for these impacts

2. On January 10 the Council discussed the East Bench Master Plan. The proposed Accessory Dwelling Unit (ADU) Ordinance would prohibit ADUs east of 1300 East. However, the East Bench Master plan identifies Accessory Dwelling Units for possible consideration (page 43) in the East Bench master plan area:

   > INITIATIVE N-3.2: Housing Affordability, Access, and Choices:
   > "Additional lower density housing choices, such as allowing an additional dwelling unit in an existing single-family dwelling, should be allowed within neighborhoods that are supported by public transportation or near major transportation corridors."

   During that discussion, some Council Members expressed concern about including support for ADUs in the East Bench Master Plan area.

   The proposed ADU ordinance and the proposed EBMP have conflicting policy goals with regards to ADUs. Would the Council like to further discuss and/or resolve this policy conflict?

POTENTIAL STRAW POLLS

Over the course of the ADU discussion, potential changes to the ADU ordinance have been identified by Council Members, staff and the public. The Council may wish to consider straw polling the options identified below to determine if any of them should be included in the final draft of the ordinance.

Does the Council support:

4. Removing the owner occupancy requirement?

5. Increasing off-street parking requirement to: 1 parking stall for a 1 bedroom unit, and 2 parking stalls for a 2 bedroom unit (*This change would be consistent with the existing ADU regulations*)?

6. Including a minimum rental requirement of 30 consecutive days within residential zoning districts in order to minimize the impact of short term rentals of ADUs?

7. Amending the proposal to incorporate one of the following options in order to notify neighbors of a pending ADU development:
   - Specify an application and administrative review process that includes notification of abutting property owners and residents, or
   - Specify an application and administrative review process that includes notification of property owners and residents within 300 feet, or
   - Reclassify ADUs as a special exception, which would require amending section 21A.52.030, titled Special Exceptions Authorized?

8. Keeping, modifying or removing the proposed boundary where ADUs can be located throughout the City?

   If the currently proposed ADU boundary is kept, #6 could be considered.

9. Allowing internal or attached accessory dwelling units—not detached—east of "Accessory Dwelling Units Boundary"?

10. Keeping, modifying or removing the annual permit allocation (proposed maximum of 25 units per year)?

11. Including potential exceptions to the annual permit limit of 25 ADUs, such as:
    - projects in RDA areas
    - units that meet accessibility standards

12. Changing the owner occupied requirement so properties that are owned by two or more people are not required to have both/all owners living in the principal structure?
    - *The current ordinance language requires all owners of the property to live there in order to have an ADU.*

13. Allowing a parking waiver for ADUs that are along arterial streets or bus routes that meet the following requirements, as identified in the Transit Master Plan:
    - *Adequate on street parking in the immediate vicinity is available to serve the accessory dwelling unit and will not cause congestion in the area; or*
    - *The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed transit line or an arterial street with a designated bus route.*

The following information was provided for the January 17 briefing. It is provided again for background purposes.

JANUARY 17 WORK SESSION SUMMARY

The Council first discussed the proposed ADU ordinance on January 17, 2017. At that time the Council decided to wait to hold future discussions on ADUs until after the State's legislative session because there was potential legislation that could impact the ordinance.

Additionally, during the January 17 briefing, the Council requested more information on the following items:

- Enforcement Concerns – what is the enforcement plan for the following provisions of the ordinance:
  - Owner occupied
  - Parking
  - Short term rentals / Airbnb
- Do ADUs contribute to affordable housing stock? If so, how?
- Could staff review the Durango Colorado ADU ordinance as example to learn more about establishing good feedback loops between the City and the public?

The Administration transmitted the new information requested by the Council, including a response to State legislation regarding short term rentals. The transmittal letter includes a full discussion about each issue raised by the Council. Additionally, it includes options for each issue the Council may wish to consider.

A short description of each issue raised by the Council is provided below. Please see the transmittal letter for full details and analysis.

- **How will Salt Lake City enforce ADU provisions such as owner occupancy, parking and short term rentals? (pages 1 - 5)**
    - The transmittal letter outlines how the following enforcement issues will be handled to ensure ADUs are in compliance:
        - Zoning violations
        - Permitting
        - Owner Occupancy
        - Off and On street parking

    - ***Options identified in the Transmittal letter***
        - To broaden applicability of ADU regulation, consider removing the owner occupancy requirement.
        - To increase off-street parking, require 1 parking stall for a 1 bedroom unit, and 2 parking stalls for a 2 bedroom unit, which is consistent with the existing ADU regulation.

- **How does Utah Code impact or regulate short term rentals like those advertised through Airbnb.com (pages 5-6)**
    - During the 2017 General Session, the Utah State Legislature passed House Bill (HB) 253 entitled Short-Term Rental Amendments.
    - According to the transmittal letter, HB 253 prohibits a city from using a "short term rental website" as evidence for enforcement, and a city may not "fine, charge, prosecute, or otherwise punish" an individual for "listing" a short term rental.
    - However, HB 253 does not prevent a city from prohibiting short term rentals.

    - ***Options identified in the Transmittal letter***
        - To prohibit short term rental of ADUs and promote affordable housing, specify the duration of a rental agreement for an ADU must be a minimum of 30 consecutive days within residential zoning districts that currently prohibit short term rentals.

- **How will ADUs contribute to affordable housing stock? (page 6)**
    - The Transmittal Letter provides a few bullet points on how ADUs contribute to affordable housing.
        - Internal ADUs are generally less expensive
        - Costs savings from not having to purchase the land
        - Rental fees are lower for smaller units
        - Renting to family and friends is still a factor in the overall affordable housing market

- **Does the City of Durango, Colorado have a "good feedback loop" between the city and the public regarding ADUs? (pages 6-8)**
    - The Transmittal Letter provides a summary of Durango Colorado's ADU regulations, which includes a notification sent to property owners within 300 feet of a proposed ADU to notify neighbors and discover pertinent, unknown information.
        - The decision is administrative no public meeting is held.
    - This is similar to Salt Lake City special exception process.

- ***Options identified in the Transmittal letter***
  - To notify neighbors of a pending ADU development, amend the proposal to incorporate one of the following options:
    - Specify an application and administrative review process that includes notification of abutting property owners and residents, or
    - Specify an application and administrative review process that includes notification of property owners and residents within 300 feet, or
    - Reclassify ADUs as a special exception, which would require amendment of section 21A.52.030, entitled Special Exceptions Authorized.

POLICY QUESTIONS & POTENTIAL STRAW POLLS

2. In review of the proposal, the Council may wish to evaluate the benefits of ADUs along with some concerns about impacts that have been raised. The Council may identify priorities or policy direction based on some balance between the benefits and concerns.

   The purpose statement of the proposed ADU ordinance outlines some potential or intended benefits:
   - Create new housing units
   - Provide more housing options in residential districts
   - Allow more efficient use of existing housing stock
   - Support affordable housing options
   - Support transit oriented development and reduce auto dependency
   - Support economic viability of historic structures
   - In addition to the purpose statement: this may also relate to aging in place issues.

   These potential benefits could be considered along with some concerns that have been raised in relation to ADUs, such as:
   - Impact on the character of single family residential neighborhoods through increased density
   - Potential impact of increase traffic and parking issues
   - Ability to adequately enforce the ordinance and monitor for these impacts

3. The Council may wish to consider straw polling the options identified in the transmittal letter to determine if any of them should be included in the final draft of the ordinance.

   14. To broaden applicability of ADU regulation, consider removing the owner occupancy requirement.

   15. To increase off-street parking, require 1 parking stall for a 1 bedroom unit, and 2 parking stalls for a 2 bedroom unit, which is consistent with the existing ADU regulation.

   16. To prohibit short term rental of ADUs and promote affordable housing, specify duration of a rental agreement for an ADU must be a minimum of 30 consecutive days within residential zoning districts that currently prohibit short term rentals.

   17. To notify neighbors of a pending ADU development, amend the proposal to incorporate one of the following options:

- Specify an application and administrative review process that includes notification of abutting property owners and residents, or
- Specify an application and administrative review process that includes notification of property owners and residents within 300 feet, or
- Reclassify ADUs as a special exception, which would require amendment of section 21A.52.030, entitled Special Exceptions Authorized.

The following Policy Questions were provided for the January 17 briefing. They may still be relevant and the Council may wish to discuss these further and consider conducting straw polls to determine if any of these changes should be included in the final ordinance.

POLICY QUESTIONS

18. The Transmittal Letter identified the following potential modifications that could be made to the proposed ADU ordinance in order to adjust where ADUs could be located throughout the City:
    - Removal or modification of the "Accessory Dwelling Units Boundary"
    - Permit internal or attached accessory dwelling units—not detached—east of "Accessory Dwelling Units Boundary."
    - Removal or modification of annual permit allocation (proposed maximum of 25 units per year)

    Does the Council wish to further discuss the potential changes to the proposed ordinance that would change the boundary map?

19. The Transmittal Letter identifies potential exceptions to the annual permit limit of 25 ADUs, including: projects in RDA areas and for units that meet accessibility standards.

    Is the Council supportive of including these exemptions to the maximum annual limit?

20. On January 10 the Council discussed the East Bench Master Plan. The proposed Accessory Dwelling Unit (ADU) Ordinance would prohibit ADUs east of 1300 East. However, the East Bench Master plan identifies Accessory Dwelling Units for possible consideration (page 43) in the East Bench master plan area:

    > INITIATIVE N-3.2: Housing Affordability, Access, and Choices:
    > "Additional lower density housing choices, such as allowing an additional dwelling unit in an existing single-family dwelling, should be allowed within neighborhoods that are supported by public transportation or near major transportation corridors."

    During that discussion, some Council Members expressed concern about including support for ADUs in the East Bench Master Plan area.

    The proposed ADU ordinance and the proposed EBMP have conflicting policy goals with regards to ADUs. Would the Council like to further discuss and/or resolve this policy conflict?

21. A questions has been raised by a constituent regarding the owner occupied requirements. Their concern is if they own a property with a partner, but both don't live there, they would not be allowed to have an ADU.

    The section regarding Owner Occupants includes the following:

    > Even if a person meets the requirements of subsection B.1 or B.2 of this section, such person shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

    Does the Council wish to further discuss the owner occupied requirements?

22. The proposed ordinance would require one parking space per ADU. However, a waiver may be obtained for the parking requirement if:
    - Adequate on street parking in the immediate vicinity is available to serve the accessory dwelling unit and will not cause congestion in the area; or
    - The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed transit line or an arterial street with a designated bus route.

    A suggestion has been raised about potentially including language about allowing the waiver for ADUs that are along arterial streets or bus routes that, as defined by the Transit Master Plan?

    Would the Council support including language about the Transit Master Plan to the parking waiver?

The following information was provided for the January 17 work session briefing. It is provided again for background purposes.

ADDITONAL INFORMATION

The City's existing ADU ordinance has been in effect since September 2012. According to the Planning Commission Staff report, city staff has responded to dozens of inquiries from residents interested in establishing an ADU—however, only one ADU has been constructed to date. "Staff found that the primary reason the ordinance failed to achieve its purpose is the requirement to locate ADUs within one-half mile of an operational fixed transit stop, which narrows the applicability of the ordinance" (*Planning Commission staff report, page 2*).

In June of 2014, former Mayor Ralph Becker initiated a petition to amend the City's ADU regulations. The ordinance before the Council is the result of that petition.

The zoning districts that would be impacted include: FR-1/43,560, FR-2/21,780, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-3, R-2, RMF-30, RMF-35, RMF-45, RMF-75, RB, R-MU-35, R-MU-45, R-MU, RO, FP, AG, AG-2, AG-5, AG-20 and MU.

An outline of the public process is outlined on pages 5-6 of the transmittal letter. The process included three open houses, two Planning Commission public hearings and visits to community councils.

The following table, found on page 2 of the transmittal, outlines the proposed amendments in comparison to the existing regulations.

Regulation	Existing	Proposed
Location	ADU must be located within (1) a permitted residential district, and (2) ½ mile of an operational fixed rail station	ADU must be located within (1) a permitted residential or special purpose zoning district, and (2) west of Canyon Road, south of South Temple, west of 1300 East, and south of I-80
Permit Limit	None	25 permits per year
Building Height	Underlying zoning district standards apply, however ADU may not be taller than principal dwelling	Up to 24 feet for pitched roof, and 20 feet for flat roof, however ADU may not be taller than principal dwelling
Maximum Square Footage	50% of principal dwelling, or 650 square feet, whichever is less	50% of principal dwelling for attached ADU 50% of principal dwelling, or 650 square feet, whichever is less, for detached ADU
Lot Area	Minimum 5,000 square feet for detached ADU, no minimum for attached ADU, however lot coverage restrictions apply	No minimum lot area requirement, however lot coverage restrictions apply
Parking	One parking stall for one bedroom ADU, and two parking stalls for two (or more) bedroom ADU	One parking stall for ADU
Entrance Requirements	Additional entrance not allowed on front façade unless setback 20 feet from front façade	Additional entrance may be allowed on front or corner façade if screened from view by architectural or landscaping features
Existing windows	Must be removed if not compliant with ADU regulation	May be retained if not compliant with ADU regulation
Owner Occupancy	Owner occupancy required in either principal or accessory dwelling	Owner occupancy required in either principal or accessory dwelling

Pages 2-4 of the transmittal letter identifies four key issues. A short description of each issue and the finding is provided below for reference. Please see the transmittal letter for full analysis.

- **Issue 1 - Location Restrictions:** Replace the ½-mile location restriction with a "boundary line" that permits ADUs in neighborhoods that generally favor them.

- **Issue 2 – Annual Limitation:** To address concerns with potential or unforeseen impacts of ADUs, an annual limit of 25 permits is recommended with the following exceptions:
    - Accessory dwelling units located within a Redevelopment Agency (RDA) of Salt Lake City project area, or funded in part by RDA housing funds, shall be exempt from annual permit allocation limits.
    - Accessory dwelling units that comply with all accessibility standards for Type B units, as specified in American National Standards Institute A117.1 (2009) Accessible and Usable Buildings and Facilities, shall be exempt from annual permit allocation limits.

- **Issue 3 – Building Height:** increase the height of detached ADUs to 24 feet for a pitched roof structure, and 20 feet for a flat roof structure.
    - Existing maximum heights do not provide sufficient height to develop ADUs over an accessory structure.

- **Issue 4 – Amendment Options:** Based on public feedback, Planning staff has provided the following options that could be considered:
    - Removal or modification of the "Accessory Dwelling Units Boundary" as described in 21A.40.200.C.1 of the proposed amendment.
    - Permit internal or attached accessory dwelling units—not detached—east of "Accessory Dwelling Units Boundary" as described in 21A.40.200.C.1 of the proposed amendment.
    - Removal or modification of annual permit allocation (*proposed maximum of 25 units per year*)

Attachment B of the Planning Commission staff report outline the standards that should be considered as the Council reviews this proposal. *An outline of the analysis is summarized below, please see Planning's staff report for full details.*

- **Standard 1**
  Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.
    - **Finding**: Proposal is consistent with the purpose, goals, etc. of the adopted planning documents.

- **Standard 2**
  Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.
    - **Finding**: Proposal does further the specific purpose statements of the zoning ordinance.

- **Standard 3**
  Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;
    - **Finding**: The proposed text amendment is subordinate to the purposes and provisions of any applicable overlay zoning districts that may impose additional standards, such as the H Historic Preservation Overlay District.

- **Standard 4**
  The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
    - **Finding**: the proposal is consistent with this standard.

POLICY QUESTIONS

23. The Transmittal Letter identified the following potential modifications that could be made to the proposed ADU ordinance in order to adjust where ADUs could be located throughout the City:
    - Removal or modification of the "Accessory Dwelling Units Boundary"
    - Permit internal or attached accessory dwelling units—not detached—east of "Accessory Dwelling Units Boundary."

- Removal or modification of annual permit allocation (proposed maximum of 25 units per year)

Does the Council wish to further discuss the potential changes to the proposed ordinance that would change the boundary map?

24. The Transmittal Letter identifies potential exceptions to the annual permit limit of 25 ADUs, including: projects in RDA areas and for units that meet accessibility standards.

Is the Council supportive of including these exemptions to the maximum annual limit?

25. On January 10 the Council discussed the East Bench Master Plan. The proposed Accessory Dwelling Unit (ADU) Ordinance would prohibit ADUs east of 1300 East. However, the East Bench Master plan identifies Accessory Dwelling Units for possible consideration (page 43) in the East Bench master plan area:

> INITIATIVE N-3.2: Housing Affordability, Access, and Choices:
> "Additional lower density housing choices, such as allowing an additional dwelling unit in an existing single-family dwelling, should be allowed within neighborhoods that are supported by public transportation or near major transportation corridors."

During that discussion, some Council Members expressed concern about including support for ADUs in the East Bench Master Plan area.

The proposed ADU ordinance and the proposed EBMP have conflicting policy goals with regards to ADUs. Would the Council like to further discuss and/or resolve this policy conflict?

26. A questions has been raised by a constituent regarding the owner occupied requirements. Their concern is if they own a property with a partner, but both don't live there, they would not be allowed to have an ADU.

The section regarding Owner Occupants includes the following:

> Even if a person meets the requirements of subsection B.1 or B.2 of this section, such person shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

Does the Council wish to further discuss the owner occupied requirements?

27. The proposed ordinance would require one parking space per ADU. However, a waiver may be obtained for the parking requirement if:
    - Adequate on street parking in the immediate vicinity is available to serve the accessory dwelling unit and will not cause congestion in the area; or
    - The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed transit line or an arterial street with a designated bus route.

A suggestion has been raised about potentially including language about allowing the waiver for ADUs that are along arterial streets or bus routes that, as defined by the Transit Master Plan?

Would the Council support including language about the Transit Master Plan to the parking waiver?

Accessory Dwelling Unit Changes

What do you think of this proposal to allow more homeowners to establish mother-in-law apartments on their property?

All Registered Statements sorted chronologically

As of April 4, 2018, 9:07 AM

Open City Hall is not a certified voting system or ballot box. As with any public comment process, participation in Open City Hall is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Accessory Dwelling Unit Changes

What do you think of this proposal to allow more homeowners to establish mother-in-law apartments on their property?

As of April 4, 2018, 9:07 AM, this forum had:

Attendees:	346
Registered Statements:	91
All Statements:	114
Hours of Public Comment:	5.7

This topic started on August 31, 2017, 3:26 PM.
This topic ended on December 6, 2017, 12:47 PM.

Lynn Hanson inside Council District 1 December 5, 2017, 3:54 PM

I strongly oppose the ADU's. I cannot believe that this city has again introduced another idea that will encourage congestion and blight. Wasn't enabling the homeless problem to grow out of control enough for the children that run this city?? The moronic idea that everyone is going to build a nice little "cottage" that will never deteriorate is absurd.. I have a neighbor who already has about 12 persons living in his single residency as renters and the city acts helpless to address the situation. Do you really believe that someone like that will obey the ADU law?? It is another example of dreamy ideas with no relevance to reality. And then, to compound this disaster, they exempt certain areas because those residents don't want them. I don't want them either but I am in District 1, so dump anything on us and the hell with what we want.

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aaron johnson inside Council District 5 December 5, 2017, 3:41 PM

I am in favor of the ADU proposal. I would like it if the height restrictions were increased to 27 feet for a pitched roof and 24 feet for a flat roof, however.

Name not shown inside Council District 3 December 5, 2017, 1:48 PM

I am an avenues resident who strongly supports ADUs. They should be allowed citywide, including in the avenues and east bench. Growth is inevitable. Increased density is inevitable. Allow property owners the choice to add ADUs to the properties that THEY own. The alternative is to continue the unsustainable sprawl.

Marisol Jones inside Council District 2 December 5, 2017, 10:35 AM

I am against this proposal
1 - We purchased a home with a yard with privacy. If our neighbors are allowed to build ADU even with the high limit, the privacy is gone. Reducing the utility of our yard. I see that there is a "30 day notification of proposed ADUs to abutting property owners" but what does that do to keep my neighbor from building anyways?
2 - Not applying this citywide is inequitable. Putting the burden of this on only part of the population when Avenues and East side neighborhoods are also areas of opportunity to add housing near the Universities. Do those neighborhoods not have families with elders that they would like to provide housing to? Why are you denying them this wonderful opportunity?
3 - The city does not enforce current laws regarding property and will not enforce this either. The owner will live on site while it is being built but what happens 5, 10 or 15 years later? The owner moves and then the entire property is rented to multiple people. To echo a previous comment "We also have a NO Air B&B law in this city, but again, look on line and see how many Air B&B's are advertised in SLC and, again, this is against the law! NO ENFORCEMENT!! "
4 - This will not create affordable housing. Why would an owner charge a lower price than what the current market rate is? You are delusional if you think a landlord will out of the goodness of their heart charge lower prices. If you want to build affordable housing, build apartment complexes and require that a percentage must

be affordable housing. We have many new apartment building going up. If 10% became affordable that would go much further than adding 25 annual ADU units.
5 - Review the comments, the majority are against this proposal.

Name not shown inside Council District 6 December 5, 2017, 7:57 AM

We live on Michigan Avenue close to Foothill Boulevard and we say absolutely NOT in our neighborhood. Vancouver BC has implemented this ordinance and it causes neighborhood streets to be congested because of parking. We do not want to have more rentals in our neighborhood. The lots are too small, there is already a parking problem and the additional housing units built on the same lot could be unsightly.

Name not shown inside Council District 3 December 4, 2017, 9:35 PM

Why did I spend so much money to buy a home with a backyard in the downtown area? Now my neighbors are going to build structures in their backyards that will offer full views of my backyard. There will be no more privacy in my backyard. These neighbors are not people who need a little extra income no make their mortgage payment, they're in the money making rental business and they don't live anywhere near my neighborhood.
They bought nice old homes on the cheap. They don't keep them up or improve them at all, they just cramp them full of renters. I have invested in my old house and brought it back to its original beauty. All they are interested in doing is building cheep structures in their backyards to make more rental money.
Isn't that why we have apartment buildings and duplexes and four-plexes, so that lots of people can live in those structures affordably in the city? Isn't variety important? Can't we have homes with private back yards coexisting with all the other forms of dwellings that a city offers. Does all of our housing have to look the same, stacked up against each other? Shouldn't those of us that want a private back yard and can pay for it be entitled to have it?

Name not shown inside Council District 6 December 4, 2017, 6:13 PM

No ADU. We have enough parking already on the streets, we don’t need anymore.

Name not shown inside Council District 5 December 4, 2017, 9:05 AM

It is very inequitable not to make the ordinance citywide. By drawing the boundaries that you have, the city council has come down on the side of inequality. We all know that the Avenues and the east side are also "areas of opportunity," especially in regards to students needing housing close to the U. And the argument that they are even more capable of handling increased density can be easily made. To say that those sections of the city are off limits because you received more protest from those areas is a wimpy excuse.

Taylor Almond inside Council District 3 December 1, 2017, 1:33 PM

I support ADU's citywide - having lived exclusively in the avenues and east bench since moving to SLC, in homes and apartment complexes, the avenues and east bench must do its part to expand the cities housing stock and to decrease the east/west divide. Concerns about parking and crowding are less significant than ensuring affordable housing for all in the city - which ADU's and expanding our housing stock can help address.

Name not shown inside Council District 3 November 30, 2017, 5:50 PM

I'm fully in support of increasing the number of ADU's in Salt Lake City. It would really help with our current affordable housing demand. As a struggling low income adult, a tiny house would mean the world of a difference in not having to work just to meet the ever increasing rent in the city.

Michael Makris inside Council District 7 November 29, 2017, 7:47 PM

I fully support ADUs throughout Salt Lake City and especially welcome them in my neighborhood.

With that said, I do not think there should be an annual limit and the parking requirements are completely out of touch. There is ample street parking so requiring that a "parking stall" is provided seems unnecessary.

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ben lariviere inside Council District 5 October 30, 2017, 10:32 AM

ADUs are a great way to increase affordable housing. It is an impingement of personal freedoms to restrict them and it increases segregation based on income and race when ADUs are not an option.

Name not shown inside Council District 4 October 28, 2017, 8:51 AM

I am totally against ADU's! Firstly, there will NEVER be enforcement of any of these regulations. Presently, we have tons of homes, duplexes, etc., who rent out part or all of these units BUT, the landlord/homeowner does NOT adhere to the SLC Ordinance of having a business license!! No one enforces this ordinance. We also have a NO Air B&B law in this city, but again, look on line and see how many Air B&B's are advertised in SLC and, again, this is against the law! NO ENFORCEMENT!! There are too many reasons to mention as to why this ADU is NOT acceptable. I have endured for years people buying property, turning it into a "student" housing with insufficient parking, no enforcement of noise ordinance, parties, amount of people living/renting and, generally a nightmare. WE have had to call the police at least 20+times for the nighmare of rentals that are not complying with current ordinances. WHY? I personally have reported/turned in at least 15 non-compliance landlords close by, yet no one (from the City) has enforced the law , i.e. mandated these landlords get their business license, pay the appropriate taxes, go to Good Landlord Class, etc. UNTIL SLC enforces the current ordinances already on the books, I see NO reason to add to the nightmare we already have! I am tired of trying to have peace in our neighborhoods, never mind the increased crime, traffic, lack of respect by the renters and, indifference by landlords. Until compliance and enforcement are clearly effective, there is zero reason to ever consider ADU's. Don't add insult to injury. This idea is unacceptable to majority who understand what effect it

will have on ALL of us.

Kim Peterson inside Council District 6 October 27, 2017, 9:33 AM

I am AGAINST updating the Salt Lake City Accessory Dwelling Unit (ADU) regulations:

1. Approving the latest version of the Salt Lake City ADU ordinance will complete the transformation of ALL single-family zoning to multi-family zoning City-wide. This will have an enormous impact on the safety and character of our neighborhoods as we currently know them. In my opinion, this sweeping, effective change of zoning is the most dangerous aspect of this latest ADU ordinance.
2. One of the City arguments in favor of ADUs is that they will provide more affordable housing. However, just as in Portland, OR, almost all ADUs will be rented for the going rate in that community. The only way ADUs will create more affordable housing is if so many are created that rent and housing prices in the given neighborhood are pushed downwards by a huge margin. ADUs simply will not significantly contribute to whatever affordable housing shortage there may be.
3. If a goal of Salt Lake City is to increase density and provide more affordable housing, then there are alternatives much more conducive to that goal than ADUs. For example, there are entire blocks and areas along main corridors south and west of downtown Salt Lake City which could be developed as mixed-use areas for business and apartments, including affordable housing units. This type of approach would help Salt Lake City achieve the goal of increased density and more affordable housing, with the added benefit of these developments having access to mass transit, and all of this without the destruction of our single-family urban neighborhoods.

Name not shown inside Council District 4 October 23, 2017, 6:38 PM

I fully support allowing more homeowners to build ADUs on their property. I think it is a significant movement towards achieving higher density, acquiring more affordable housing in the city, and creating more vibrant and connected neighborhoods. Having lived in multiple ADUs in Vancouver, BC, I think the SLC initiative doesn't go far enough: the height limit should be increased to allow units to be added to existing garages, the parking requirement needs to be eliminated or reworked as there is a glutton of parking in the city and it would prevent some people from being able to build an ADU on small lots. As an architect, I welcome this exciting new typology in the city. I know it won't fix the housing crisis and will undoubtedly have many challenges and hurdles, but it is a great step in the right direction.

Name not shown inside Council District 5 October 23, 2017, 8:18 AM

Dear City Council,

Please consider the broader application of ADUs throughout the entire city. To limit the use simply to the areas west of 1300 East increases density in an area where housing is already more dense than on the East Bench. Additionally, East Bench residents frequently have more off street parking and greater lot sizes than residents

further west. To apply this ordinance citywide is the only equitable way for this ordinance to take place.

Name not shown inside Council District 6 October 19, 2017, 9:33 PM

ADU's are NOT appropriate in Harvard/Yale.
Salt Lake City has worked for decades to establish and enforce the current zoning ordinance. Limiting "mother-in-law" and other illegal dwelling units, and the number of non-blood-related tenants per dwelling unit, has been effective in reducing the negative effects of non- or mis-managed rental property.
Permitting ADU's will reverse the gains that the present zoning has created, i.e., a stable, safe neighborhood, relatively unpolluted from too-many vehicles and residential and commercial over-development.
The neighborhood developed when the rate of private vehicle ownership was much lower. The streets do not support large volumes of traffic. We already have to tolerate the negative safety and environmental effects of thousands of drivers cutting through the residential streets daily on their way to the University of Utah with its hospital and research park. Why should we have to accept the fallout from more vehicles and the services needed to support the increase in transient and short-term occupants - occupants that have no permanent stake in maintaining the quality of life in the neighborhood?
Permitting ADU's will result in more poorly-managed properties. It will make neighborhood housing a commodity for investment landlords and indifferent owners that will put profit ahead of quality-of-life matters. Do the elected officials and the planning staff really think they can enforce the owner-occupied provisions in the proposed ordinance? They already struggle to enforce the ordinances on the books - adding an impossible-to-monitor ordinance will only create more work for an already overworked staff and conflict for the elected officials.
I appreciate my neighbors' rights to dispose of their property as they wish - but they don't have the right to devalue my property, and that's exactly what will happen if ADU's are permitted - even encouraged - by Salt Lake City.
ADU's are NOT appropriate in Harvard/Yale.

SD Williams inside Council District 3 October 18, 2017, 5:16 PM

I'm opposed to allowing ADUs to be built in the Avenues, especially in the historic district. In 1985 we made the decision to buy the 1896-era Avenues home of my wife's great-grandparents from her family's estate. An important factor in our decision is that it was on a block with no apartment buildings. We completely renovated and stabilized it, gladly complying within the regulations of the historic district. Over the years we also bought and renovated two other smaller historic houses on the block which we carefully maintain, rent and monitor closely to make sure our renters are good neighbors. It's unjust to now change the rules and fill the interior of the block with structures, potentially doubling the density impacts (people, traffic, outdoor lighting, parking, noise, overhead power and cable wires, etc.) so that Salt Lake City can solve it's growth problem at the expense of our quality of life and property values.

Barbara Brown inside Council District 6 October 16, 2017, 1:52 PM

I favor allowing ADUs within the city where they fit. I appreciated being able to rent basement apartments for housing close to the U when I was a graduate student. I've known of cases where they provide good solutions: a homeowner provides affordable rent to a student in exchange for dog sitting while the owner is away; a homeowner gets to stay in her neighborhood after a divorce or between jobs by gaining extra rental income; a homeowner can provide lodging to boomerang kids while allowing for separation between households.

I published an evaluation of a neighborhood that allowed ADUs in Draper (Journal of the American Planning Association, 2001, 67(4), 402-419. Although the setting was different (new housing with the option of above garage ADUs), residents did not complain about the addition of renters to the neighborhood. Residents did complain about the extra cars taking up space in back alleys. It makes sense to provide effective mechanisms to enforce parking space requirements for ADUs. I think it is interesting that even if I added an ADU to my home, we would collectively own fewer cars than exist for many single family households in the neighborhood. With only 25 ADUs allowed per year, the city has time to evaluate how well this works and to tweak requirements over time.

I thank the city for proposing creative ways to add affordable units that provide minor increases in density that serve to reduce sprawl and enhance sustainability.

Aline Devaud inside Council District 7 October 14, 2017, 8:47 AM

The size of the house and yard should be considered as well as the off street parking. A small number of basement appts or over the garage dwellings seem to be more congruent with a pilot proposal. I would caution about these becoming more AirBnBs.

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robert markham inside Council District 5 October 12, 2017, 5:53 PM

I am opposed to the proposed Accessary Dwelling Unit changes. The ADUs are being labeled as "mother-in-law apartments" but they are actually rental units that could be rented to anyone for profit. By allowing the ADUs in all areas of the city the R1 Zones, which are for single family homes, would effectively become R2 with duplexes being allowed. Rental units would be detrimental to the feel and quality of our existing residential neighborhoods. We do not need the extra traffic and parking problems created by the additional living units. Our roads are already falling apart and the rest of the infrastructure is overtaxed. Let's not make it worse.

Kelly Hannah inside Council District 5 October 10, 2017, 11:45 AM

I am in favor of allowing Accessory Dwelling Units throughout the city. Yes, there are numerous challenges and consequences that come with it related to parking, renter population, and the city's ability to enforce the ordinance. I would like to embrace these changes. We need more quality housing in Salt Lake City and creating some of that housing by allowing Accessory Dwelling Units will beneficially (geographically and relationally) connect the new housing and the people who will live there to the individuals and families who own the property, and subsequently to the neighborhood, to the community, and to the city at large. I generally

enjoy the character of my neighbors, in our similarities and our differences, and I will welcome and respect the people they choose to have live with them on their property in an Accessory Dwelling Unit.

Name not shown inside Council District 5 October 9, 2017, 3:38 PM

I support updating the City's Accessory Dwelling Unit (ADU) regulations. I believe this has the potential to help: 1) deal with the afffordable housing shortage; 2) reduce urban sprawl and increase the viability/utilization of mass transit (critical for improving air quality and reducing SLC residents' carbon footprint); and 3) support more lively and walkable neighborhood business districts.

For these reasons I also urge the City Council to: 1) eliminate the minimum 650 sq. ft. cap (I believe the limit of 50% of the primary dwelling unit is sufficient); 2) eliminate or raise considerably the unnecessarily low cap on the number of annual permits that will be granted; and, 3) give preferential treatment to ADU permit requests that meet high energy and water efficiency standards, incorporate renewable energy, and/or commit to offer affordable lease agreements for a specified amount of time (e.g. a minimum of 5 years).

William Woods inside Council District 3 October 4, 2017, 4:49 PM

I oppose greatly expanding the ADU program due to parking and traffic issues. If two adults live in an ADU you have just created more parking problems for high demand Avenues parking spots and will cause delays in winter snow clearance. Additionally, this will double wear and tear on our roads. Limit any ADU creation to one per block per year if the City Council is intent on this Portlandesque ordinance.

Kelly White inside Council District 6 October 3, 2017, 9:42 PM

I do not support having a blanket policy for ADU's throughout every neighborhood in Salt Lake. Every neighborhood is different and ADU's may fit into some neighborhoods better than others. The neighborhood I live in features small lots, small to no driveways, causing lots of cars to be parked on the street. The streets are narrow and feature lots of commuter traffic to and from the University and Research Park. Adding ADU's to pack in more density would create more traffic and cars in an already congested area. In addition, looking at the specifics of the ordinance specifying that the ADU's will house related family members, I am not sure how the city will enforce this ordinance. I already see not a lot of enforcement regarding building codes and development so I don't have a lot of faith in the ability of the city to properly enforce the ordinance. I did not support this ordinance when first presented a few years ago and I do not support it now. It should be left up to individual neighborhoods whether they support ADU's or not.

J Moreton inside Council District 6 October 3, 2017, 6:44 PM

I am a 20 year resident of District 6 and I strongly oppose changing the ADU ordinance to be city wide with no restrictions. Let each neighborhood and district decide what is best for them; don't foist your ideals on

another's neighborhood. If District 4, for example, would like ADU's, then great! Let them go for it. Who am I to tell them what should be in their neighborhood. It seems to me from reading these comments, that the majority in my district are heavily unfavorable to the changes. The Mayor and the City Council should not ram anything down our throats.
I have concerns about traffic (so much on our street, my kids can't safely ride their bikes anymore), noise, and enforcement. The single family home (it was a rental at the time) across from me had 8 college dudes living there for a time, and the city did nothing, despite my complaints of cars and overcrowding on my street. I have zero confidence in the city to enforce the ADU requirements.
Mayor and council, you need to listen to the constituents, not your own ideals. That is why you were elected. To listen to us.
Thanks!

J. Chytraus inside Council District 6 October 3, 2017, 6:13 PM

ADU's and the ideas behind it, cannot hold up on beyond the paper it is written on. The initial idea, that it be used for a mother-in-law apartment, is a noble one, but let's be real, that isn't what is going to happen. Homeowners are not building the units to house aged parents, or children who need a place of their own while still being close enough to have parental guidance, they are building them to make money. Plain and simple. Whether it is to rent out as an airbnb for the week, or a location for the highest bidder, the bottom line is the mightly dollar.

Owners/Landlords will not police the renters/inhabitants to ensure they are not causing distress to the neighbors or taking up all the parking on the streets so that homeowners cannot even park at or in front of their own homes. Landlords don't care about that now, so if more inhabitants are present, it will be even more difficult to park and the landlords will still not care. Not their problem, right? Owners will not live on the property, despite there being an ordinance that they must do so. Again, it is not being enforced now, so there is no way it will be in the future. The police department does not have enough time or space to incarcerate people who are breaking criminal law, they certainly will not be able to do anything about those who are violating property ordinances.

Changing the designation of single family dwelling to multiple dwelling units is a very bad idea and I am, obviously, very much against it. SLC is city of families. It is a city of neighborhoods and cohesion. It is not Vancouver, or Seattle or any other city that we are often asked to compare ourself against. We shouldn't have to be "like" anyone. We don't want to be "like" anyone. Why can't we be...us? If the idea is to cram as many people as you can into a small space, this isn't the place for you. Go to those other cites. Changing the ordinance would mean, in my opinion, the loss of what makes this city open and friendly and neighborly and turn it into a place that is "just like everywhere else". Not unique, not open, not family-centric. It would become crowded, sullen and money-centric and exactly the opposite of what brings people to our state.

I strongly urge the city to reconsider their proposal the change the designation of all homes and dwelling to multi-use. I believe it to be a very bad decision and one that in the long run will be detrimental to our citizens.

Larry Stucki inside Council District 6 October 3, 2017, 2:25 PM

Being old, I don't feel entirely safe coming downtown to your meeting tonight so here are my thoughts in writing. Before my father complained to the city many years ago we had a neighbor that had subdivided his house into apartments that were being occupied by seven different university students and their cars which in the winter made it impossible for the snow plows to do an adequate job of clearing our narrow street. Even now with the many houses that have extra apartments near the end of our street near Foothill Drive, the extra cars on the street stop the plow from doing an adequate job. The ADU proposal could make life for us older people on the steep roads on the East Bench extremely difficult especially in the winter months.

Christell Farnsworth inside Council District 5 October 3, 2017, 1:00 PM

I live in the Gilmer Park Neighborhood at 1171 Herbert Avenue. This is an historic neighborhood with for the most part, small homes, small garages, small yards with some shared driveways, limited parking and those of us who live here have chosen that. Many residents have young children.

I am concerned with the ADU as a "remedy" for the future concern of available housing in the city. As an example of how the addition of even a few people who are not committed to a real neighborhood affect us, we currently have 3 rental homes, two directly across the street and one is one house away on the same side and we are having issues. Two homes are rented to college students and they have been less the conscious, caring neighbors to which one would like to live next door. There are loud parties late at night, others coming and going and refuse left in the street in front of our homes. And if the additional numbers of bodies isn't enough, the parking certainly has been challenging.

The third rental home is on 12th East but has a side/back yard facing Herbert, which is currently used as a dirt playground for the renter's children. This particular property would like to be an ADU. Having spoken to various neighbors since the house was sold, I can give you the names of five neighbors who would be opposed to that being allowed. First, it is a narrow lot. Secondly, the two neighboring homes overlook this property and the side yard allowance would be very, very narrow. There is currently no road or driveway access, only a gate across the property parallel to the sidewalk, with a walk through opening. There is a fire hydrant located on that park strip which was relocated several years ago because of the advantageous location. And finally, parking.

There seems to be a disconnect between brainstorming solutions for the city's purported growing population, and your existing residents who live quietly, pay taxes, support the city services and take care of each other. I can't believe that the ADU proposal, which would make sense in some instances and in some areas of the city, is really an answer to the so called housing shortage. What is the real reason behind this proposal?

Jerry Bergosh inside Council District 6 October 3, 2017, 12:20 PM

As a resident in District 6, I am firmly against the ADU proposal for the following reasons:
- the intent was to create a form of living arrangement that allows us older residents, single parents and families with small children to stay in our homes with a relative or care-giver living on-site.
From my analysis this is nothing more than a glorified attempt to broaden and condone rental units in single family neighborhoods since the language of the proposal allows up to three unrelated persons (as specified in

21A.62.040 Definition of Terms, number of residents allowed for a 'family, Part B).
We have had this issue of single family housing stock being turned into rental units in our neighborhood and the 'family' definition being ignored time and time again. Requests to City Enforcement fall on deaf ears due to the difficulty to enforce (and determine) the relationships of these individuals.
My fear is this ADU and especially the city-wide portion of the proposal will allow my neighborhood to be turned into nothing more than an abusive rental method that will compromise the quality of the neighborhood.
I am not a novice on this issue. I was a Chair of the East Bench Community Council for many years, I spent two years working with the SLC Planning Commission on the East Bench Small Area Master Plan and have participated on many City Planning and Zoning issues and policy determinations. Rental unit grievances were the most common complaint (followed by lack of City enforcement on this complaint) that I encountered in my twenty plus years of volunteer service to SLC.
I urge you to reconsider the city-wide aspect of this proposal as well as the entire concept of the ADU until it can be better tailored to the intended purpose: mother-in-law apartments - not wholesale transformation of the valuable single-family housing stock that has formed the foundation of this successful community.

Name not shown inside Council District 5 October 3, 2017, 10:18 AM

I am opposed to the ADU changes for two reasons.
1. An increase in renters within family neighborhoods changes the character of those neighborhoods. The often transient nature of renters leads to an increase of people who have no vested interest in maintaining the neighborhood. We already have a large number of rental units in the neighborhood and few of these people ever bother to talk to the owners in the neighborhood. Additionally, owners of rental units often do the minimum to maintain the units. Finally, traffic and parking issues, already a challenge, will only get worse. My neighborhood (9th&9th) has also suffered from a significant increase in traffic as people look for short cuts around the traffic bottle necks on 9th south, 13th south and 13 east due to the "traffic quieting" efforts of Ralph Becker. These people care little about the children in the neighborhood as they race through narrow streets to get home. People four houses down have already built their ADU as a "hobby room," waiting for the passage of these changes. The 24' tall monstrosity on the alleyway has the exit for the ADU onto the alley, without regard for the safety of that person and cars that use the alleyway.

2. The city will really have no way to enforce these regulations. I believe that my neighbor's ADU, built atop a garage, is taller than their house. Will the city actually enforce the rule? We had another house that had been illegally converted to a multi-unit dwelling. The city never undertook any enforcement action. It was only when the property sold that the unit was forced to be converted back to a single family dwelling.

Regardless of what the urban planning experts say, ADUs cannot exist without changing neighborhoods and this law disregards the existing residents of Salt Lake City.

Name not shown inside Council District 6 October 3, 2017, 7:05 AM

It sounds nice, but ADUs are not about aging in place. Not in our society today.

Worse than building codes, owner occupancy rules are unenforceable. City gets an ‘F’ on enforcement. It’s

not something the City can fix.

With population growth predictions and affordable housing shortages, we must become denser with more housing options. Rather than giving a green light to ADUs running wild anywhere, I think we should consciously reduce the number/size of Single Family Neighborhoods and allow building new multi-family homes and mixed-income affordable housing on the east side. That would be a better solution than ADUs for the density increase needed.

If ADU changes are coming, I feel it should be Citywide but local historic districts should be exempt. That zoning is meant to specifically protect the character of a neighborhood. Citizens worked to create them and make small sacrifices to live in them. Having some neighborhoods like this benefits City and State also.

I think residents that are not in a local historic district should be given an opportunity to avoid ADUs by working with their neighbors to change their zoning by a certain deadline. They can work on a character conservation district if that is preferred. If residents are unwilling to do that work and don't like the changes the future brings, they can only blame themselves, not the politicians. The City won't be inundated with applications.

The City needs to grow and change. It also needs to provide more housing options. Some SFNs should continue to exist without ADUs. But residents simply sitting back and saying, "No, NIMBY" should not be an option.

John Manfredi inside Council District 6 October 2, 2017, 11:06 PM

Justifications for changes to existing zoning ordinances should be compelling; they should enjoy broad consensus among the affected population; and they should be supported by local experience with relevant pilot tests of the changes. Justifications for the latest version of the ADU ordinance that is before the Salt Lake City Council are not compelling: the economic and social benefits of the proposed ADU ordinance have been poorly enunciated and documented. The justifications do not have broad consensus: many citizens in the city are adamantly opposed to the ordinance. Finally, the justifications are not supported by the city's experience with ADUs that are currently allowed. In sum, the justifications for the latest version of the ADU ordinance are weak. They fail to justify changes to the existing ADU ordinance.

Name not shown inside Council District 6 October 2, 2017, 6:28 PM

I understand the need for more affordable housing. I realize this is a problem. But there are better ways.
One thing most people are not realizing is our zoning will change. It will go from single family zoning to multi family zoning. This will decrease EVERYONES property values.
There are many people who are counting on the sale of their homes to help with retirement. They won't get as much if it goes to multi housing.
Many say, "Well there are just elderly people living in large homes. There's lots of space to rent." But they aren't thinking that neighborhoods change, the elderly pass away or move and in 10-20 years these homes will be full of families with children. People won't be renting out their homes because they will need the space.
I don't want to rent out my basement. You may think it is petty but I don't know how clean the renters will be.

They could introduce bed bugs or cockroaches to my home. There is a reason I live in a single family home.
Who's going to rent at a lower price anyway? This is truly unrealistic, except that maybe the city council is counting on the fact that property values will go down and with that rent prices.
I also don't think the city will have the man power to enforce the rules and regulations the city sets for the ADU's.
Landords will "say" they live on the property, but they won't, so they can get as many renters on the property as possible to make money.
The city can't even get my neighbor to take care of her "weed lawn" and I've lived here for 20 years and nothing has been done. It's a blight on our street and affects if a neighbor can sell her home and for how much. So, if my neighbor can get away with doing nothing with her lawn for 20 years then it is inevitable the city will not be able to enforce that the landlord lives there or not and the property is taken care of (lawns etc) or not.
In the areas that are rezoned, I definitely agree there should be regulations that all ADU's should have EXTRA off street parking available to help with street clean up, snow removal etc... More cars on the streets bring more break ins and more crime too. We see that now!
It doesn't take a genius to see the difference between multi family housing areas and single family housing areas. Take a drive. There is more of everything I don't want in my neighborhood. More crime, more traffic congestion, etc..
Some council members want the whole city to be this way. I think this is terrible. It's nice that there are still nice areas close to the downtown area.
In most large cities this is not the case!
People DO work hard to live in nice areas, and have nice homes, so they will move away from Salt Lake. More multi housing units will go up and the city will completely change.
It will take awhile, but In 20-50 years I can see Salt Lake turning into more of an inner city community.
Question: If areas are changed to multi family zones and property values go down, then doesn't our property taxes go down? If so, that will mean less revenue for the city and the schools. Then our taxes will obviously increase in another area to offset the loss.

Question: If our area is changed to multi housing can someone sell their home, another buy it, tear it down and build a small apartment and just live in one of the units? Who wants that? I don't. If I did I would live downtown.
Instead of taking away our rights to single family housing why not do something that will incentivize people into renting their basements or building ADU's. Maybe a tax break?!
I like the suggestion of a community council member:

"There are entire blocks and areas along main corridors south of downtown Salt Lake City which could be developed as mixed-use areas for business and apartments, including affordable housing units. This type of approach would help Salt Lake City achieve the goal of increased density and more affordable housing, with the added benefit of these developments having access to mass transit, and all of this without the destruction of our urban neighborhoods, which will happen with ADUs."
I understand the need and I know this has been in the making since 2012 but it is the wrong move for our city. It really will change the character and feel of our city. I think the city mayors and council members are short cited. They are trying to fix a problem but they are not looking at how it will affect the beauty and personality of our city in the future.

Scott Smith inside Council District 6 October 2, 2017, 6:03 PM

I am adamantly opposed the suggested changes allowing ADU's anywhere in the city. That should be decided by individual neighborhoods.

Martha Shaub inside Council District 6 October 2, 2017, 3:47 PM

I respectfully disagree with allowing the latest version of the ADU ordinance. I believe this will have an enormous impact on the safety and character of our neighborhoods. It will not significantly impact the need for more affordable housing, but it certainly can and will impact parking, infrastructure strain and basic support services such as snow removal and street cleaning. Our neighborhoods simply were not developed for this kind of population load. A "Mother-in-Law" unit used as intended is not the same as a rental unit on property.

Name not shown inside Council District 6 October 2, 2017, 3:30 PM

I absolutely think that ADU's should be allowed anywhere in the city. I get that people "worked hard and paid the price" to live in my neighborhood (st.mary's) but having a few ADU's in the neighborhood isn't going to destroy our neighborhood. I think people are getting really overwrought about something that will mostly have a positive impact on those who are able to live peacefully in our neighborhood. I would love to be able to give someone the opportunity to have their kids got to Indian Hills if they could rent a mother in law in the area. Everyone is so afraid of change to the detriment of many other things.

Name not shown inside Council District 6 October 2, 2017, 3:05 PM

I am adamently opposed to this ridiculous proposal!!! This will absolutely change Salt Lake City as a family oriented place to live and become a run-down.trashy deteriorating Detroit-like ruin!!!

Name not shown inside Council District 6 October 2, 2017, 2:45 PM

In favor of ADUs. Affordability has become a real problem for homebuyers. Allowing basement apartment rental for responsible homeowners allows people to own homes in better neighborhoods.

Name not shown inside Council District 7 October 2, 2017, 11:31 AM

As a Sugar House resident, I am strongly opposed to allowing more ADUs in the city, as these fundamentally alter the character of neighborhoods overall and on a street-by-street basis.

The way to increase density--if that is the city's goal and a questionable one at that--is not by sticking more rental units into East Bench residential single-family neighborhoods, where residents have paid a premium to purchase small houses in exchange for lower-density neighborhoods.

Calling these "Mother-in-Law" apartments is misleading, as if to imply that only elderly family members will be living in such dwellings. In reality, allowing more ADUs means more AirBnBs, more student rentals, more parties, noise, limited parking, traffic. For example, in my neighborhood we already have issues with illegal AirBnBs and rentals that put more that 3 people--usually students--into single family homes. There is constant turnover in tenants, parties, overnight guests, often 4-7 cars on the street per house. It's been very difficult to get the city to enforce such existing code violations--too few code enforcement officers and hundreds of complaints city-wide.

And it is unrealistic to think that the city is going to be able manage even more new ordinances with ADUs, such as parking ordinances, the number of tenants, whether the property owner person actually lives in the home and so forth. Action often takes months, if at all. These existing code violations impact the quality of life in our neighborhoods.

The city of Austin, Texas, has permitted ADUs, and the effect has been to cause significant increases in property taxes, with the net effect of forcing people to build structures or add ADUs just so they can cover increases in property tax.

With the proposed changes to ADU rules, I could build a second house on my lot. Is that what the city wants? Crowded neighborhoods? Haphazard planning? Little enforcement? The slow decline of single-family homes and neighborhoods? Is that what those of us who live in neighborhoods where we have paid a premium for single-family housing want?

Name not shown inside Council District 7 October 2, 2017, 11:28 AM

I am in favor of ADUs. My husband and I have lived in SugarHouse for 10 years. We live next door to an older couple who had an apartment built above their garage in the 70s (when I think it was legal). My single brother has lived there for 10 years, and his rent helps my neighbors offset their living expenses in retirement. The fact that my neighbors have an ADU above their garage does not diminish the care they take in their home and yard (in fact, they have the most amazing garden in the neighborhood). My husband and I are very interested in adding an ADU to our property to have a place for our aging parents or other family. We also like the idea of short term rentals (in-between long-term ones) to help offset our living costs and mortgage of our primary home. We love our home and neighborhood and would never have someone living on our property who didn’t feel and act the same way.

Name not shown inside Council District 5 October 1, 2017, 4:03 PM

I am ademently opposed to allowing the city to amend various SLC codes to allow accessory dwelling units. It is utterly, unbelievable, to think that some city officials would even come up with such a hair brain idea of an ordinance so poorly written, so blatantly unable to be monitored or regulated, and has such total ill regard for present home owners, who have worked over the years, to build SLC neighborhoods into a vibrant community. Residents, purposely, have purchased homes in city areas because of the specific, existing, residential zoning and regulations. Strong neighborhoods are the backbones of our city. This uncreative and ill thought out idea of adding ADU’s is an example of poor thinking and analysis on the part of the city officials to solve our housing

shortage. This proposal will destroy exiting neighborhoods, whose residents have worked so incredibly hard over the years to combat the very problems that these ADUs create…..more traffic, more noise, more garbage, more parties, absentee owners, run down properties, nightly rentals, etc. as we all know were problematic in the Avenues and other areas in the past. Until you have to actually live directly next to one of the above mentioned and put up with the problems, you don't really know what it's really like to live next to it. In addition to these problems, presently, our city does not have funding to enforce our exiting zoning regulations. How will the city find the money to enforce another layer of bureaucracy that will have to deal with the problems that these ADUs will create?

This ill concocted "ADU solution", that is being pushed down the throats of long time Salt Lake Residents, as a solution to the city housing shortage, is wolf in sheep's clothing. Let's just call it like it is…."over zoning residential neighborhoods to solve a problem. ". Changing our neighborhood zoning is barking up the wrong tree for a solution.
For one example, I have a duplex by Judge Memorial. The city told me this spring, my license fee this year was $828 a year.
I provide good quality, very low cost housing. But, I may be dumb, but I'm not stupid. I've looked around at what is happening to the housing market here in the city. If the city is adamant and continues down the path of pushing ADUs as a solution, I'm going to do what others have done:
What's good for the goose is good for the gander.
The city does not enforce the short-term rental market that has proliferated in not only our city, but also valley wide. Saturday, (9/30/17) I went to the air BNB site for rentals in SLC. In just a small east side area of the Avenues down to Sugar House there were over three hundred short term nightly rentals available, in which…. 107 of those were entire apartments for rent or entire houses for rent. These short-term nightly rentals, were once, long term rental units, which have been removed from the long-term market, consequently creating a shortage of monthly rentals in the city and driving up existing rental prices. These short-term rentals are illegal in the city. The hundreds of nightly rentals pay NO business license like I have, no income tax under a certain amount of rent profits; require no city fire code or safety regulations etc. Why don't we enforce the city ordnances in our residential neighborhoods? That would open up 107 monthly rentals right there? Short-term landlords are making $85 a night vs. monthly landlords, $600 a month. Do the math if you're a landlord: $600 a month or 20 nights x $85 =$1700. And no businesses licenses or city fees or regulations.

My point being, the city needs to take this proposal and throw it in the garbage. Then, sit down at the table again and explore more of the real reasons for the housing shortage and generate some better alternative solutions that can add density, which the city wants, but not on the backs of existing homeowners.

Name not shown inside Council District 3 September 30, 2017, 12:01 PM

I have lived in an Historic District in the Avenues since 1969. Accessory Dwelling Units were common in the 1970's and before. Many homes were made into duplexes and apartments without additional parking.The result was awful. Sidney Fonnesbeck along with others fought against this and won. The area was run down, no parking and the houses were not taken care of. It has taken many years to bring the area back to its former beauty. I encourage all to vote against ADU's and save the Avenues from disaster again. Thank you for your time.

Name not shown inside Council District 3 September 28, 2017, 9:51 PM

I stongly oppose ADUs. Cars, garbage cans, dogs, and traffic will increase exponentially and to the detriment of unique neighborhoods. People buy houses with their hard earned money and these houses most often represent their single major lifetime asset. Rentals trash a neighborhood--those in favor of ADUs who deny this are in denial. Give incentives for builders to build moderately priced apartments--that's fine, I would support my taxes going toward something like that. But don't permanently destroy neighborhoods and property values by allowing haphazard rentals added onto every lot.

Linda Hull inside Council District 6 September 28, 2017, 5:54 PM

I am opposed to allowing citywide accessory dwelling units. Blanket authorization doesn't provide an opportunity to consider each unique neighborhood, and dismisses concerns by individual neighborhoods that are already negatively impacted. On my street we already carry more than our fair share of the number of vehicles parking on the street due to limited street parking which is exacerbated by multiple vehicles associated with each single family home; very limited off-street parking; and houses and duplexes on the street filled with multiple (transient) renters. It is already challenging to secure street parking in front of our home when needed. This proposed policy will exacerbate the situation. Each neighborhood is unique and must be considered within its own context. In my neighborhood and it's close proximity to the U, this proposed policy will primarily further enable transient student housing in a single family home neighborhood. Those of us that have lived her for many years shouldn't have to continue to support even more renters at the expense of permanent residents.

Patrick Alba inside Council District 5 September 26, 2017, 7:22 PM

I support these proposed changes. Our city is experiencing a housing crisis, and will continue to grow for decades to come. Restricting the growth of this city is a short sighted endeavor that will only lead to increased traffic and pollution throughout the valley. ADU's will help our city manage the continued growth, while also making minimal changes to existing neighborhoods. I do not believe the addition of ADU's will negatively impact any neighborhood. I am especially opposed to the idea of specific neighborhoods on the bench getting special exemptions from any future ADU ordinance. A property owner in any neighborhood should be allowed to create an ADU that adheres to other existing zoning laws.

Name not shown inside Council District 6 September 24, 2017, 5:55 PM

I strongly oppose the proposed ADU ordinance. It is loosely written, unclear, and contains too many "consideration should be given..."s. For instance, owner occupancy is required. Except when it's not. Exemption to the owner-occupancy requirement could be up to three years! Proving that you are an owner occupant has so many loopholes and is so onerous that I cannot imagine the City actually enforcing it.
The number of persons allowed to live in an ADU is what the City defines as a "family". In short this means 1) one or more persons related by blood, marriage, adoption or legal guardianship (including foster children); 2) up to three unrelated people, or 3) two unrelated people and their children. This is not my definition of a mother-in-law apartment.

There is the requirement that upper-level primary windows should face the interior of the property. But then no exterior facade should be windowless. Side yard facing windows should be "modestly size". What does that mean? Where is privacy protection for the neighbors? Upper level space should "consider" clerestory windows, skylights, or obscured glazing. But it is not a requirement.
Upper-level living space only has a four foot side yard setback requirement. That ADU over your neighbor's garage will look right into your backyard, bedroom, bathroom, etc. Again, no privacy protection for neighbors.
An ADU should have one off-site parking stall, unless the transportation and planning directors conclude it is not necessary.
Is it even necessary to say that building an ADU requires a building permit? Everything from a fence on up requires a building permit.
This ordinance offers no protection to maintain the quality of single family neighborhoods or right to private enjoyment for home owners. I oppose this ordinance.

Katherine Fox inside Council District 6 September 22, 2017, 4:19 PM

I believe that while well-intentioned and trying to address a shortage of affordable housing within city limits, the proposal as written, has some significant problems. At a minimum, a more careful and tailored approach would better serve the Avenues District and District 6 with some of their unique characteristics as opposed to the somewhat draconian and sweeping proposal to "eliminate all single family zoning" In District 6 where I reside the yards are often postage stamp sized. Adding accessory buildings often negatively impacts what little green space we have - and need as the climate increasingly warms. Our streets are mostly very narrow and two sided parking is often a real problem, especially if an emergency vehicle whether an ambulance or a fire truck needs to navigate the street and then park. With the need for additional residential parking for increased ADU's , the safety issue will only be compounded. Public transportation where I live is extremely limited unlike larger urban areas either within SLC or other national cities so the need for more individual cars grows. Multi family housing works best where public transportation is readily available.

I am not opposed to the occasional mother-in-law type basement apartment or even a reasonably sized garage addition.(We have a number of illegal ones that exist already.) But there are ways to circumvent the "owner occupied" requirements easily which opens the flood gates for those property owners (often absentee and using a "sham arrangement" so that the residence merely appears to be owner occupied) looking to increase their incomes rather than provide a home for a loved one.

A more thoughtful proposed ordinance, at least for District 6 and District 3, accommodates some of the more unique characteristic that these two Districts share with each other and do not share with other city neighborhoods. It's not necessarily that those residing in Districts 6 & 3 are elitist or believe themselves as "special" but more that we are trying to avoid additional safety concerns (both traffic congestion and emergency vehicle access), curtailing limited greenspace, and other issues. Multi family housing should not be a "one size fits all" model for the entire city. Single family housing is a viable and stable option for a segment of the city's population. Eliminating it will not solve the entire affordable housing problems that exist.

Patrick Fleming inside Council District 5 September 20, 2017, 7:00 PM

I am emphatically opposed the allowing ADUs in any R1 zone. First, the city already has illegal apartments in R1 zones and does NOT have the manpower to enforce current zoning . Second, parking, especially near the UofU, is terrible because of illegal apartments in R1 zones. Even if you put some requirements in the ADU ordinance, it will not be enforceable. Third, I purchased my home in north Sugarhouse specifically because it was in an R1 zone, I am not happy that the city is considering a zone amendment to allow R2 use in this R! zone after my purchase - it impacts my property rights. Fourth, allowing ADUs in certain geographic areas of the city sharing the same zone is ripe for a law suit which will force the city to allow in in any similar zone (i.e. R1 zone west of 1300 East will be tested in court and the court will rule this is discriminatory by geography). Fifth, SLCi has done its share to increase housing in the SL Valley, SLCi is congested already and the increase in traffic and parking problems will be aggravated - regardless of the belief mass transit will alleviate congestion. Finally, for those that argue that rent from ADUs will increase their ability to afford to live in a neighborhood is simple hypocrisy. Ones economic advantage should not enter into this discussion - people should have thought about this before they purchased their home AND the cost of living in SLCi is still reasonable - even for seniors who are a less fixed income than many of their neighbors due to COLAs from SSA.

Name not shown inside Council District 7 September 20, 2017, 11:18 AM

I support the proposed changes to the ADU issue. With rapidly rising property taxes and utilities, many older homeowners have a hard time keeping up with inflation. Utilizing ADU's can offer some financial relief to those who need it.

Name not shown inside Council District 7 September 20, 2017, 7:19 AM

I oppose the ADU position, since I believe the addition of affordable housing can be addressed with other methods that do not disrupt the single family neighborhoods. Too many rentals with absentee or poor landlords already exist, properties start to decay in appearance and we lose the long term relationship within the neighborhood that keeps our areas safe.

Name not shown inside Council District 6 September 19, 2017, 8:39 PM

I support the proposal to expand ADUs in Salt Lake City. The price of rent is soaring in our city and we need more units and more density to build a sustainable, affordable city.

Name not shown inside Council District 6 September 19, 2017, 6:11 PM

I do not support recently City Council-revision to expand the ADU Ordinance citywide. "City Wide Zoning is zoning for no one". "One size does not fit all". The over arching language of the modified ordinance does not respond, respect or recognize unique aspects of various neighborhoods to minimize negative impacts on established neighborhoods as the approved East Bench Master Plan supports. District 3 and 6 were eliminated from the ADU Ordinance for important reasons: 1) lack of public transportation service (fixed or bus service), 2)

Fire Safety at the Urban/Wildlife interface, 3) steep slopes, narrow streets, limited on-street and on-site vehicle parking, automobile congestion, 4) lack of City design review and enforcement and 5) availability of many existing housing types in these Districts (duplexes, townhouses, condos, rentals, and single family housing).

Expanding the ADU Ordinance boundaries to Citywide is premature. It will compound the traffic congestion on the East Bench, which is in direct conflict with the City's Initiative to Clean Air, without any funded resolution to handle the already overburdened commuter traffic ways on the East Bench.

Further, not all ADU types are appropriate for all neighborhoods; attached ADUs (internal basements and additions) may be more appropriate in some areas (historic) than detached ADUs. Yet there is no differentiation in language about their use, placement in neighborhoods nor design review provided, thus all ADU types will be allowed without neighborhood input to the detriment of surrounding property owners.

Ironically, Methods of Creation (D.3,and 5) will unintentionally increase Citywide demolitions of viable, affordable housing with New Construction replacement of more expensive principal dwellings with more expensive attached/detached ADUs. This is in conflict with City Sustainability standards. Instead, we need to encourage and maintain the stability, viability and prosperity of affordable single family house neighborhoods within Salt Lake City. Single Family homes are just "another housing option". Availability of single family housing neighborhoods is what makes SLC unique among mid-size cities in the US-the ability to "live, work and play" in an urban setting.

The ADU Ordinance will change City Zoning in a permanent way. Let's have an honest discussion about the need and value of single family house zoning in our City and then approach this ADU ordinance carefully, fully analyzing the type, design, size, scale, and placement of ADUs in our existing neighborhoods with limited boundaries where multi-modal public transportation is available. That's where dwelling density is truly most effective.

Brad Bartholomew inside Council District 1 September 19, 2017, 12:34 PM

This is long overdue. I never understood why SLC would limit themselves in becoming a city. ADU's should be allowed City wide with no restriction on number of permits given a year. The height and set backs should also be reconsidered as they are proposed, they will leave many homeowners out of the opportunity to add an ADU and will limit those who can. The fact that only 1 ADU has been built since the original ordinance was created shows the restrictions are too burdensome and restrictive for no apparent reason.

We live in a City and we should act like it, if you are worried about parking and density, you should move to the suburbs. ADU's is a great step forward a providing affordable housing, though at only 25 a year, it is a small addition. Higher density is better for transportation, city services, city revenue and the planet. We can address all of these issues by creating more housing in our city.

Please change the restrictions that will allow more homeowners to build ADU's and pass this ordinance.

Thank you

Name not shown inside Council District 7 September 19, 2017, 1:12 AM

Accessory Dwelling Unit Changes

What do you think of this proposal to allow more homeowners to establish mother-in-law apartments on their property?

I am a home owner in District 7 & am opposed to arrival of additional ADU's that would increase the density of people, cars, traffic, noise & congestion in this part of SLC which is already burdened with construction of over 1,000 new housing units in multiple high rise apartment blocks that obstruct community views of the Wasatch. This is not the SugarHouse I moved into. I'm even questioning if this is the SugarHouse I want to continue living in.
If the intent of ADU's is to increase availability of affordable housing in SLC proper, then I suggest that ADU's be allowed in ALL DISTRICTS, especially those with houses on larger properties. Further, I suggest that the rent in these.ADU's be limited to a certain percentage of median rent for square foot & ammenities offered; they should not be rented at "what the market will bear" rents but rather rents affordable to lower income citizens (however that market is defined) . Also, all owners must occupy the main or accessory unit in order to insure they are committed to living with the benefits & any challenges/drawbacks to the neighborhood caused by adding an ADU. Off street parking should be mandatory for any ADU, at least 2 per renter. Even if there is proximity to mass transit (either bus or rail), most SLC dwellers will have 1 or more vehicles for commute to work (east-west mass transit to jobs is dismal, unless you want to get to University of Utah or the airport) & even accessory vehicles for fun (eg trailers, motor homes, boats). Regarding neighbor notice of intended ADU creation, I would endorse both contact of residents within 300' of property lines PLUS public notices in the neighborhood, much like that used to alert residents of upcoming street closures/repair. Rather than increasing availability of low income/affordable units by increasing the density in areas that are currently single family & low-rise apartment complexes, I suggest the city require a modest percentage of all new multidwelling construction to be set aside for below market rates/low income renters. Any variances requested by builders could be contingent upon increasing the percentage of affordable units in the construction. If 10% of the new apartments under construction & planned for District 7 were reserved for low income families, that would be over 100 affordable units; plus, the units would be located in buildings/neighborhoods already endorsing high density living.

Regarding the ability to "elder in place" via ADU's, most current homes in SLC are multi-level dwellings; many include elevated front porches. These are not conducive to safely eldering in place. The ADU's would have to be constructed with elderly/handicapped in mind; ground level only.

Increasing population density in District 7 specifically & in the Salt Lake Valley in general has already been accompanied by decreasing regard for traffic law & "manners" in my experience. At 1300 East, 1100 East, 900 East & 700 East on 2100 South, drivers do not obey red lights & therefore delay the line of traffic which has a green signal. When I make a left hand turn into the closest lane of the street I'm entering, I am consistently cut off from merging toward the right hand lane by drivers who have made their left turn behind me & have swung out to the right hand side of the street. For example, turning south from 2100 South at 700 East with intent to access the westbound I-80 ramp, I am daily passed on the right by cars that turned onto 700 East after me. These "wide" turners also imperil/delay any eastbound traffic at the intersection that should have the right to make a right hand turn onto southbound 700 East at 2100 South. Perhaps traffic regulation/police/ticketing for driving infractions via cameras at intersections needs to be included in any plan to increase ADU's in SLC.

If I wanted to live in a congested area of the valley, I would move downtown or to the lower Avenues or to a high rise in the 1300 East to 900 East, 2100 South to I-80 areas. Please do not increase housing density in District 7 & preferably not in other city districts. Salt Lake City is generous & far sighted to look toward solving the need for increased housing along the Wasatch Front. I think it is time for the rest of the Front to step up & do more of their part. Perhaps this is an issue state legislators would like to pursue?

Thank you for your consideration of my concerns.

Michael Carroll inside Council District 6 September 18, 2017, 12:44 PM

I am totally against this proposal to change lots zoned for single family into Multi-family designations. I would not want or build one on my property and would not appreciate my neighbor building one on his. I moved into a single family neighborhood and enjoy it as a single family neighborhood. If you would like a test case, please have Mayor Biskupski build one in her backyard

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Name not shown inside Council District 6 September 16, 2017, 2:42 PM

I am, at this time, opposed to the ADU city wide. If it should pass, I think the idea of max 25 units a year is proper way to review and inspect building plans and permits. In the 30 day notice to neighbors, full disclosure of city requirements, full plans, permits and SLC reviews should be included in notification. Should an ADU request occur in my neighborhood, I would organize a neighborhood review team that would be all over such notification and follow up on the building process and inspection by the city. It is my understanding that the current program has been a dismal failure with maybe just a couple of ADUs processed and completed over a five year period. All statistics of current program should be made part of any City presentation.

Name not shown inside Council District 6 September 16, 2017, 1:56 PM

I am opposed to the proposed changes in this plan. These changes will dramatically change the look, feel, and livability of Salt Lake City. This would eliminate all single family housing neighborhoods within the City and I think that would create a very negative impact on our city. Parking requirements for a two bedroom unit should continue to require two parking spaces. Many of our older neighborhood streets are narrow and increased parking pressure will have an extreme negative impact as street parking will increase making movement on or through these areas difficult or impossible. Would parking then be limited to a single side of the street? What happens when the City experiences a significant snow storm and all those cars parked on the street have to be moved so the snowplows can clear the streets? Where are people to park then? Will there be a large parking lot designated for snow day parking?

Knowing how the county tax assessor continues to increase the value of property in my neighborhood every year (even during the recession property values increased in my area) I would expect that property values and thus taxes would see a rather large increase even though the livability of the area has decreased due to increased traffic, short term renters, and renters who have no investment in the neighborhood choosing to not keep up the look and cleanliness of our neighborhoods and are unwilling to keep quiet neighborhoods quiet. How is that fair to those of us who purchased homes in a single family home zone? It is not. If I had wanted to live next to an apartment building, duplex, or multi-family dwelling I would have purchased a property next door or near those types of dwellings. I have lived in high density housing and have purchased a home in a large townhouse development on the east coast where HOA's ruled and made difficult any changes an homeowner

wanted to make. That worked for the east and can be implemented in Salt Lake City IF areas of Salt Lake City are zoned for multi-family housing. Going back in time to rezone the entire city does not make sense.

Yes, we need more affordable housing in Salt Lake City however, that should not be built at the expense of established neighborhoods where families and individuals purchased homes which, meet the current zoning standards. Should this change go into effect you can be assured I will fight any and every property tax increase as long as I own my home. Changing the zoning for ALL of Salt Lake City does not work and will create many more problems that it attempts to solve.

Name not shown inside Council District 6 September 16, 2017, 1:05 PM

I favor expansion of ADU's. I have never understood why proximity to "mass transit" (meaning track transportation) was required. At a minimum, proximity to Bus lines should be included. Also, why can't homes with adequate off street parking be anywhere? The limit of 25 per year is also ridiculous given the goals and need for housing. Finally, I understand concerns about lack of care where the owner rents out a dwelling to transients, but single family dwellings and duplexes are already being rented to those kind of tenants by absentee landlords. Where the landlord lives on the property, the landlord not only has an incentive to prevent abuse, but is available for daily inspections to see that the property doesn't fall into disrepair. So the problem is substantially mitigated if not eliminated.

Chris Lane inside Council District 7 September 14, 2017, 4:45 PM

This idea is disturbing to me. I currently reside in a Salt Lake City neighborhood wherein several of my neighbors utilize their properties as rental units and this has caused difficulties for the owners residing in their homes with their families. Renters have no vested interest in keeping a neighborhood clean, safe, and family friendly over the long term; and, consequently those of us owners who do reside there are constantly having to cope with a rotating and ever-changing population of renters who pass through our neighborhoods without regard to the permanent residents. This idea to effectively do away with single family neighborhoods will increase this problem exponentially and will only result in a lesser quality of life and lowering property values across Salt Lake City. Please re-consider the well being of your tax paying, property owning residents who actually want to reside in your city and not just the interest of landlords looking for more revenue.

Laurie Mecham inside Council District 1 September 14, 2017, 3:34 PM

I support the proposal, except for the height restriction relative to the primary residence, as others have commented. ADUs will help to alleviate housing shortages and allow aging in place.

Aaron Benson inside Council District 6 September 14, 2017, 12:24 PM

I agree with the change to allow ADUs citywide. Please reconsider the height restriction that external units not

be taller than the main structure. Also, 25 units per year is likely too restrictive. Please reconsider as well.

Allowing ADUs is a smart, economical and environmentally-friendly way forward with our city's growth and development.

Mitchell Frankel inside Council District 3 September 14, 2017, 12:16 PM

I support ADUs in all parts of the city. We need more student housing options and temporary living for many that don't want giant apartment complexes.

Omar Poole inside Council District 4 September 14, 2017, 8:13 AM

I am in support of ADUs, I would invite those who are opposed to take a look at Day Break.They have homes with ADUs in the rear and they have a thriving community. I think the benefit would only help SLC became a better stronger community. ADUs would allow for more income to home owners who rent their units, it would add another option to students who need housing longer than just semesters length , and it would help add to the lack of affordable units in the valley. I do not think its is smart to take the "not in my neighborhood perspective", SLC is growing as we know but all growth is not good growth. If we dont start to do something about our increasing living expenses like housing we will no longer be appealing to people and businesses who want to relocate here and invest in our community. We really need to look at innovative way to stay competitive as the city increases in size, ADUs would add to that edge.

http://www.daybreakhouses.com/fine/real/estate/blog/15749

http://americantinyhouseassociation.org/accessory-dwelling-units/

Patricia Allred inside Council District 6 September 13, 2017, 12:28 PM

ADU's are a horrid idea, we buy homes in nice neighborhoods and now you want to cause all kinds of problems, increased crime, overcrowding, and more by putting homeless or low income people all over the place.
Taxes are so high now and these will be just another burden we cannot afford as we are already 300K in the hole!!!!!!! It is time for people to get off government assistance, not try to add as many more as possible

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Megan Curtis inside Council District 7 September 12, 2017, 9:46 PM

I don't see an issue with this. I am glad to have additional housing in neighborhoods where families can have the option of providing a living space for additional rent income or for aging family members.

Name not shown inside Council District 6 September 12, 2017, 7:17 PM

I support the current ADU parameters, not the new proposed standards. Public transportation HAS to play a roll in any expansion of the current regulations. Single family home neighborhoods not having public transportation readily available, that would be allowed to add ADU's, would negatively impact these neighborhoods. Additionally if height restrictions are expanded or loosened the privacy of neighbors would be compromised on all sides. Occupancy in tops of garages or even additional buildings on small (r-1500 or even r-1700) city lots was not the intention in the development pattern. Single family neighborhoods mean that. Increasing density means increasing congestion/pollution/accidents/crime. The current ADU zoning should be sufficient. Let it exist for a time, then you can reassess.

Matt Miller inside Council District 4 September 12, 2017, 4:32 PM

I am for ADU's. At $150/SF built costs, 650 SF is about $97,000, and might rent for $650. That's doable. 'Taller than the principle dwelling' is not a good standard. With a standard 10' setback, and 192' of ROW and a 30'/35' height limit (for a flat/peaked roof), a much taller ADU would still be invisible from the road, and have minimal effect on neighborhood character. There are some nice houses on 200 S. and 1100 East. which are huge in the rear, but can't be seen from the street. Can't we just apply the same height limit to both ADU and main building? For a structure with a half-basement, that's 4' over grade, plus two 10' stories, and still allows for a peaked roof. Does the basement count in the SF total? Do the stairs? A staircase for 10' ceilings (important in such a small space, as well as for climate control) for someone old would be 7", for a 17' staircase. That would cut 50 SF out of each level, leaving only 275/floor. That's pretty tiny (by doable). So the height limit is kind of a non-issue. I expect that the lot SF has been the major limit--most lots in SLC are about 4800 SF. I think ADU's near TRAX should get a break on parking (may use on-street parking) but not those too distant (that's just LA style bad density).

But I have to say, having read all of this, I have to think I'd be better off building an attached ADU to my maximum lot coverage and height. With a 132'x33' SF lot (SLC standard) and setbacks, I'd be better off building a 'guest suite' on the back of my house and then renting it out. With a 10' front setback, 20' rear setback, and 5' side setbacks, I'd have a ~2800 SF floor-plate. With a half-basement and a 8' ceilings, I could get 3 stories in. That would give me 8400 SF. Why would I ever build a permitted ADU?

I believe that the owner occupancy requirement should be removed. If the goal is to increase density near mass transit, then why does it matter if the property is owner occupied or not? The goal is to get more housing units built and limiting to owner occupied properties will not maximize this effort.

Name not shown inside Council District 6 September 11, 2017, 7:10 PM

I am opposed to the elimination of Single family zoning in Salt Lake City in its entirety. ADU expansion will eliminate SFZoning, create more on street parking, and make snow removal and emergency vehicle access more difficult. It will also lower property values as the character of neighborhoods is dramatically changed

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Name not shown inside Council District 4 September 11, 2017, 7:03 PM

I strongly support proposed amendments to the ADU ordinance. Growing population and a shortage of housing are big reasons to make ADU's an option. In addition, increased density makes for vibrant neighborhoods that have thriving businesses and allows for multi module transportation which contributes to better air quality.

Edward Blake inside Council District 6 September 11, 2017, 2:41 PM

I support expanding the use of ADU's. Affordable housing is a problem for all home owners along the Wasatch Front. ADU's can be approached 2-ways, first it can provide rentals for "workforce housing," second, unattached ADU's can be owned and have joint ownership on the land and separate title on the structure. Both concepts should be considered. Land costs are rising in a community that is somewhat landlocked by water and mountains. We must find a solution to this problem. ADU's are also a solution for our elderly to age in place. Utah's population over 65yrs of age will double by 2040! We should have a dialogue like this one to determine how we are going to deal with this issue. We need to ask our citizens to take a stake hold in the problems facing our community. Mistakes will likely be made. But the fear of making mistakes has caused our government to resist tackling complex problems. My vote is to wrestle with this one, make a mistake or two, but in the end improve this housing problem.

Edward Blake
CEO / Salt Lake Valley Habitat for Humanity

Name not shown inside Council District 3 September 11, 2017, 2:32 PM

I strongly support allowing ADUs city-wide. While I currently do not own an eligible property myself, I absolutely believe that permitted ADUs are an important component in combating issues related to housing availability and affordability. I hope the Council will not only maintain the city-wide option, but also consider whether they really need to further regulated ADUs. I say this because the code already provides numerous restrictions making it so that very few properties are even eligible. Once you consider the number of properties that have enough space to meet the lot coverage restrictions, the set back requirements, the off-street parking requirements, and the height restrictions, you really have very few who can comply. Add to that the number of people who can't afford to build an ADU and those who just aren't interested, and the numbers are quite small. In many cases, even those with existing garages will not be able to move forward without considerable expense and additional lot coverage. Most garages were either not built to structurally withstand the weight for a dwelling unit above, are not large enough to support a 600 SF unit (really only a 3-car garage would be large enough), or they are on lots with one story homes (as it stands, the ADU would not be allowed if it was taller than the main structure). As far as any concerns about pricing, the market will keep prices in line. Because a separate structure cannot exceed 600 SF, the market will not support extremely high rent prices.
I am in strong support of maintaining the owner-occupied provision for one main reason - - - because I believe it best addresses people's #1 fear, which appears to be a fear that the quality of those living in the neighborhood will go down and that the renters will not have a stake in the property and therefore no reason to maintain it. With this provision in place, the person with the greatest stake in making sure the unit is occupied by someone who is responsible respectful, clean, quiet, etc., is the homeowner who will be sharing the property with the renter.
Please support this change and provide an environment that supports this type of investment. Create an

opportunity for people who meet all the requirements and want to follow a lawful process to be able to create this type of housing option.
As a person with aging parents, I am concerned about being able to keep my loved ones close while still maintaining my (and their) autonomy and privacy). We just moved my grandfather into an independent living center and it is costing $3500/month! While I am not currently in a position to add an ADU to my property, I'd like to know that in the future, I can do so without leaving the city. If you are serious about making strides towards more housing opportunities within the city, supporting this effort is a great start.
Thank you!

Supporting Media (470 KB PDF):
https://pd-oth.s3.amazonaws.com/production/uploads/statement/supporting_media/19/ADUs-104da132d7463f9c.pdf

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Megan Hillier-Geisler inside Council District 5 September 11, 2017, 11:24 AM

I am strongly in favor of changing these requirements. I am a home owner with a perfectly viable property. Unlike others in the city (a previous commenter's note about units in Sugar House), I am looking to complete a project legally. Since the city has declared a state of emergency regarding affordable housing, allowing people to apply and follow codes would increase the affordable units within the city limits. Though my house is not within the distance limit to a trax station and the additional unit is over 1/2 of the floor plan of the original house, I want to responsibly do construction on the unit.
Please allow home owners like myself and my spouse to legally contribute to the sustainable expansion of SLC housing. A change like this would not only benefit the people of SLC but allow us to compete with comparable cities. Regulation can increase tax revenue (both property and income) for SLC from the increase residents of the city.

Alyssa Geisler inside Council District 5 September 11, 2017, 11:16 AM

I agree that ADUs should be available in ALL neighborhoods of the city. I think they will add sustainable and affordable housing, a huge need in SLC right now. Thankful that the council expanded these boundaries.

I am worried the 25 permit/year limit will keep more ADUs from being built, however. I hope the city council reconsiders this cap or makes it more flexible in some way. My other concern is with the square footage requirements. If the homeowner already owns a small home (mine is less than 800 sq ft), then their ADU would have to be very small. Perhaps the occasional allowance can be made in these circumstances during permit application?

Name not shown inside Council District 7 September 10, 2017, 2:36 PM

I am strongly opposed to the expansion of ADUs throughout the entire city. Many people live in neighborhoods with single family homes for important reasons: the people who live there are often homeowners who take pride in their property, there is greater stability among the homeowners, and the area is less populous/crowded. Allowing ADUs throughout the city will turn every single-family-dwelling neighborhood into a multi-family-

dwelling neighborhood. We'll all be living with small, unregulated rentals in our neighbor's yards. It'll be like having an apartment on every lot. Even the current in-home rentals often fail to meet code requirements. And renters have no investment in the land or the neighborhood, which changes the character of the neighborhood for the worse. Many people in Salt Lake live in single-family homes and single-family neighborhoods for a reason. Please don't ruin this. Please keep the ADU code the way it is -- confine units to areas near the public transport hubs. I am strongly am opposed to any expansion of ADUs.

Name not shown outside Salt Lake City Council Districts September 9, 2017, 11:56 PM

I believe that the owner occupancy requirement should be removed. If the goal is to increase density near mass transit, then why does it matter if the property is owner occupied or not? The goal is to get more housing units built and limiting to owner occupied properties will not maximize this effort. Also, the height requirement needs to provide for a typical housing unit and if the unit is above a garage then the height limit should be increased to take into account the garage below.

Name not shown inside Council District 3 September 9, 2017, 5:36 PM

I support the ADU concept, but there needs to be some controls, specifically with regard to parking (should not increase on-street parking), safety, construction standards, and noise. These issues will inevitably arise, and there needs to be a mechanism to deal with them to the satisfaction of neighborhood residents.

Kevin Emerson inside Council District 4 September 9, 2017, 3:51 PM

I support the City Council taking action to make ADUs more accessible to more Salt Lake City residents and property owners. I believe that the changes are generally reasonable.
Making ADUs more accessible to more SLC residents and property owners helps SLC residents who are looking for more affordable living situations.
The current restriction - that ADUs be built within 1/2 mile of a fixed transit stop - is too restrictive. There is a growing number of residents in our community - including me – who rely on bicycle and/or mass transit, though many do not live that close to a fixed transit stop. I'd like to see this requirement eliminated so ADUs can become an option for SLC residents regardless of whether their property is located within 1/2 mile of a fixed transit stop.
I support limiting the parking stall requirements to just 1 stall per ADU and I oppose requiring 1 stall per bedroom. In my opinion, requiring 1 parking stall per bedroom would promote continued reliance on private vehicles, instead of encouraging people to use active transportation, mass transit, car sharing, etc.
Regarding the limit of 25 ADU permits per year, this seems arbitrary to me. While I understand the need to keep the number of ADU permits submitted to a manageable number, I suggest either eliminating this limit or including broader language that provides flexibility to increase the allowed number of permits to above 25 per year if there is demand.
I appreciate the Council taking action on this important issue!

Name not shown inside Council District 3 September 9, 2017, 2:51 PM

I agree with the concept of ADUs because population is growing too fast in our area. We need to do what we can to reduce urban sprawl and maintain our beautiful parks and local farms and fields. So I agree with allowing some ADUs. But a local neighborhood should be able to determine whether they want them. Also, existing regulations need to be kept, especially the requirement for nearby public transportation so the ADUs don't add more traffic and congestion to a neighborhood. Height limits could be increased, allowing small apartments to be built over garages, but only in cases where neighbors' views won't be compromised.

Name not shown inside Council District 7 September 9, 2017, 1:24 PM

Half of the "single family" homes on my block in Sugar House have basement rental apartments which do not meet code. There is simply no enforcement. Renters add to parking and traffic congestion and noise. Most have little regard for their neighbors since they are not invested in the neighborhood. I am opposed to any expansion of ADUs. Enforce the existing statutes.

Jarod Hall inside Council District 3 September 9, 2017, 1:04 PM

I support this ordinance change. I think that ADUs are a great way to increase density and begin to provide options for more affordability. Like other commenters I think that the height restriction could limit new ADU construction in neighborhoods that are predominantly single story houses. Setting a reasonable height for a story over a garage seems like a better limit.

Also I have some concerns about unregulated short term rentals. Perhaps there is a way to regulate the amount of those. Other cities have also grappled with short term rentals as they tend to increase housing prices in popular areas.

Name not shown inside Council District 3 September 9, 2017, 12:29 PM

ADUs are currently the only legal route for a tiny home dwelling. Unfortunately this leaves the prospective tiny home dweller with a conendrum, which is they must already own a regular sized house IN ADDITION to their tiny home. ADUs are for Airbnbs, and guest houses, not permanent residence. It is unacceptable that there is no legal route to live in a tiny home! There needs to be another legal route for people who want to build small, green dwellings on a lot, without the requirement that they already have a house. This limits the potential ADU builder to someone who owns land, a house, and makes enough money to build a second house.

The 25 a year cap will limit the sustainable growth of the city. Looking to the future with the city about to DOUBLE in size, we need to have policy that allows for smaller, greener houses in shared greenspaces, NOT more single family dwellings. More co-housing, more shared greenspaces. Smaller houses mean more green space, which means cleaner air! Salt Lake City has the potential to pave the way for revolutionary building code, lets not take baby steps but fully commit! Thanks for hearing me.

Mike Christensen inside Council District 1 September 9, 2017, 11:51 AM

Accessory Dwelling Unit Changes

What do you think of this proposal to allow more homeowners to establish mother-in-law apartments on their property?

I completely support ADUs and am happy that the city is applying the ordinance city-wide.

Name not shown inside Council District 6 September 9, 2017, 10:21 AM

I am unalterably opposed to the proliferation of ADUs wherever someone wants to plop one, even with a "limit" of 25 per year. Abandonment of the current zoning invites adverse effects on infrastructure, water/sewer delivery and pricing, policing, congestion of streets due to parking and the effect of limited access for emergency personnel, and property devaluation for those residents who choose to not add one. Further, current building permit processes provide that there is little "agreement" between what is approved and what is constructed, and minimal to no enforcement in that area. I do not trust the City to manage the process of ADUs any better than it currently does for the building permit process.

Name not shown inside Council District 5 September 9, 2017, 9:29 AM

I think this is a positive step, many people can benefit from the small extra income that an ADU provides. And it increases housing options for those folks who can't afford to buy a house. But as usual, increased traffic congestion and parking are issues that will need to be addressed.

Name not shown inside Council District 1 September 6, 2017, 7:22 PM

I dislike the idea of adding more airbnb units to my neighborhood. I wish the city would just leave the policy alone and enforce it. Parking is the main issue here. It makes roads dangerous when cars line the streets. Kids and dogs jump out and get hit by passing cars.

Robert Goodman inside Council District 7 September 5, 2017, 5:22 PM

This is an exciting step forward. I recommend not excluding any parts of Salt Lake City.

Thank you for address the current housing crisis. Please continue to work towards more affordable housing opportunities.

Levi Thatcher inside Council District 7 September 2, 2017, 11:00 PM

Great step to stem the rising cost of housing! However, be more ambitious:

1) Be less strict on the max height of ADUs

2) Don't exclude any parts of the city.

Again, so happy to see you trying to address the housing affordability crisis. Thanks!

Jeremy Banks inside Council District 7 September 1, 2017, 1:49 PM

I am very excited about this proposal, however, I'd like to address a major concern and flaw I have regarding this amendment—height restrictions. Currently, the amendment states that ADU's cannot be higher than 24 feet or the height of the primary residence, whichever comes first. Like the current regulation requiring homeowners to live within ½ mile from a Trax station, this rule eliminates the potential for many families to quality for an ADU permit. I currently live in the south part of Sugar House where most homes are approximately 18 feet tall. After consulting with many builders and architects, I have found that it is nearly impossible to have an ADU built above a garage with a maximum height of 18 feet. Having ADU policies improve the diversity of our communities and help enable aging in place; however, a flaw like this height restriction eliminates that possibility. The height restriction should be 24 feet total and not be dependent on the primary structure.

Jace Richards inside Council District 7 September 1, 2017, 1:28 PM

The proposed amendment is a good step forward, but there are still problems with the proposal that will continue to eliminate a large amount of individuals wanting to build an ADU on their property.

1)The proposed amendment seeks to allow the height of the ADU to be up to 24 feet for a pitched roof, and 20 feet for a flat roof. This is great for those wishing to build an ADU above a garage or outbuilding. However, there is still verbiage that restricts the height of the ADU from being greater than the principal dwelling. This will prevent almost everybody in the geographical boundaries to build an ADU above a detached garage/outbuilding because the average height in most of this area is approximately 18-20 feet high. In these cases, it is not possible to construct an ADU with sufficient head room and living space if it cannot be taller than the primary dwelling. The height restriction should not be dependent of the primary dwelling as long as it does not exceed 24 feet for a pitched roof, or 20 feet for a flat roof.

2)During the last July 11th work session, there was a strong discussion regarding the use of ADU's for short-term rentals (Airbnb, VRBO, etc…) Unfortunately, some council members strongly oppose short-term rentals because they don't understand the benefit of allowing diversity in the market. While some ADU's may help alleviate Salt Lake's housing crunch to a small degree, the reality is a large majority of ADU's aren't meant for long-term living. Instead, they are better suited for short-term rentals. Additionally, prohibiting home owners to build an ADU and operate a short-term rental denies them the ability to maximize the equity they have in their property as they see fit. Home owners should have the ability to choose how they use their ADU, whether it's for a long-term or short-term rental. Cities all over the globe are partnering with websites like Airbnb and VRBO with the hopes of attracting more visitors and increasing tourism. Partnerships like these would allow Salt Lake to continue to diversify and enrich our communities, as well as allow the world to know what a great place Salt Lake is to visit and live. See http://fortune.com/2014/03/26/airbnb-cozies-up-to-cities/ and https://medium.com/@bchesky/shared-city-db9746750a3a for information on how Portland, Oregon is creating initiatives for short-term rentals. Barcelona, Spain and New Orleans are two other examples of cities partnering with short-term rental websites.

Name not shown inside Council District 2 September 1, 2017, 12:34 PM

Accessory Dwelling Unit Changes

What do you think of this proposal to allow more homeowners to establish mother-in-law apartments on their property?

A good step toward relieving some of the pressure on our housing market. Please aggressively pursue others, we need affordable places to live.

COMMENTS PULLED 09/19/2017

Date Submitted	name	subject	message
9/22/2015 21:51	Lucas Earl	Allowing ADUs in SLC	As a soon-to-be first-time homeowner in SLC, I would really appreciate it if you would vote to allow ADUs to become legal in SLC. It would make housing cheaper and would allow me to be able to more easily afford to own a home. Please vote to increase urban density thereby improving the quality of life of everyone. Thanks!
7/20/2017 13:14	Wayne Hanson	FF: ADU ordinance	Please reconsider expanding the ADU ordinance. Rose Park was built with small single family homes and was meant to stay that way. Many have already started renting out rooms and renovating garages into rental units and our streets and driveways cannot hold the extra cars that this brings into our neighborhoods. This is not what Rose Park was meant to be and I would not like to see it become this. If it is now illegal for this to be happening, it would be nice to see City Ordinance officials doing something about it.
7/20/2017 13:21	Jace Richards	FF: ADU ordinance	It seems counter productive to allow ADU's only to block short term rentals. The owner should be allowed to choose between allowing short term rentals or long term rentals. Short term rentals do allow tax incentives for the city as they are already included in the fees from the websites that manage the short term rentals.
7/20/2017 13:22	Jeremy Banks	FF: ADU ordinance	We need more ADU's without short term rental restrictions. We also need to remove the restriction that says ADU's can't be taller than the primary residence. This eliminates all Sugar House homes from being allowed to build above their detached garages. I am looking forward to improving tourism and promote aging in place!
7/20/2017 13:23	Jennifer McGrath	FF: ADU ordinance	Allow more ADUs! Don't restrict location within the city
9/15/2017 12:22	Diane Florez	FF: ADU's	Council members, Please do not give blanket approval to ADUs anywhere in SLC. Please limit where ADUs may be built. Please keep single-family home neighborhoods, without ADUs. Thank you, Diane Florez
9/18/2017 12:31	Patti Allred-Sorensen	FF: ADU's	Have talked with so many that are having troubled neighborhoods, campgrounds other area's that the homeless are being moved to. There is already more crime in area's they have been taken to. Now instead of having one problem area we are going to end with problems all over the city. Increased crime, loitering and drug dealing will be a problem everywhere. ADU's are an investment the city cannot afford, we already are over 300K in debt. This will downgrade existing neighborhoods and have the same problems as the homeless shelters. There is no parking available now, that can only go downhill. We paid good money to be able to be able to live in desirable neighborhoods. When the government gives people a comfortable life style, why should anyone want to bother working. I already work until July to pay all my taxes - income state and federal, property taxes ($4600 last year), etc and you want the homeless and low income to live here. Am totally against both proposals -- Pati
9/18/2017 15:44	Katie Story	FF: ADU	Dear Salt Lake City Council Members, I'm reaching out to you again to ask you to consider changing Housing Ordinace 21A.62.040 to allow for up to four (4) non-related people to occupy a single family home. You'll recall I sent you the attached email and letter in May and attended a City Council meeting and spoke during the public comment portion. I am hopeful that my actions have caused you to discuss this ordinance, as it is an important part of Salt Lake City's housing plan. Last month I had to ask one of my tenants to move out and not renew the lease in order to comply with the law and in an effort to avoid fees and civil action by the City. The home now has a perfectly good bedroom that is not being occupied as a result of this ordinance. I would welcome the opportunity to speak with you and invite you to call or email. Respectfully, Katie Story

9/19/2017 10:50	Amir Cornell	FF: ADU	Dear City Council member; My name is Amir Cornell I live on 2700 So 1724 E . I hope you have recovered ADU package from city council office I am sending this Email on behalf my neighbors on south side of 2700 So from 700 E to 2300 E . On page 5&6 written page 6 you have Guesthouse up to 650 Sq ft . Planning dept believed on size fist for everyone. . our neighborhood house lot size goes from 0.18 it'd .051 acres . I contacted to Salt county 16 cities they have something similar like SLC ADU ordinate calls for depend on Lot size or size of existing building on the properties. these cities allows you to build guest house 5)% of your existing house considering setback. On the lot size from .from 0.15 to 0.20 acres you can build Guest house 650 Sq ft from 0.21- to0.25 you built 825 Sq ft from 0.26 to o.30 acres you can built 1000 Sq ft and on.... My property is qualify to build 1100 Sq ft because I have o.321 acres. or by 50% existing house. please ask your planning dept to change propose ordinate or you can contact Sandy , Draper , West Jordan South Jordan , Hermen , West Valley City , Midale , Murry Etc.... Mike Mekoy is a planner 801 535 7118 planning dept Thank you for your service Amir cornell District 7 .

COMMENTS PULLED 09/28/2017

9/19/2017 16:13	anonymous	FF: ADU's	An anonymous caller left a message stating that she doesn't think it would be a good idea to let people have the tiny houses in there backyard she thinks that there should be a designated area for that. That has a lot of parking room.
9/20/2017 11:24	Douglas Maclean	FF: ADU's	Opposed to this Ordinance!
9/20/2017 11:26	Ryan Parker	FF: ADU	I support the expansion of the ADU units to be city wide as the canal has proposed. Please increase the number of permits from 25 a year to 100 a year in light of projected population growth and affordable housing crisis.
9/20/2017 11:27	Ali Sabban	FF: ADU	My concerns with these ADU provisions is that they may open the door for a lot of developers to come in and insert apartments on back lots and backyards, therefore altering the character of our neighborhood and negatively affecting the value of our properties.
9/20/2017 11:28	Alderman	FF: ADU	If you walk around my neighborhood, the avenues, you will notice a variety of housing choices, there are single family homes, duplexes, townhouses, apt buildings small and large, condo buildings small and large. There are even homes broken into apartments. As well, if you walk around especially in the evening when folks are home from work, what you will not notice is a variety of parking choices. Allowing a density increase without allowances for off street parking will create havoc in the fight for street parking, not to mention that more cars parked on the street also creates more opportunity for car prowlers. I also feel that encouraging extra buildup and 2nd stories to garages will take away too much privacy from residents. We are already at a premium given the size of the lots and close proximity of homes. If anything, ADU's should be more regulated not less.
9/20/2017 12:47	Brandon Dayton	FF: ADU's	Dear Salt Lake City Council Members, The Rose Park Community Council would like to express its support for adoption of a city-wide ADU amendment. A city and its constituent neighborhoods are living things, and like all living things a city is either growing or it is dying. Fighting to keep a neighborhood exactly as it is forever is about as healthy as trying to keep a child from growing up, and just as hopeless. Just as preventing a child's maturity would inevitably lead to sickness and imbalance, so does trying to prevent a city's maturity. We have already seen the symptoms of this sickness in rising housing prices, pervasive homelessness and economic and racial segregation. The question can never be, should we grow?the only question is how we grow. We believe that the proposed ADU amendment is an important step toward allowing residents to take control of growth and benefit from the opportunities that growth provides. A city-wide ADU amendment re-establishes a time-tested process for a city to naturally and incrementally respond to housing needs, without dramatically transforming the character of our neighborhoods. It empowers the smallest property owner to invest in their wealth and the wealth of their neighborhoods, and it creates greater housing opportunities for the most vulnerable populations among us. Providing housing is an obligation that falls upon every neighborhood of our city. To make exceptions only further ingrains the economic and racial segregation that already exist. We urge the city council to adopt the ADU amendment and strongly urge them to adopt it city-wide. Sincerely, Rose Park Community Council
9/20/2017 13:18	Lynn	FF:ADU	Lynn feels that the ADU ordinance needs to be removed and delayed until Oct.3rd or until a revised ordinance is available for the public to view.

COMMENTS PULLED 10/03/2017

10/2/2017 12:10	Julie Myers	FF: ADU's	Dear Councilman Luke, As a concerned resident of the Harvard/Yale Yalecrest neighborhood, please do not allow Accessory Dwelling Units (ADUs) in our neighborhood. We already have parking issues with University of Utah students and football games. We have heavy traffic through our neighborhoods as commuters seek back ways to avoid traffic on main arteries. Our property acreage is already very small in our neighborhood with homes closely built and small yards that would not handle additional structures well. Many homes have one car garages with two cars necessitating street parking for home owners - let alone renters. Thank you for your loyal commitment to our community and city. I appreciate your consideration of these concerns. Sincerely, Julie Myers
10/2/2017 12:36	Hal Crimmel & Ingrid Weinbauer	FF: ADU	Dear Stan and Charlie, I recently read about the new proposed ADU ordinance, and as though we do not live in your district (we are District 7 residents) we strongly support your vote against this proposal. The way to increase density--if that is the city's goal and a questionable one at that--is not by sticking more rental units into residential single-family neighborhoods, where residents have paid a premium to purchase houses in lower-density neighborhoods. There would be little to no enforcement--as the city is already unable or unwilling to enforce existing regulations without significant, constant pressure and action often takes months, if at all. These existing code violations make our neighborhoods unlivable. For example, my wife and I recently moved from a home in Sugar House east of 1300 E. & south of 1700 S. to get away from code violations. One neighbor has been running an AirBnB for at least one year. There are usually several different sets of people staying there each week--often 8 at at time. There are parties, driveways are blocked, often 4 more cars parked on the street. It's a nightmare for the neighbors still living there. On the other side of our home (where we lived for 12 years until all this started happening) the absentee landlord neighbor rented the house to 5 students. There was constant turnover in the tenants, parties, overnight guests, often 5-7 cars on the street. There was constant conflict with parents of the students, the landlord, etc. It's absolutely unrealistic to think that the city is going to manage the parking ordinances, the number of tenants, whether the property owner person actually lives in the home and so forth. In short, the city council can not pass this measure and make this sort of this more common. We appreciate your support.
10/2/2017 12:37	Carol Steffens	FF: ADU	This ill concocted "ADU solution", that is being pushed down the throats of long time Salt Lake Residents, as a solution to the city housing shortage, is wolf in sheep's clothing. Let's just call it like it is down zoning residential neighborhoods to solve a problem. â€Changing our neighborhood zoning is barking up the wrong tree for a solution. For one example, I have a duplex by Judge Memorial. The city told me this spring, my license fee this year was $828 a year. I provide good quality, very low cost housing. But, I may be dumb, but I'm not stupid. I've looked around at what is happening to the housing market here in the city. If the city is adamant and continues down the path of pushing ADUs as a solution, I'm going to do what others have done: What's good for the goose is good for the gander. The city does not enforce the short-term rental market that has proliferated in not only our city, but also valley wide. Saturday, (9/30/17) I went to the air BNB site for rentals in SLC. In just a small east side area of the Avenues down to Sugar House there were over three hundred short term nightly rentals available, in which. 107 of those were entire apartments for rent or entire houses for rent. These short-term nightly rentals, were once, long term rental units, which have been removed from the long-term market, consequently creating a shortage of monthly rentals in the city and driving up existing rental prices. These short-term rentals are illegal in the city. The hundreds of nightly rentals pay NO business license like I have, no income tax under a certain amount of rent profits; require no city fire code or safety regulations etc. Why don't we enforce the city ordnances in our residential neighborhoods? That would open up 107 monthly rentals right there? Short-term landlords are making $85 a night vs. monthly landlords, $600 a month. Do the math if you're a landlord: $600 a month or 20 nights x $85 =$1700. And no businesses licenses or city fees or regulations. My point being, the city needs to take this proposal and throw it in the garbage. Then, sit down at the table again and explore more of the real reasons for the housing shortage and generate some better alternative solutions that can add density, which the city wants, but not on the backs of existing homeowners.

10/2/2017 12:39	Carol Steffens	FF: ADU	I am ademently opposed to allowing the city to amend various SLC codes to allow accessory dwelling units. It is utterly, unbelievable, to think that some city officials would even come up with such a hair brain idea of an ordinance so poorly written, so blatantly unable to be monitored or regulated, and has such total ill regard for present home owners, who have worked over the years, to build SLC neighborhoods into a vibrant community. Residents, purposely, have purchased homes in city areas because of the specific, existing, residential zoning and regulations. Strong neighborhoods are the backbones of our city. This uncreative and ill thought out idea of adding ADU's is an example of poor thinking and analysis on the part of the city officials to solve our housing shortage. This proposal will destroy exiting neighborhoods, whose residents have worked so incredibly hard over the years to combat the very problems that these ADUs create..more traffic, more noise, more garbage, more parties, absentee owners, run down properties, nightly rentals, etc. as we all know were problematic in the Avenues and other areas in the past. Until you have to actually live directly next to one of the above mentioned and put up with the problems, you don't really know what it's really like to live next to it. In addition to these problems, presently, our city does not have funding to enforce our exiting zoning regulations. How will the city find the money to enforce another layer of bureaucracy that will have to deal with the problems that these ADUs will create?
10/2/2017 16:20	Heidi Memmott	FF: ADU's	Hi City Council, Thank you for the weekly city council e-mail updates. I appreciate the organized information and being informed. I am writing you to request NO ADUs in Harvard/Yale or Yalecrest! It is not OK with me to have more traffic, more cars, less parking, more VBROs/Air BnBs, less privacy, less quiet, more too-tall garages. ADUs will significantly change the feel of this special neighborhood. Yalecrest is not the right place for ADUs. Thank you, Heidi Memmott
10/2/2017 16:20	Deborah Catwright	FF: ADU's	I am strongly opposed to the idea that all the single-family zoning be changed to multi-family in Salt Lake City. This has no provable upside that I can see and has proven to decrease appearances and safety of neighborhoods in areas where this is the rule. Please vote no on this issue. Sincerely, Deborah Cartwright Chaucer Pl SLC
10/2/2017 16:21	Peter Fillmore	FF: ADU's	would you please be transparent as to the success of the existing ADU program. AND why this new version would be expected to be any more successful.
10/2/2017 16:22	Richard Price	FF: ADU's	I am adamantly opposed to the ADU proposal!! This ridiculous proposal will, over time, insure that Salt Lake City will no longer be a family friendly city in which to live, but become a run-down, trashy, Detroit-like cesspool!! Please, please, please do not approve such a disastrous proposal and keep Salt Lake City a decent place to live. Richard R. Price, MD
10/2/2017 16:23	Mar and Deb Day Olivier	FF: ADU's	Hello Ladies and Gentlemen, Please vote AGAINST the proposed ADU ordinance. I live on the east bench, there are many ADUs already. It causes parking and congestion problems. This used to be an upper middle class neighborhood. Adding more ADUs is not the direction we hope to see. Recently young families, with babies and children, have been moving in. We look forward to continuing as a (close) suburb of Salt Lake City. Please, we want to keep the character of our neighborhood. Yes we need more affordable housing. In Portland increasing ADUs did not lower the rental rate, new units were rented for the going rate. There are entire blocks and areas along main corridors south of downtown Salt Lake City which could be developed as mixed-use areas for business and apartments, including affordable housing units. This type of approach would help Salt Lake City achieve the goal of increased density and more affordable housing, with the added benefit of these developments having access to mass transit, and all of this without the destruction of our urban neighborhoods, which will happen with ADUs. Unfortunately Deb has a long planned trip to the Navajo reservation as food coordinator for Adopt A Native Elder and will be unable to attend the meeting Oct. 3. Please do increase the affordable housing in our city, but not in our neighbor's backyard. Respectfully, Marc and Deb Day Olivier Wasatch Drive, Salt Lake City Tremendous Girls Program Coordinator If your plan is for 1 year, plant rice. If your plan is for 10 years, plant trees. If your plan is for 100 years, educate children. Confucius
10/2/2017 16:23	Martha Shaub	FF: ADU's	I respectfully disagree with allowing the latest version of the ADU ordinance. I believe this will have an enormous impact on the safety and character of our neighborhoods. It will not significantly impact the need for more affordable housing, but it certainly can and will impact parking, infrastructure strain and basic support services such as snow removal and street cleaning. Our neighborhoods simply were not developed for this kind of population load. A "Mother-in-Law" unit used as intended is not the same as a rental unit on property. -- Ms. Martha D. Shaub, CEM, UCEM Salt Lake City, UT
10/2/2017 16:24	Nancy Sparrow	FF: ADU's	I am one of your constituents. I live in the St. Mary's area on the East Bench. Please vote against the latest version of the ADU ordinance. Nancy Sparrow

10/2/2017 16:39	anonymous	FF: ADU's	Anonymous caller-She does not think it is a good idea to build tiny homes she states there is not enough room for parking there are too many people in those areas already and doesn't think this would be a good idea.
10/2/2017 16:48	Carol Steffens	FF: ADU's	I am ademently opposed to allowing the city to amend various SLC codes to allow accessory dwelling units. It is utterly, unbelievable, to think that some city officials would even come up with such a hair brain idea of an ordinance so poorly written, so blatantly unable to be monitored or regulated, and has such total ill regard for present home owners, who have worked over the years, to build SLC neighborhoods into a vibrant community. Residents, purposely, have purchased homes in city areas because of the specific, existing, residential zoning and regulations. Strong neighborhoods are the backbones of our city. This uncreative and ill thought out idea of adding ADU's is an example of poor thinking and analysis on the part of the city officials to solve our housing shortage. This proposal will destroy exiting neighborhoods, whose residents have worked so incredibly hard over the years to combat the very problems that these ADUs createâ€¦..more traffic, more noise, more garbage, more parties, absentee owners, run down properties, nightly rentals, etc. as we all know were problematic in the Avenues and other areas in the past. Until you have to actually live directly next to one of the above mentioned and put up with the problems, you don't really know what it's really like to live next to it. In addition to these problems, presently, our city does not have funding to enforce our exiting zoning regulations. How will the city find the money to enforce another layer of bureaucracy that will have to deal with the problems that these ADUs will create? This ill concocted "ADU solutionâ€that is being pushed down the throats of long time Salt Lake Residents, as a solution to the city housing shortage, is wolf in sheep's clothing. Let's just call it like it isâ€¦.â€down zoning residential neighborhoods to solve a problem. â€Changing our neighborhood zoning is barking up the wrong tree for a solution. For one example, I have a duplex by Judge Memorial. The city told me this spring, my license fee this year was $828 a year. I provide good quality, very low cost housing. But, I may be dumb, but I'm not stupid. I've looked around at what is happening to the housing market here in the city. If the city is adamant and continues down the path of pushing ADUs as a solution, I'm going to do what others have done: What's good for the goose is good for the gander. The city does not enforce the short-term rental market that has proliferated in not only our city, but also valley wide. Saturday, (9/30/17) I went to the air BNB site for rentals in SLC.
			CONTINUED: In just a small east side area of the Avenues down to Sugar House there were over three hundred short term nightly rentals available, in whichâ€¦. 107 of those were entire apartments for rent or entire houses for rent. These short-term nightly rentals, were once, long term rental units, which have been removed from the long-term market, consequently creating a shortage of monthly rentals in the city and driving up existing rental prices. These short-term rentals are illegal in the city. The hundreds of nightly rentals pay NO business license like I have, no income tax under a certain amount of rent profits; require no city fire code or safety regulations etc. Why don't we enforce the city ordnances in our residential neighborhoods? That would open up 107 monthly rentals right there? Short-term landlords are making $85 a night vs. monthly landlords, $600 a month. Do the math if you're a landlord: $600 a month or 20 nights x $85 =$1700. And no businesses licenses or city fees or regulations. My point being, the city needs to take this proposal and throw it in the garbage. Then, sit down at the table again and explore more of the real reasons for the housing shortage and generate some better alternative solutions that can add density, which the city wants, but not on the backs of existing homeowners.
10/3/2017 10:02	Rebecca Holbrook	FF: ADU's	Rebecca is calling on behalf of herself and her 6 neighbors they live in district 6 and they are against the zoning changes they want to keep single family dwelling and are against seeing ADU's they do not want ADU's in their neighborhood. They think this is the worst idea and do not want rezoning.
10/3/2017 10:06	Alex W. Meade	FF: ADU's	I understand that this has been utilized in many states and municipalities as a way to help control the costs of living in downtown areas and make things more affordable for individuals. But with the current investment in in multifamily habitational structures downtown and in the eastern bench areas it seems the idea of ADU's is premature especially for more historic areas. I would ask that while ADU's may make sense in some areas that other areas like the Avenue's, Yalecrest, Federal Heights, Marmalade, Liberty Heights and Capital Hill areas be exempt. With our proximity to the University of Utah our neighborhoods could become over run with college kids renting more affordable housing and changing our family friendly neighborhood. Thank you for your consideration. Sincerely,

10/3/2017 10:07	East bench Chair	FF: ADU's	The Salt Lake City Council appears to be leaning toward approving the latest version of the ADU ordinance. We believe this is one of the most important and impactful pieces of legislation the Council will ever consider and that everyone should get involved and express an opinion, especially if you are opposed to this ordinance. There are three things we each need to do: 1. At 7:00PM tomorrow, Tuesday, Oct. 3rd, there will be a public hearing at the City and County building at 451 South State, Room 304. We need a huge showing at this hearing with people signing up to speak, which could be nothing more than expressing opposition - Numbers count! This is late notice, but PLEASE plan to attend and speak at this hearing if at all possible! 2. Also, please go to http://www.slcgov.com/opencityhall and then to the "Accessory Dwelling Unit Changesâ€ topic and express your opinion. Comments will be accepted on this subject for a little while longer, but please do it before the issue is closed. 3. Lastly, please email your comments to the Salt Lake City Council members at council.comments@slcgov.com. Again, there is still some time left to do this, but please do it while there's still time. Together, we might have a chance to keep the City Council from making what we believe will be a big mistake regarding neighborhoods in Salt Lake City. Thank you, The Officers of the East Bench Community Council
10/3/2017 10:08	Barbara	FF: ADU's	Hello, Charlie, We are Doug and Barbara Campbell at 965 Diestel Road 84105. We would like to go on record as stating our opposition to ADUs in our neighborhood, the Yalecrest area. I have been dismayed over a number of years with what is allowed to be torn down and replaced throughout the neighborhood and believe allowing ADUs would be the final straw in destroying the charm and uniqueness of the neighborhood. Have you personally seen that huge garage going up behind the house on Fairview? I would love to know who in the SLC planning department approved that monstrosity!! I assume that is what would pass for a ADU? While I know change is inevitable, some changes should not be allowed. Feel free to call me if you would like to discuss this. My number is (801) 582-5428. Thanks, Barbara Campbell
10/3/2017 10:16	Stephen C. Pace	FF: ADU's	I have been a resident of the Avenues for over 30 years. I own and have occupied a National Register-listed adjoining historic properties at 181 B Street (the William F. Beer mansion) and at 222 4th Avenue (the Alfred Tame harness shop and William Beer carriage house. These properties have been managed as a single-residential site since the late 1890s. I am only the second owner of this property since the 1890s. When I acquired the property, I restored the Beer mansion and, by removing a variety of sloppy 20th-century add-ons, restored the harness shop to its appearance when it was built in the mid-1860s, and have used it since as a single-family detached rental house. I won an award from the state for its adaptive reuse in the 1980s. My long-term plan was always to restore Dr. Beer's carriage house (at the back of the 222 lot) to something like the way it appeared in 1899--a single-family two-bedroom structure, available for rent with ample room for the storage of "carriages" (now cars!) and for Dr. Beer's liveryman and spouse (who also served as a house servant at the mansion), but, without the livestock. Unfortunately, my plans have been frustrated by SLC Planning and Zoning for going on 30 years. The fact that I rehabbed the harness shop instead of flattening it 30 years ago has counted against me ever since. It's apparently anathema to rehab more than one residential structure on a single lot, even if both are already there. The best P & Z suggestion I could get was to add on to the harness shop to make it a duplex or a triplex by, in effect, re-vandalizing it and tacking on a modern building to the historic structure. This has no appeal for me. I do live here, after all. So I am left currently with an approximate 8500 sq. foot lot with a 500-square-foot building footprint on it, close to the sidewalk, and with no reasonable possible economic use for about 5-6,000 square feet, at the middle of the block, with the carriage-house ruins on it. I suspect this is about the biggest single piece of unused (and legally unusable) land left in the lower Avenues. (To be fair, I did get a second suggestion from P & Z that I could rehab the carriage house ruins into a five- or six-car garage, but this did not seem like a reasonable appurtenance for a one-bedroom house!). My reading of the proposed ADU changes is that I could possibly seek city approval to adjust the lot lines of my properties to make the carriage house ground an "accessory" to the Beer Mansion (which, of course, is what it has been since 1899), and then rehab/rebuild it with concurrence from the neighbors and the Landmarks Office. This would be a "win" for housing supply, for more sensible land use, and for historic preservation in general. If the ADU proposal can move things in this direction, I'm for it. I request Nick Tarbet provide copies of this note to interested members of the council. Stephen C. Pace 801-363-8190 I will return to Salt Lake City in mid-October.

10/3/2017 10:17	Clarks	FF: ADU's	Hi Charlie, this voicemail is from the Clarks on Devonshire Drive, calling to say we need to retain single family areas and to say please don't push out everyone who has a vested interest in the City. "Stack n' pack" has a negative effect on people because rental interests overwhelm the community and promote poverty, they report. They support "No" on ADUs.
10/3/2017 10:21	Mike Lewis	FF: ADU's	Dear Councilmen Luke and Rogers, I live in Yalecrest, which is Councilman Luke's district. I am writing to oppose ADUs in Yalecrest. I am emailing Councilman Rogers because I listened to the recording of the work session where the Council discussed ADUs and Councilman Rogers suggested prohibiting ADUs in historic districts. While not all of Yalecrest is currently an historic district, my neighborhood (1300 South to 900 South, 1300 East to 1800 East) is in the Yalecrest Overlay Zone and ADUs could easily be excluded from that overlay zone. ADUs are not right for this historic, unique neighborhood of Salt Lake City. The neighborhood has a special character that will be detrimentally affected by ADUs. There will be more congestion, more traffic, less privacy, and a reduction of property values. My neighbor is currently building a 22 foot tall garage that was permitted by the City even though the Yalecrest Overlay Zone only allows 15 foot tall garages. I appealed this to the City's appeals hearing officer and she agreed that it was too tall. One of the main reasons I appealed was because the garage looms over my backyard and has front dormer windows that look right into my yard and my master bedroom. My neighbor is putting a full bathroom in the garage, and I suspect that she plans to use it as an ADU. This is a perfect example of why ADUs are not appropriate in this neighborhood--they negatively affect neighboring properties and impact privacy and private property rights. I urge you to vote against Citywide ADUs and vote to exclude them from the Yalecrest Overlay. They are not appropriate in this neighborhood.
10/3/2017 10:22	John Manfredi	FF: ADU's	Dear Members: Justifications for changes to existing zoning ordinances should be compelling; they should enjoy broad consensus among the affected population; and they should be supported by local experience with relevant pilot tests of the changes. Justifications for the latest version of the ADU ordinance that is before the Salt Lake City Council are not compelling: the economic and social benefits of the proposed ADU ordinance have been poorly enunciated and documented. The justifications do not have broad consensus: many citizens in the city are adamantly opposed to the ordinance. Finally, the justifications are not supported by the city's experience with ADUs that are currently allowed. In sum, the justifications for the latest version of the ADU ordinance are weak. They fail to justify changes to the existing ADU ordinance.
10/3/2017 10:23	Betty Long	FF: ADU's	Please do not change the boundaries to allow more ADU's in Salt Lake City. Single family housing should be just that, SINGLE FAMILIES! Our neighborhoods are crowded enough with the boom in apartment and town home dwellings for example, in Sugar House. Some residents are already renting out rooms in their houses or renting out their basements. And not to family members. This is already creating parking problems on our narrow streets. Keep our neighborhoods intact with the single family ordinances, period.
10/3/2017 10:24	Barbara Campbell	FF: ADU's	Hello, Charlie, We are Doug and Barbara Campbell at 965 Diestel Road 84105. We would like to go on record as stating our opposition to ADUs in our neighborhood, the Yalecrest area. I have been dismayed over a number of years with what is allowed to be torn down and replaced throughout the neighborhood and believe allowing ADUs would be the final straw in destroying the charm and uniqueness of the neighborhood. Have you personally seen that huge garage going up behind the house on Fairview? I would love to know who in the SLC planning department approved that monstrosity!! I assume that is what would pass for a ADU? While I know change is inevitable, some changes should not be allowed. Feel free to call me if you would like to discuss this. My number is (801) 582-5428. Thanks, Barbara Campbell
10/3/2017 10:24	Dr. Scott Smith	FF: ADU's	Please vote NO on the suggested changes to allow ADU's anywhere in the city. Such decisions should be made be individual neighborhoods.
10/3/2017 10:25	Alan Sparrow	FF: ADU's	Dear City Council Members, I want you to know that I strongly oppose the ordinance allowing ADU's in single family zoned areas. I am all for affordable housing but I don't believe this is the way to achieve it.
10/3/2017 10:26	Pati Allred-Sorensen	FF: ADU's	Parking is already a nightmare, putting low income families in backyards will just add to the problem. It will cause more crime, crowding, and decrease property values. Worked hard my whole life to be able to live in a nice neighborhood and now you want to fill it with people who do not believe in hard work and paying taxes. Most of these units will subsidized by those of us who pay taxes. It is very unfair!!!!!!!!!

10/3/2017 10:46	Elizabeth Clark	FF ADU	Asking Charlie to vote no against ADU's. Elizabeth and husband own their home is SLC and lived in it for 41 years. They recently put home up for rent and moved temporarily to Irvine, California. Elizabeth said they live in the middle of stack and pack's and are speaking from experience that ADU's will only increase poverty and homelessness in SLC. Elizabeth stated there is 60% poverty in Irvine and that this form of building does not help. That although Irvine was a leader building ADU's that there are now tent city's popping up all over there. Please, I strongly urge you to vote against ADU's in SLC.
10/3/2017 11:49	FF: ADU's	mrcraigpeterson@gmail.com	I am unable to attend the hearing this evening regarding the proposal to allow Accessory Dwelling Units in all homes in Salt Lake City currently zoned for single-family homes, which would in effect eliminate single-family home zoning throughout the city. I would greatly appreciate you distributing my concerns to all members of the Salt Lake City Council, and making my comments a matter of record. My name is Craig Peterson, and I reside in Charles Luke's district, 1365 Ambassador Way. For many years, I served as Community and Development Director for Salt Lake City during the transition from a commission form of government to a city council form of government. One of the reasons for this transition to install a council form of government was to insure that representatives would be sensitive to the preservation of neighborhoods adjacent to the downtown. Councils elected since that time have been successful beyond my widest hopes, with vibrant and vital neighborhoods throughout the city. You only need to drive down Bryan Avenue adjacent to Liberty Park or Lake Street east of 7th east or the lower avenues or areas around the Fairgrounds to see amazing changes and preservation. I am proud of our city, and all that has been accomplished. However, I fear this Council may be reverting back to the old Commission form of government where financial gain and "highest and best use" development at all costs is more important then neighborhood preservation. The only reason for such a change is to provide additional revenue to various owners throughout the city by destroying single family dwellings. Once ADUs are approved, single family dwellings are destroyed for ever. The City needs a balance of all types of housing units in the city, particularly with the dramatic change of household size, and proper zoning tools permit this. Please keep the liberal tradition of the City alive, and don't revert to the philosophies we see in the rest of the State where development rules, and neighborhoods are destroyed.
10/3/2017 12:13	FF ADU	knfinlayson@comcast.net	D6 Constituents, Keith and Barbara Finlayson called this afternoon to share with the Council that they oppose the ADU.

COMMENTS PULLED 10/12/2017

10/3/2017 15:27	FF: ADU's	council.nomail@gmail.com	Hi Charlie, this message is from Keith and Barbara Finlayson who live on Devonshire Drive in District Six. They want to register their opposition to pending changes on ADU provisions. They ask for no multiple family dwellings in their District.
10/3/2017 15:31	FF: ADU's	jbergosh@gmail.com	Dear Council- As a resident in District 6, I am firmly against the ADU proposal for the following reasons: - the intent was to create a form of living arrangement that allows us older residents, single parents and families with small children to stay in our homes with a relative or care-giver living on-site. From my analysis this is nothing more than a glorified attempt to broaden and condone rental units in single family neighborhoods since the language of the proposal allows up to three unrelated persons (as specified in 21A.62.040 Definition of Terms, number of residents allowed for a 'family', Part B). We have had this issue of single family housing stock being turned into rental units in our neighborhood and the 'family' definition being ignored time and time again. Requests to City Enforcement fall on deaf ears due to the difficulty to enforce (and determine) the relationships of these individuals. My fear is this ADU and especially the city-wide portion of the proposal will allow my neighborhood to be turned into nothing more than an abusive rental method that will compromise the quality of the neighborhood. I am not a novice on this issue. I was a Chair of the East Bench Community Council for many years, I spent two years working with the SLC Planning Commission on the East Bench Small Area Master Plan and have participated on many City Planning and Zoning issues and policy determinations. Rental unit grievances were the most common complaint (followed by lack of City enforcement on this complaint) that I encountered in my twenty plus years of volunteer service to SLC. I urge you to reconsider the city-wide aspect of this proposal as well as the entire concept of the ADU until it can be better tailored to the intended purpose: mother-in-law apartments - not wholesale transformation of the valuable single-family housing stock that has formed the foundation of this successful community.

10/4/2017 9:25	FF: ADU's	Brooke@karringtoninv.com	Good morning Charlie: Please forgive a business email on your day off; I want to communicate an alternative while it's fresh on my mind. Our arguments will be stronger if we propose viable alternatives. I propose the following instead of a change to the zoning of single family dwellings: Focus residential growth in the corridor south of downtown - If the objective is to increase density and provide affordable housing, the blocks south of downtown are ideal for this purpose. For example, the section bordered by 500 South, State Street, 1300 South, and West Temple is close to transit, close to services, close to downtown. It's a logical place for the vibrant city to grow. There is space and need to rejuvenate the area - these blocks are not the ones that get showcased to visiting dignitaries, and we have an opportunity to steer the conversation to gentrify this area rather than piecemealing a solution by implementing ADUs. For example, the Sears block has much unused space that could support some residential/ retail towers without much disruption to existing businesses. The same can be said for the stretch along Main between 900 and 1300 South. Additionally, the NE corner of 700 South and State houses a vacant building that's been empty for a few years, it's an eyesore and could be replaced with housing. It's adjacent to the new homeless resource center, and obviously along transit lines. What's currently in these blocks is not necessarily the wisest use of cubic space - As I drive those blocks south of downtown there are vacancies, blighted and dilapidated buildings, and businesses that could benefit from apartment/urban retail towers like we talked about last week. There is space to construct multi-story buildings and accompaniments like landscaping, transit ways, etc. The tax base from such projects would be far greater than what's currently there - Revenues from new projects can be used to fund further growth long term. Residential towers could have urban retail on the street level for restaurants, grocery stores and other shops. Greater housing numbers get created by these developments - the current proposal to add 25 ADU permits annually affect 25 families. One apartment structure houses 100-300 units, four to twelve times greater than ADUs. One structure could be permitted and constructed within a year, while the ADU process would take four to twelve years to equal the impact of one apartment structure. Transit planning - increased density can create transit challenges, so Main and West Temple between 500 and 1300 South could become one ways on week days between 7:00-9:00 am for northbounders, and 3:00-6:00 pm for southbounders. I'm sure I'm not the first one to think of this, and I realize I'm late to the conversation. I need to add examples and solidify my proposals, but in our discussion about density and affordable housing we have a better way than ADUs. At your convenience I would love to talk further. I'm planning to attend the hearing on the 3rd. Thanks for all you do for our community, Brooke
10/4/2017 13:28	FF: ADU's	smithdixie@comcast.net	Council, The "all city ADUâ€proposal should not pass. Salt Lake City historically has provided both a multi-family and single family living opportunity. If you travel through the Sugarhouse area which was planned as single family housing given street layout, school plan and access to the more major hub of SLC, you will experience what high density construction has done to traffic, parking, noise and general positive experience in this area. I am aware that more affordable housing is important but if current prices are known, it will be discovered that this high impact housing is not so affordable. Adding to the congestion in all areas of the city or the impact on many of our older schools is not a good answer. I urge you to vote against the "all city ADUâ€proposal
10/4/2017 13:31	FF: ADU's	cindy.wright@gs.com	I am writing to advise my non agreement to ADU's in the Harvard/Yale/Yalecrest Zone. This neighborhood has remained unique to its layout for many years and allowing ADU's will have a negative impact on our community. Thanks
10/5/2017 10:49	FF: ADU's	robertgoodman22289@gmail.com	Yes, I support this ordinance if anything, I would like this ordinance to be more robust. Instead of a cap at 25, I would rather 25 be a push in which the council considers adding more ADU's city wide.
10/5/2017 10:50	FF: ADU's	kmoyle83@gmail.com	I am opposed to ADU in Salt Lake City, my neighborhood will NOT accommodate more cars parked on the street. Single family neighborhoods should remain as such
10/5/2017 10:51	FF: ADU's	darrah82@hotmail.com	I support the ADU proposal. It is a very important step in creating a more workable, diverse, vibrant, and dense city. The 25 unit cap should be removed, the height restriction should be modified to allow 2nd story units be added to garages, and no parking spaces should be requires as this city is full of parking.
10/5/2017 10:52	FF: ADU's	mattsson2869@comcast.net	Pollution, congestion, and horrible roads-enough already. ADU's would worsen those problems and devalue neighborhoods. Our infrastructure is critically under stress don't make it weaker. I've worked all my life to acquire a single family dwelling in a quiet neighborhood. Please don't destroy that common American Dream.

10/5/2017 10:53	FF: ADU's	cshinkos@hotmail.com	I would like to show my support to amend the ADU provisions. Please expand and allow ADU's throughout the city. I would also ask that the amount of permits issued per year be increased. I am single, work full time, and go to school full time. Having and ADU would allow me to have some additional income by renting it out. I live in Sugarhouse area and the cost of living is high. I believe it fosters a community of diversity as well as helping those financially, plus helping those help others.
10/5/2017 10:54	FF: ADU's	bhb114@comcast.net	I am totally against this proposal as other alternatives are more appropriate
10/5/2017 10:55	FF: ADU's	jadiri866@gmail.com	Height restrictions should not be dependent on the primary dwelling. This eliminates a vast majority of potential ADU's about detached garages because most houses are single story and are around 18 feet tall. Make the policy 24 feet high, regardless of primary dwelling. Do not restrict ADU's to just long-term rentals. Short-term rentals should be allowed as it facilitates the home owner to use their rental as they see fit several studies show that short term rentals benefit the city.
10/5/2017 10:56	FF: ADU's	council.nomail@gmail.com	Utterly oppose Do not want more density in my neighborhood. I oppose. You will damage property values. Who benefits-do you have a financial stake in this, I do my home. I moved to my home to get away from high density.
10/5/2017 10:57	FF: ADU's	council.nomail@gmail.com	I do not want more people, more traffic, more crime in my neighborhood. Cannot afford to have property values fall. Can see no advantage to this.
10/5/2017 10:58	FF: ADU's	council.nomail@gmail.com	I am against the ADU proposal. I am against more traffic and people in our neighborhood. We paid premium to live in this neighborhood and do not want to see property values fall.
10/5/2017 10:59	FF: ADU's	denniseyre@prodigy.ne	no to proposal on ADU's due to safety issues. Small narrow streets. With more cars parked on the street it will be difficult for emergency vehicles and snow plows to navigate.
10/5/2017 14:48	FF: ADU's	tonyhoagland@gmail.com	James, Please vote against the initiative to allow oversized garages to be built in the Harvard Yale neighborhood or otherwise known as the Yalecrest Overlay Salt Lake City has Unique area and to destroy it with ADU's would be a same. It would add traffic issues and increase the parking problems.
10/6/2017 8:55	FF: ADU's	melnik227@gmail.com	I am owner at 1429 E. Michigan Ave. and I strongly appose allowing accessory dwelling units to be built in the Harvard/Yale/Yalecrest area of Salt Lake City as well as the overlay zone which is where we live!
10/6/2017 10:10	FF: ADU's	jeremyvernassal@gmail.com	I reside at 1429 E. Michigan Ave. and I strongly appose allowing accessory dwelling units to be built in the Harvard/Yale/Yalecrest area of Salt Lake City as well as the overlay zone which is where we live!
10/6/2017 15:32	FF ADU	jfbates@qwestoffice.net	Dear Mr. Luke, Your efforts to keep ADU's out of the Yalecrest neighborhood will be most appreciated. Thank you, John and Christa Bates, 1435 Michigan Ave., SLC, UT 84105.
10/6/2017 15:34	FF ADU	melnik227@gmail.com	I am owner at 1429 E. Michigan Ave. and I strongly appose allowing accessory dwelling units to be built in the Harvard/Yale/Yalecrest area of Salt Lake City as well as the overlay zone which is where we live! Mariya Melnik Vernassal
10/6/2017 15:36	FF ADU	cindy.wright@gs.com	I am writing to advise my non agreement to ADU's in the Harvard/Yale/Yalecrest Zone. This neighborhood has remained unique to its layout for many years and allowing ADU's will have a negative impact on our community. Thanks Cindy Cindy Wright Tel: 801-884-4858 cindy.wright@gs.com
10/6/2017 15:37	FF ADU	jeremyvernassal@gmail.com	I reside at 1429 E. Michigan Ave. and I strongly appose allowing accessory dwelling units to be built in the Harvard/Yale/Yalecrest area of Salt Lake City as well as the overlay zone which is where we live!
10/6/2017 15:40	FF ADU	ANNTAYLORSLC@msn.com	Hi Charlie. My husband and I live in the Harvard/Yale area. We SUPPORT allowing accessory dwelling units in our neighborhood. We believe a diverse community is a healthier, and more interesting one. Ann Taylor and Collin Cowley 1005 S 1500 E SLC, UT 84105
10/9/2017 9:30	FF: ADU's	sue2ski@gmail.com	Please don't approve ADU's in the Harvard/Yale and Yalecrest areas! This is a quaint neighborhood that is very much in demand because of that. Please don't allow Garage-ma-hall your construction of garages or houses that tower over the neighbours.
10/9/2017 9:34	FF: ADU's	kaelinhales@gmail.com	I just wanted to write to express my full support of the changes you are making to accessory dwelling unit ordinance. I wish there were more of them in Salt Lake as we would love to rent one long term. When we get to the stage where we can buy a home, we would like to be able to construct one as well so we can afford our home. I hope you take our support into account and move forward with amending the current ordinance so ADU's can be more easily permitted and built. Thank you.
10/9/2017 9:35	FF: ADU's	stephanie.saenz@outlook.com	Salt Lake City Council, I am writing to urge you NOT to allow Accessory Dwelling Units in the Harvard/Yale or Yalecrest area. We do not want more traffic, less parking, more crime, less quiet and a less private neighborhood. Keep this historic part of town quaint.

10/9/2017 9:39	FF: ADU's	karla.jennison@gmail.com	The Harvard/Yale Yalecrest neighborhoods are not the right place for ADU'S. Please vote NO on this proposal
10/9/2017 9:40	FF: ADU's	jjworlock@msn.com	I am pleased that you and the council are discussing housing in the city, Ever since we have begun building fixed transportation systems (e.g. Trax and ForeRunner) I have been happy to see Transit Oriented Development as one of our goals and our accomplishments. I think is is reasonable to tie in the development of Accessory Dwellings to Transit, as well. Here is an idea to bruit about: "Development Oriented Transit." This would suggest that bus lines would reorganize themselves in the future in order to serve densely populated sites, and especially those sites with a large concentration of working people who would be more likely to use the transit option. It would also suggest efforts to concentrate the housing for potential transit-riders, so as to attract the most useful bus routes. John Worlock Sunnyside East
10/9/2017 13:53	FF: Indigenous Resolution	council.nomail@gmail.com	We received an anonymous call, caller states that today is "Columbus Day" and nothing else he is tired of all this change in history that the Mayor is doing. He said that he lives in Davis County but he will not spend any of his money in Salt Lake City. He has five adult children who are also doing the same thing. He recently purchased $90,000 worth of cars but did not buy them in Salt Lake because he didn't not want Salt Lake City to get the tax dollars. He does not like the change at all.
10/11/2017 12:09	FF: ADU's	gsp1328@hotmail.com	Hello, I support no ADUs in the Yalecrest area. We have so much building going on in our area. I support everyone taking a deep breath and address traffic issues before supporting more cars and people in our community. Thank you Geraldine Storbeck
10/11/2017 13:10	FF: ADU's	lkpershing@gmail.com	City Council for the health, safety and welfare of City residents 2. "Citywide zoning is zoning for no one ADU ordinance supports indiscriminate housing zoning. It currently undermines all zoning across the board for City "One size does not fit allâ€Rezoning entire City is inappropriate. City's mission is create housing diversity, yet current zoning achieves that. This is an opportunity to develop the best possible ADU ordinance for addition housing in Salt Lake City NOW in lieu of making continuous future modifications. 3. Our intention is not to be divisive, yet a. City Council progression of the ADU ordinance is a precedence-setting policy, which will have implications for zoning types in residential neighborhoods b. Previous uniform base code allowed rezoning of many areas for developers/builders with the understanding that a percent of lower income housing would be provided in those developments, but the number of affordable units have been few to none. c. The burden of providing affordable housing is being shifted to existing property owners instead of new City development. 4. It is NOT clear how this ADU ordinance a. helps bring illegal rental units out of the shadows, b. provides more affordable housing, c. will influence property taxes d. will be Enforced on issues of "relatednessâ€or "number of unrelated occupantsâ€e. Requirements for a business license f. Differentiates between short and long term rentals. 5. We in District 6 are welcoming neighborhoods. We have a diversity of people, housing stock types (single family, duplexes, house and basement rentals, married student/family apartments and senior assisted living), sizes and affordability on the East Bench. All types have proximity to large educational institutions, business and cultural venues that shaped the development on the East Bench, but no public transportation. 6. Lack of National/State/Local Experience a. Although other surrounding states have accepted this type of zoning, there is insufficient experience to evaluate the PROS and CONS of such zoning b. Some Cities have limited areas for ADUs based on overtaxed infrastructure and topographical challenges c. 2017 League of Cities and Towns Conference: ADUs was major topic of local negative experiences with ADUs being used to provide University student housing. d. SLC experience on rentals: Avenues neighborhood experienced the subdivision of large houses into 4-5 small rental units which sadly led to the deterioration of physical structures, loss of home values, loss of neighborhood identity/cohesiveness and increased crime. 6. You don't want to be the leadership that repeats those bad lessons of yesterday B. Reasons for District 6 removal from ADU boundaries 1. Choice of Housing Options: Single Family Housing a. City Council has provided a vision for multiple types of housing in the City b. Single family housing is another viable housing choice c. SLC is one of the envy of a multitude of mid-sized Cities in having well-maintained, viable single family housing neighborhoods within City limits. d. The more options a City has to offer for housing, the more diverse the people living in the City. e. The East Bench has a broad array of viable and affordable housing types currently available (single family owner occupied and rentals, duplexes, apartments, grandfathered basement rentals, University family/married student housing and Assisted Senior Living facilities). f. Disruption to neighborhood identity and cohesion. Mixing multi-family housing within single-family housing zoning is disrupting to neighborhood identity and cohesion. Current national discussion focuses on building neighborhoods, not disrupting them. Diversity of housing stock was used in the development of Yalecrest where duplexes are located on many block corners. g. Disruption of

10/12/2017 10:51	FF: ADU	lkpershing@gmail.com	City Council for the health, safety and welfare of City residents 2. "Citywide zoning is zoning for no one ADU ordinance supports indiscriminate housing zoning. It currently undermines all zoning across the board for City "One size does not fit allâ€Rezoning entire City is inappropriate. City's mission to create housing diversity is noble, yet current zoning achieves already that. This is an opportunity to develop the best possible ADU ordinance for addition housing in Salt Lake City NOW in lieu of making continuous future modifications. Each District has unique opportunities and limitations. 3. Our intention is not to be divisive, yet a. City Council progression of the proposed ADU ordinance is a precedence-setting policy, which will have implications for zoning types in residential neighborhoods b. Previous uniform base code allowed rezoning of many areas for developers/builders with the understanding that a percent of lower income housing would be provided in those developments, but the number of affordable units has been few to none. c. The burden of providing affordable housing is being shifted to existing property owners instead of new City development. 4. It is NOT clear how this ADU ordinance a. Helps bring illegal rental units out of the shadows, b. Provides more affordable housing, c. Will influence property taxes d. Will be Enforced on issues of "relatednessâ€or "number of unrelated occupantsâ€. Requirements for a business license f. Differentiates between short and long term rentals. 5. We in District 6 are welcoming neighborhoods. We have a diversity of people, housing stock types (single family, duplexes, house and basement rentals, married student/family apartments and senior assisted living), sizes and affordability on the East Bench. All types have proximity to large educational institutions, business and cultural venues that shaped the development on the East Bench, but no public transportation. 6. Lack of National/State/Local Experience a. Although other surrounding states have accepted this type of zoning, there is insufficient experience to evaluate the PROS and CONS of such zoning b. Some Cities have limited areas for ADUs based on overtaxed infrastructure and topographical challenges c. 2017 League of Cities and Towns Conference: ADUs was major topic of local negative experiences with ADUs being used to provide University student housing. d. SLC experience on rentals: Avenues neighborhood experienced the subdivision of large houses into 4-5 small rental units which sadly led to the deterioration of physical structures, loss of home values, loss of neighborhood identity/cohesiveness and increased crime. 7. You don't want to be the leadership that repeats those bad lessons of yesterday B. Reasons for District 6 removal from ADU boundaries 1. Choice of Housing Options: Single Family Housing a. City Council has provided a vision for multiple types of housing in the City b. Single family housing is another viable housing choice c. SLC is one of the envy of a multitude of mid-sized Cities in having well-maintained, viable single family housing neighborhoods within City limits. d. The more options a City has to offer for housing, the more diverse the people living in the City. e. The East Bench has a broad array of viable and affordable housing types currently available (single family owner occupied and landlord rentals, duplexes, apartments, grandfathered basement rentals, University family/married student housing and Assisted Senior Living facilities). f. Disruption to neighborhood identity and cohesion. Mixing multi-family housing within single-family housing zoning is disrupting to neighborhood identity and cohesion. Current national discussion focuses on building neighborhoods, not disrupting them. Diversity of housing

COMMENTS PULLED 11/16/2017

10/12/2017 15:12	FF: ADU's	Bradley.Smith@grainger.com	Council - I am a Yalecrest resident on the 1400 Block of Gilmer Dr. Earlier this week, I received a flyer from a neighbor urging me to "Say No to ADU"I disagree and feel that their fears of "more traffic, more cars and "less privacy, less quietâ€are unfounded. I am excited at the prospect of Salt Lake City growing and attracting new residents in the coming years and I would much rather see ADUs which allow for a higher utilization of existing buildings rather than see continued sprawl and building of new apartment buildings. ADUs are going to help residents find affordable housing in good neighborhoods, Yalecrest included.
10/13/2017 9:04	FF: ADU's	lframe11@gmail.com	I just wanted to write to express my gratitude for what you are doing with the accessory dwelling unit ordinance. I think this is a great thing for Salt Lake. I've lived here a long time and I believe that guest houses are a much better solution than high rise or other higher density construction. The one thing that I could see being an issue is the ability of neighbors to effectively shut down your ability to construct an ADU. In california they encountered this issue in a similar way to SLC. They wanted more ADU's built but the neighbors would continue to shut them down. As a result of this, the governor passed a law that no public hearing had to be held in order to qualify to build an accessory dwelling unit. I think that was a good solution to the issue and it has helped more of these be built in CA. Hopefully SLC can adopt a similar provision in their amendment to the ordinance. Thank you and I hope you pass the new ordinance allowing these to be built more easily.

10/16/2017 9:51	FF: ADU's	aobrienkeeler@yahoo.com	Hello, I would like to express my opposition to allowing Accessory Dwelling Units on properties in Yalecrest. I've been in this neighborhood for more than 20 years and am constantly surprised by those who want to live in the Yalecrest neighborhood because of its quaintness yet then want to tear houses down or significantly change them or the property to fit their WANTS, not their needs. Please oppose allowing ADUs.
10/18/2017 9:21	FF: ADU's	janwooddesign@gmail.com	SLC council Derek Kitchen, Thank you for your time, I was out of the country for the public opinion meetings but am glad I can turn this email into you. My husband and I have been homeowners in the University neighborhood for over 30 years. In the eighties and nineties we saw homes being converted back to single family dwellings again and families returned. What had been a neighborhood composed of predominantly student based residents that were living in homes cut up into apartments returned to a balance of families and those same students. In the last 10 years this trend has reversed and we have seen increased congestion, noise, parking issues and unkempt-trashy homes and yards. As values soar properties are being scooped up by investors and owners who do not live in the neighborhood. Rather they are looking to rent the single family homes to students. The current ADU program even with the proximity to a Trax station limitation should not be allowed in the University neighborhood. The health of this neighborhood requires a balance of the split up party houses and poorly managed non resident single family homes to owner occupied single family residences. Please stop trying to encourage more parking problems and loud parties in our University neighborhood by relaxing the ADU requirements. We believe that relaxing the requirements on the ADU's will make an already bad situation worse. The city's Good Landlord program has helped improve the situation through education and regulations. Multi-unit dwelling management in our area has improved. On our street it is not the 3-18 unit properties that cause the problems but rather the homes with basement apartments or˜granny flats above the garage just like those the ADU program promotes. They are exempt from the Good Landlord program I assume under the faulty assumption that they are owner occupied so of course they will be motivated to manage them well. Homes are being bought by out of state or non resident speculators and they don't care about the quality of the properties or care about the neighbors. Thank you for your service and your time.
10/18/2017 15:28	FF: ADU's	lorri.carrell09@gmail.com	Hello, I want to share my feelings on Accessory Dwelling Units. First, to call ADU's an option for "affordable housing" is erroneous. The real-estate in Salt Lake City proper is expensive just because of the location. We are located close to the downtown area and all the amenities the city provides; cultural events, major business, wonderful dining etc... We are close to the University of Utah, and the University of Utah Medical Center/ hospital. Because of our location, real estate and housing will always be expensive. Look at NYC for example. Anything near or in the city is extremely costly. Im sure many people would love to live across the street from Central Park, but that too is tremendously expensive, so they dont. Its about location. It will always be expensive because they are paying for the location. So what happens? Most people live outside of the city and take the subway or the trains into the city. They live where they can afford. My daughter lives in Astoria and a one bedroom tiny apartment is $2000.00 a month. The further away from the city the more affordable the housing. This is exactly the same it is with Salt Lake City proper. It will always be that way. ADUs will create more housing but it will never be affordable housing, so why label it so? Secondly, homeowners who choose to invest in having a ADU on their property will do so to bring in extra income. They will want to recover the expenses it takes to build or get their units up to code. There may be sewer and waterlines to dig, as well as the building costs, if it is an outside unit. Also there are the remodeling costs, electrical work, etc.. if its in a basement, or over a garage. They will most certainly research what the going rental rate is for an apartment in their area, and they will charge accordingly, plus the amount needed to recover their costs. Therefore the AUD's will not be affordable. Thirdly, my biggest concern is the city does not have enough man power, or money to regulate and supervise these ADU's and make sure the owners are abiding by the rules and codes, especially the rule, "the owner must live on the premises." Investors will try and to get two household rent payments (or more) per property, especially if they know no one is supervising them on a regular basis. It would be easy for an investor to profess they live on the property by changing their mailing address to that property or by paying a tenant to pose as them, or by just by not being available by phone or email. This is the main reason I am very against raising the cap of 25 per year. Lastly; -People will still want the convenience of their cars, so there will be more congested traffic and more crowding because of cars parked in the street. You can see the problem already if you visit areas near the University of Utah or near an apartment area. Just take a drive.

			CONTINUED: -The potential impact of high-density housing on mental health and longevity, respiratory health and chronic disease, as residents are exposed to environmental stressors such as noise from neighbors and traffic pollution could be a problem. Most of the older homes do not have the noise proof insulation needed for big noisy cities. -Most people do not like and will not pay high prices for being crammed together with the lack of parking, increased noise, more garbage cans, congestion, and overcrowding. -There may be short-term benefits but what about the long term? What will our city look like in 50+ years if the city becomes mostly rentals? Inner city? Over time it could lower the desirability of the area. -The very things that bring the influx of people to this valley is the low density, quality single family neighborhoods, a highly educated and cohesive population. Changing the zoning code will increase density and lower the appeal of living here. I came upon a website about the pro's and con's of living in each state, and interestingly the matter of "high density population" was always part of the "Con's" in every state that had that issue. We are fortunate to have nice R-1 areas so close to the amenities of the city. Many cities do not have this benefit. People have to live far away to live in something nice. We need to be careful not to ruin the quiet beauty of the nicer neighborhoods so people will still want to move here. Spacing out the AUD's carefully over the the whole city and not having too many in a given neighborhood is important too. If done properly they may not even be noticeable or have any negative impact. Its important to move very, carefully and slowly, making sure the new zoning laws are vigorously enforced. (Though I am against the zoning change) Maybe selecting, paying and empowering neighborhood citizens, who are invested and care about their neighborhoods, to enforce the rules??? I understand the necessity for providing more housing and that ADU's are part of the solution, but I think it can go very wrong if not carefully, and strongly enforced. I think there needs to be a cap on how many will be allowed. I'd prefer not to pass the rezoning for AUD's because I think it wont be enforced and it has the potential of ruining our beautiful city down the road. Crime is also an issue to worry about. As the population grows the state needs to invest in more public transit with more convenient light rail to bring people into the city. Too bad we can't have a subway system. I also have a question. Will a homeowner be allowed to have more than one accessory dwelling unit on their property if it's big enough? Example: one built in the back yard, one over the garage and one in the basement. I hope not, I think only one should be allowed per property. Thank you for your time
10/20/2017 16:45	ADU	rickg916@gmail.com	1) ADUs need more than just a single off-street parking space. We have a house next door that several years ago had renters in the basement apartment with two vehicles parked on the street. During the winter, as the City plow shoved snow to the curb, their parking reached farther and farther into the center of the Circle. Eventually, I had to veer diagonally just to back out of my driveway to avoid the two parked cars. 2) This apartment was grandfathered into legality as I understand it. Any changes to ADU requirements must include these apartments in any new requirements. Just because families only had one car back in the 1950s and earlier is no excuse to ignore present reality of one car per adult. 3) Adding an ADU above a garage potentially impacts solar access. Current provisions basically leave it up to individual landowners to negotiate any shading issues. This is a cop-out on the part of the City (and State?). Please consider strengthening solar ordinances.

10/24/2017 14:47	FF: ADU's	shorch@xmission.com	Charlie, I have spoken to you about the ADU next to me before. I want to register some concerns about the new proposals for ADUs in SLC.. Parking is an issue. I have resolved the problem for me at least for the moment, but the city is asking for trouble if there are not very clear stipulations about parking. Permitted parking with adequate enforcement will be necessary. With the two families next to me now, as a result of the ADU, there are 5 vehicles. I was having a problem with one or two of those vehicles in front of my house nearly permanently DESPITE available parking on 23rd, the ADU being in a corner lot. I was not happy to NEVER have a space in front of my single garage house. Family members, who visit me regularly to check on me as a senior citizen living alone had problems parking and I didn't have a place to put my garbage cans out for garbage collection. As I said, I have resolved the problem, but only because my neighbor, the owner, understood the thoughtlessness of the previous problematic parking when clearly presented with the issue a second time. I have lived in this neighborhood for more than 40 years with families next to me and across the street having large families of 4 and 6 kids all with cars. But until this ADU arrived 3 years ago, I never had a problem with one parking space in front of my own house. There is space for two cars in front of my house, so I am willing to share one of them and do so regularly, but not to be permanently crowded out of the space closest to my driveway in front of my own house. I think most people would consider a request for that space reasonable, particularly with the narrow driveway and a single car garage that I have. Winter brings its own special problem. If plows can't do their work because incessant parking prohibits them from getting close to the edge of the street, then huge frozen, icy mounds make it impossible, especially for senior citizens, to even get out of their driveways. I feel fortunate that I have no other problems with this neighbor or the tenants in the ADU. This neighbor attends to the outside of his house faithfully, making many improvements. But changing single family neighborhoods into cityscapes with apts. everywhere will certainly change how I feel about this neighborhood and I suspect how others will feel about it as well. If we wanted to live in a higher density area, we would be renters in downtown apts. So, I hope you will consider my concerns. I would welcome hearing from you about this issue in our neighborhood.
10/24/2017 15:46	FF: ADU's	anncoker@msn.com	Dear Charlie and the council, I bought my house on Gilmer Drive 30 years ago because I loved the location, bungalow houses and traditions that it represented. It is a very narrow street, as is Thornton Ave and other streets in this section of town. It has beautiful 1920-30's original houses with character and charm. Parking at this time is already difficult on the street, the houses have some of the smallest lots in the city and we live very close to our neighbors. Allowing ADU's to pop up will destroy the feeling of the neighborhood, make us way too crowded and give us less privacy than we already have. I am definitely opposed to allowing accessory Dwelling Units , particularly in my neighborhood. I hope that writing this letter will not be overlooked and over-ridden because of larger homeowners with more money and political pull than they have architectural taste!
10/25/2017 16:22	FF: ADU's	maryellen.hatch@stoel.com	To Whom It May Concern: I just heard about the ADU proposal which has not been widely publicized. I want to let you know that from my standpoint this is a very bad idea. My neighborhood, St. Marys/Oak Hills area could be drastically impacted by making ADUs widely available. It would adversely affect the value of my home. I live on the "view sideâ€ of my street and if my neighbors below were allowed to build a second story to accommodate an additional apartment, it would significantly decrease the value of my home. When I purchased my home, it was with the understanding that our neighborhood was designed for "single family" dwellings. The concern is also if people want build additional detached "living space"on small city lots. I do not agree at all with this decision. I pay high taxes to prevent these kind of decisions from being made without significant feedback.

10/27/2017 11:33	FF: ADU's	ebcc.chair@gmail.com	I am AGAINST updating the Salt Lake City Accessory Dwelling Unit (ADU) regulations: 1. Approving the latest version of the Salt Lake City ADU ordinance will complete the transformation of ALL single-family zoning to multi-family zoning City-wide. This will have an enormous impact on the safety and character of our neighborhoods as we currently know them. In my opinion, this sweeping, effective change of zoning is the most dangerous aspect of this latest ADU ordinance. 2. One of the City arguments in favor of ADUs is that they will provide more affordable housing. However, just as in Portland, almost all ADUs will be rented for the going rate in that community. The only way ADUs will create more affordable housing is if so many are created that rent and housing prices in the given neighborhood are pushed downwards by a huge margin. ADUs simply will not significantly contribute to whatever affordable housing shortage there may be. 3. If a goal of Salt Lake City is to increase density and provide more affordable housing, then there are alternatives much more conducive to that goal than ADUs. For example, there are entire blocks and areas along main corridors south and west of downtown Salt Lake City which could be developed as mixed-use areas for business and apartments, including affordable housing units. This type of approach would help Salt Lake City achieve the goal of increased density and more affordable housing, with the added benefit of these developments having access to mass transit, and all of this without the destruction of our single-family urban neighborhoods.
10/30/2017 10:27	ADU	lariviereben@gmail.com	ADUs are a great idea and restrictions on their development should be reduced. The 25 unit cap per year seems arbitrary and should be much higher if we actually want to increase infill. parking restrictions should be eased as well.
10/30/2017 16:02	FF: ADU	rayna.lofgren@gmail.com	Hello, I am writing to provide feedback on the allowance of ADU's in all of SLC. I am opposed to these in my neighborhood and would like to see each neighborhood considered separately with public input. I live in Bonneville Hills. 1921 St Marys Drive Thank you for your time.
11/1/2017 18:26	adu's	lslatter@msn.com	we strongly oppose expansion of ADU's throughout the city. Our neighborhood is cohesive and safe. Expansion into our neighborhood would be a disaster.
11/2/2017 12:55	ADU Feedback	kurtis.alward@gmail.com	I hope the council examines results from studies of other cities success with ADUs, and not just opinions of community members (for one side vs. the other). As the city continues to thrive and grow, this has proven to be a great tactic to increase population density in existing family neighborhoods without having to add high-rise or multi-unit apartment complexes, which add even more complexity. The following cities have seen success from loosening zoning requirements and allowing for large-scale adoption, including Portland, OR, Santa Cruz, CA, Vancouver, Canada, cities in Massachusetts, and more. The current allotment of 25/year seems significantly low, and the proposed requirements too strict, to collect actionable data about the success/failure of this ordinance. Or to add value to the city and it's residents. I hope you consider relaxing the requirements and expanding the number allowed per-year to benefit the city's projected growth. Some Sources: https://www.huduser.gov/portal/publications/adu.pdf https://sf.uli.org/small-homes-big-benefit-lessons-three-west-coast-cities/ http://www.npr.org/2017/08/15/543481719/-granny-pods-help-keep-portland-affordable
11/2/2017 15:12	FF: ADU's	sandynield@comcast.net	Please consider not going City wide with the ADU changes. Ogden is currently city wide and neighborhoods are working to be removed. I'm certain you will be faced with the same issues.
11/14/2017 10:58	Accessory Dwelling Units	jammt.oh@gmail.com	Please do NOT change ADU regulations to allow more ADUs! The Sugar House neighborhood with its small houses already has a high density population. Traffic is often congested, making driving, biking and even walking dangerous. (As a walker, I've had several close calls from frustrated drivers running red lights!) Plus, most rentals are frankly dumps - weedy and poorly maintained. Please, learn to treasure our wonderful family-oriented neighborhoods. Don't ruin a good thing.

11/15/2017 9:34	FF: ADU's	micahb.jeppsen@gmail.com	Hello, My name is Micah Jeppsen and I own some property near Trolley Square area of SLC. I have been very confused by the resistance of other residents regarding expanding the possibility of ADU's in SLC. These units are useful for a number of reasons, but one that I find most convincing is housing stock is limited, and these units are useful for people like me that can invest in SLC by providing an additional unit on the market for rent. In terms of short term rentals, I think that the market for short term rentals is flooded as is, and the possibility of these units becoming short term rentals is low. I have a friend that has several short term rentals and he is increasingly facing smaller and smaller profits. Even if some of these units end up as short term rentals, I encourage that as I have seen people who were struggling to get by making their mortgage payments be able to turn it around with some amount of short term rental activity. As Salt Lake City Planning Director, Nick Norris, argued in July 2017, the option to do some amount of short term renting has allowed many people to become homeowners rather than being stuck as renters. Please continue to expand these types of unit offerings. I would like to also suggest that these types of units should be available to multifamily buildings. I have a traditional side by side duplex with no garage. However, i would gladly build one to improve my property and the neighborhood along with removing cars from parking on the street if I were allowed to build a garage with an ADU on top of the garage. It seems strange that we wouldn't expand this opportunity to those who have decided that they couldn't afford a single family home, but went to the multifamily duplex route to try and cover their mortgage payment. Indeed, a duplex is the very same concept of as a single family home with an ADU. Thank you very much for your time and help.

COMMENTS PULLED 12/01/2017

11/20/2017 16:03	FF: ADU's	council.nomail@gmail.com	I'm writing because I became aware of the city council's review of zoning changing allowing for Accessory Dwelling Units (ADUs). I am strongly opposed. I'm concerned they represent an end-run around current restrictions on multi-family development. By allowing ADUs the city would invite over-crowding, exacerbate parking issues, negatively impact public safety and lower the property values of folks like me who have recently made a commitment to owning in a historic downtown neighborhood. Thanks, Rick Bray
11/27/2017 15:57	FF: ADU's	2strongarms@gmail.com	Hi Andrew, This is John Armstrong, I met with you in January/February of this year to relay my Mother's situation (73 yr. old on Navajo Street) and how an amendment to the ADU ordinance would allow her an opportunity to continue to live in SLC without having to sell her home of 50 years. When the City Council dropped it as an agenda item in the Spring, I was disheartened and moved on looking for other housing options for her, none of which have panned out. I realize I've missed most of the party having not seen this on the agenda in September and October but I know you will discuss this again tomorrow in private between the council members. I just want to relay that beyond the dramatic statements and politics surrounding this ordinance, there are real people who could benefit from a vote yes. My mother has lived on Navajo Street most of her life but can no longer afford to live in her home that she raised five children in as a single mother. Now that she lives alone she needs something smaller and more manageable but there are few (none actually) affordable options for her in SLC. An amendment to the ADU Ordinance would allow her to take the last of her savings and build a small home in the backyard of an already large lot. She could keep her home, stay in SLC and make ends meet by renting her house- it would be the solution to her personal housing crisis and could be for many others like her. Please don't let East vs. West politics kill something that could be so good. Thank you, John Armstrong
11/28/2017 9:46	FF: ADU's	being.nathan@gmail.com	Salt Lake City Council Members, My name is Nathan Webster. I live near Liberty Park, am a practicing Architect and founder/director of non-profit performance/production company NOW-ID. I have lived in Vancouver (I am from there) and have seen the success of ADUs there. I strongly support allowing ADUs in Salt Lake City. I would prefer that they be allowed without a 25 per year limit - I have read they are more broadly successful and prove their benefit without such limits. Besides increasing housing stock, assisting homeowners with income, encouraging diversity, innovation, business and community building and interesting neighborhoods, I love anything that makes a move towards increasing downtown density in the hope that more people see the benefit of downtown living... and drive/pollute less and build in already developed areas. I will leave it at that for now. Thank you for your service!! Nathan Webster, AIA NOW Architecture / NOW-ID 510-501-6915

11/28/2017 13:55	FF: ADU's	karen@utahmommy.com	I am writing to show my support for ADUs, IF AND ONLY IF, they are allowed CITY WIDE. Enough is enough with exceptions for the east side neighborhoods. If it's good enough for Salt Lake City, it's good enough for ALL of Salt Lake City. Sincerely, Karen Harris Livin' on the West Side, Grew up on the East Side
11/30/2017 10:16	FF: ADU's	bkoz@arctechllc.com	Dear Councilwoman Mendenhall, Please vote NO on the upcoming consideration for permitting the building of ADU's in Salt Lake City. At least vote NO for expanding these additional units in the East Liberty area. I live on Yale Ave, between 7th East and Lake St. In this one block the street supports 10 apartments in 6 buildings including mine, a single family dwelling. Two of these apartments have tenants with 2 cars each. The block East of ours is in similar straits. The neighborhood along Lake St, from 9th South to 13th South Sts, is also loaded with multi-occupancy dwellings. We have low-income housing at several locations around my house. They are good folks and I have no complaints. We have lost some low-income housing as folks have moved on due to the inevitable gentrification of our great neighborhood that is taking place. Ours is an old neighborhood. Our streets are narrow and there are more and more cars, what with friends visiting an already crowded street. We typically park on part of the sidewalk along Yale, at least until someone complains. Then Parking/Traffic Compliance swoops in and tickets all of us for parking violations. I've lived in the neighborhood for almost 40-yrs. I think I've paid almost $1,000 in parking fines over those years. One year, I paid $250 in fines until I took my ticket to SLC Justice Courts. They provided me a letter suggesting the waiving future fines. In the last 5-years, however, Traffic Compliance has decided the Courts letter doesn't apply and have begun to ticket us again. They willingly ignore our parking accommodation to traffic, at least until there is a complaint. Many of the apartment houses don't have parking available. Our lots are too small or tenants consider their few parking spots in the alley inconvenient or prone to theft. The house on the corner built an ADU and was able to get SLC to install No Parking signs along his side of the street for half the block. That only made the parking problem worse on our block. With the parking tickets, comes a disruption in the delicate parking balance we have developed along the street. We have had City garbage trucks turn back because they could not drive between the cars. Fire trucks have never turned back, but they crawl passed my house when my neighbors and I park legally. I've even knocked off a neighbors side mirror as I drove between legally parked cars. Heaven forbid we have any fires or health emergencies during Pioneer Days at Liberty Park, volleyball tournaments, Shred Fests, or other fun activities we love to enjoy just across the street. Large trucks cannot go down Yale Ave on those days at all. Should the City permit parking on only one side of Yale, as they have done between 8th East and 9th East or along Princeton Ave, the loss of parking space would only make our problem completely unbearable. I've attached some parking photos and the Court letter for your consideration. I have other photos and letters to the City available dating back to 2000 should you want them for further review. Any further expansion of apartments or ADUs in our area will be an incredible mistake. Thank you for your consideration. And please vote NO on ADU expansion and NO on anymore apartments between 7th East and 8th East from 9th South to 13th South Sts.
11/30/2017 10:22	FF: ADU's	council.nomail@gmail.com	Hi Stan, I'm writing to express my opposition to the city's proposal to allow ADUs. I understand that one proposal exempts the Avenues and East Bench, I however live in the Marmalade and feel that ADUs will negatively impact the architectural integrity this historic neighborhood, will create a rabbit-warren effect of increased density in a community with small streets, insufficient parking, as well as a public safety hazard from difficulty of access for emergency vehicles. Ultimately the impact of this will be felt in my property value. It further irks me that this proposal has been modified to exempt the wealthier, more politically connected neighborhoods of the city and thus the burden of additional units will now be more concentrated on those like myself who made the decision to buy a home and raise a young family downtown. I love the charm of the Marmalade, don't allow that charm to be further diluted by ill-thought development. Don't drive me and my family to the suburbs.

11/30/2017 15:23	FF: ADU's	dcwalkenhorst@msn.com	Charlie, I would like to express my concern about the law approving mother-in-law apartments. First, I don't think anyone should be fooled by the name. Many of these dwellings will simply be used for student rent and a profit. In the 28 years I've lived in my current home I have never seen so many cars parked on the street, and so many homes being rented. Street parking is nearly out of control on my street and neighbors are complaining. Mother-in-law apartments are typically built on larger lots where existing homes have room to add on. There are very few lots in my neighbor that reasonably allow for the addition of an apartment. I don't consider turning a garage into an apartment valid, or desirable for an established neighborhood. She said the decision is "indicative" of public sentiment around affordable housing and the desire to exclude "upper-income areas of the city" in the effort, which she said is inconsistent with the policy values the council has adopted to address affordable housing issues.This is not an income issue. It is simply an issue of people knowing the truth and the outcome when we allow this kind of thing to happen. It destroys the very thing that made these quiet neighborhoods desirable. It is apparent that quiet desirable neighborhoods are not in the cities interest. It seems the city is completely consumed with the issue of low income housing. It's all I hear coming out of the city's mouth. Yes, housing is a concern, but finding well paying jobs for people to afford good housing will do more for this city than filling every empty lot with cheap apartments. Violent crime is generally higher in high-density housing . Crime in rentals where owners do not live on or near the property is higher. These facts have nothing to do with income - but with knowledge and the desire to keep our neighborhoods safe and desirable for the next generation. Thanks, Darrin Walkenhorst
11/30/2017 16:51	FF: ADU's	katiecstory@gmail.com	Dear Salt Lake City Council Members and SLC Officials, I hope you all had a nice Thanksgiving holiday. I'm reaching out to you yet again to ask you to consider changing the law to allow up to 4 non related people to occupy a home, provided certain criteria are met (previous letter attached and past correspondence below). I've followed the great progress you've made on ADUs and NOW would be a great time to include this change/exception. A SLC representative knocked on my tenants door again yesterday asking about the number of people living in the home, even though I notified the City back in September that we asked a tenant to move out in an effort to comply with the law. I could rent the home to a family of 12 but not to 4 non related working professionals or students. This is unreasonable, especially given the City's affordable housing crisis. Provided certain criteria are met, as outlined in my attached letter, an exception to this law should be allowed. I would greatly appreciate a reply to this email and a response as to whether or not you support this change and why. I welcome your call anytime on my cell 801-859-4004. Thank you for your time.

COMMENTS PULLED 12/19/2017

COMMENTS PULLED 12/19/2017

12/1/2017 14:39	FF: ADU's	danstrong13@gmail.com	Dear City Council, Attached, please find a letter from the Rose Park Community Council concerning proposed boundaries in the ADU ordinance. This is an issue our neighbors care deeply about, and we hope you will consider their input ahead of any vote. Please let me know if you would like to discuss the issue further. Thank you. Dan Strong Chair of Rose Park Community Dear Salt Lake City Leaders, The Rose Park Community Council is deeply concerned about the recent straw poll vote allowing boundary drawing in the proposed Accessory Dwelling Unit (ADU) ordinance. While we understand the need for compromise in policymaking, we feel the boundary represents an unacceptable compromise, as it will accelerate preexisting inequalities between Salt Lake City neighborhoods. As we have spoken to members of our community about this ordinance, we have heard diverse opinions about ADU's (some opposed, most in support), but across the board, Rose Park residents have been nearly unanimous in their opposition to a boundary that treats East Side communities with special rules. Rose Park residents have long felt underserved and undervalued by city government, and this boundary will further reinforce and validate this sentiment. This boundary will result in divisions deeper than a line on a map. Rather than allowing the City to grow organically which is the principal goal of ADU development the City would create an artificial boundary forcing West Side communities to carry an unequal burden to provide for Salt Lakes increasing housing needs. Why should already wealthy neighborhoods be allowed to encase themselves in amber while historically less affluent neighborhoods continue to bear the costs of the City's rapid growth? The City has changed, and will continue to change and grow dramatically in the near future. We must take the time and put in the effort to create a growth policy for a complete City, available to all, and equitable in opportunity. We urge the City Council to reflect on this decision, look into the future, and make the right choice to foster a unified city. We ask you to please vote against a boundary creating unnecessary and detrimental divisions within our City. Sincerely, Rose Park Community Council
12/1/2017 15:54	FF: ADU's	nickrupp@gmail.com	Stan, Derek: I apologize I'm not able to make time to write at length about this issue (I suppose you should be grateful for that), but I wanted to drop you both a quick note regarding the council's recent "straw poll" re: ADUs, specifically a prohibition on detached ADUs in locally designated historic districts. In short: as owner of two contributing properties in the Central City Historic District and a longtime proponent of historic preservation, I ask the council to remove the prohibition of detached ADUs in local historic districts from any final ordinance. I believe the existing historic design review process for modified or newly constructed detached structures provides sufficient historic protection. To deal effectively with SLC's housing crisis we must err (cautiously) on the side of allowing additional dwelling units whenever possible. (In that vein, I am also strongly opposed to geographic boundaries for ADUs, but that's a topic for another email.) As always, thanks for your consideration and for your service to our city.
12/1/2017 15:56	FF: ADU's	johnphilipdavis@gmail.com	Further to our brief conversation yesterday, I have attached some comments and insights relating to the council's recent consideration of a policy prohibiting the construction of detached ADUs in local historic district. As we discussed, the existing layer of historic design review afforded by the current ordinance protects these neighborhoods and operates to ensure historically sensitive and compatible design of any modified or newly constructed detached structure, whether it be an ADU, a tool shed, or a garage. Accordingly, I strongly encourage the Council to remove a prohibition of detached ADUs in local historic districts from any final ordinance and allow the City's existing preservation policies and design review processes to ensure compatibility of ADU structures detached or otherwise within the City's local historic districts. I sincerely appreciate your careful consideration of the attached comments. If possible, please share these thoughts with the other councilmembers. Thanks as always for the Council's efforts on behalf of the residents of Salt Lake City. Best regards Hi Derek, Further to my correspondence earlier today, I wanted to send you an excerpt form the Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City. This handbook provides both general and district specific design guidelines, and includes a specific chapter relating to Accessory Structures, which are applied by Planning Staff and the Landmarks Commission in connection with determining historic appropriateness. Notably, these guidelines (1) specifically encourage detached accessory structures in the rear of properties vs. attached structures, (2) include several photos/examples of historic accessory structures that have been converted to include living spaces (one of which in fact I have been through during an open house, (3) specifically contemplate converting existing accessory structures to new uses ("Property owners are encouraged to use period-appropriate roof forms and materials if undertaking more extensive projects, such as converting an accessory structure to a new use"), and (4) articulate specific guidelines for historically-sensitive new accessory buildings that relate to compatible mass, scale, roof form, and materials (Design Guideline 9.2).

12/4/2017 12:22	FF: ADU's	soren@communitystudio.us	Councilmembers - I'm glad that the Council is positioned to greatly expand ADU's in many areas of the city. I'm disappointed our neighborhood will not be one of those areas. Our community master plans and city wide Plan Salt Lake, which you helped adopt in the past two years, specifically calls for increasing diversity of housing types for ALL income levels THROUGHOUT the City (see Plan Salt Lake, p. 21). Why adopt this plan, but then oppose the very strategies and actions that will help advance its goals? Everyone in my neighborhood who shops at local stores, eats at local restaurants, depends on emergency services, has their trash collected, and sends their children to local schools, rely on individuals to provide these services who are priced out of a home in the places near where they work. To rely on such services, but tell those who serve us that they are not welcomed in our neighborhood, is a great tragedy. To those of the Council who I know get this, and have championed the city-wide ADU proposal, I thank you from the bottom of my heart. For those who do not yet understand that ADUs on the east bench will not harm these neighborhoods, I invite you on a field trip where I would love to introduce to you the dozen or so individuals and families on my street, 2100 East between 2100 South and 2600 South, who live in ADUs in our neighborhood today. I'm curious which of these individuals you and others opposed to ADUs in our neighborhood think don't belong here. Heather and I purchased a home in 1998 in Highland Park that had a non-conforming ADU, which was created long before the city removed this provision city-wide in 1995. When we bought the home, we had no children, and didn't need all of the space. Renting the basement apartment helped us afford a house that we had to stretch a bit to buy, in a neighborhood we loved. It also gave us some space to grow into as we had one, and then a second child, in that home. For our renter, who was with us for 4 or 5 years of the dozen years we lived there, it was a wonderful chance for a recently divorced father to be able to give his daughter who was often with him on weekends, a home in a neighborhood with friends and a yard, rather than the alternate of living in an apartment complex. We became life-long friends. ADUs benefit both the renter and the tenant, in very important ways. I would love to be able to convert a portion of my basement to an ADU. My daughter recently started studying as a Freshman at Westminster College. She has chosen to live at home to save on the high costs of housing in Sugar House, which has put much housing near the Westminster campus out of reach. Adding an outdoor entrance to our basement and creating an ADU would give her much-desired independence now, and allow us the option to rent a portion of our basement in a few years when our older children have moved out. Unfortunately, because we don't live in the right part of Salt Lake City, that will be out of reach for us with the ordinance that is before the council today. Where is the equity in that? I know that none of my neighbors would likely oppose us having an ADU, since three of the five homes immediately around us and across the street already have ADUs in them. I'm also curious why there is such a hung-up on parking? I have many neighbors who have several kids, each with their own car, and many have to park their cars on the streets and side streets in our neighborhood because they have older homes with two-car garages and all those cars just don't fit in one small garage. Why is it OK for families to park cars on streets, but not OK for an individual, couple or small family living in an ADU to park a car on the street (assuming they even have a car, which some people I know living in ADUs don't)? I seriously hope that
12/4/2017 12:25	FF: ADU's	dakotahreyes@gmail.com	Hello, My name is Dakotah Reyes and I am a resident of Salt Lake City residing in the Lower Avenues. I'm excited to hear about the expansion of ADU's in SLC, but am concerned about exclusion of The Avenues. The Avenues is such a beautiful part of town, with so much rich history, but unfortunately there isn't much diversity AND costs of living in the area are rising each year. By excluding ADU's in The Avenues, the city is losing a huge chance to diversify this area. Inclusion of ADU's means more housing, lower rent, a higher move in rate, leading to more income for small businesses in the area, and even the opportunity for new business in The Avenues. I hope you will consider allowing ADU's in The Avenues.
12/4/2017 16:05	FF: ADU's	bishopdenison@gmail.com	Members of the City Council, I am writing in regards to the proposed "Mother in Law" or ADU proposed ordinance. This proposed ordinance is a horrible plan and poorly conceived. The proposed ordinance will not create affordable housing in the City. It will destroy the character of Salt Lake City. I have attached two photos of units that ALREADY exist in Salt lake City. If the ADU ordinance is approved, this is what will spring up all over the City. Having worked for both local Cities and Counties, studied in a Masters in Urban Planning program and in the final stages of a Maters in Real Estate from the U, I am well versed and educated on the proposal, and would state again, this is a HORRIBLE proposal. Please do NOT pass the ordinance and destroy the City as it currently exists.

12/4/2017 16:39	FF: ADU's	bkoz@arctechllc.com	Dear Councilwoman Mendenhall, Please vote NO on the upcoming consideration for permitting the building of ADU's in Salt Lake City. At least vote NO for expanding these additional units in the East Liberty area. I live on Yale Ave, between 7th East and Lake St. In this one block the street supports 10 apartments in 6 buildings including mine, a single family dwelling. Two of these apartments have tenants with 2 cars each. The block East of ours is in similar straits. The neighborhood along Lake St, from 9th South to 13th South Sts, is also loaded with multi-occupancy dwellings. We have low-income housing at several locations around my house. They are good folks and I have no complaints. We have lost some low-income housing as folks have moved on due to the inevitable gentrification of our great neighborhood that is taking place. Ours is an old neighborhood. Our streets are narrow and there are more and more cars, what with friends visiting an already crowded street. We typically park on part of the sidewalk along Yale, at least until someone complains. Then Parking/Traffic Compliance swoops in and tickets all of us for parking violations. I've lived in the neighborhood for almost 40-yrs. I think I've paid almost $1,000 in parking fines over those years. One year, I paid $250 in fines until I took my ticket to SLC Justice Courts. They provided me a letter suggesting the waiving future fines. In the last 5-years, however, Traffic Compliance has decided the Courts letter doesn't apply and have begun to ticket us again. They willingly ignore our parking accommodation to traffic, at least until there is a complaint. Many of the apartment houses don't have parking available. Our lots are too small or tenants consider their few parking spots in the alley inconvenient or prone to theft. The house on the corner built an ADU and was able to get SLC to install No Parking signs along his side of the street for half the block. That only made the parking problem worse on our block. With the parking tickets, comes a disruption in the delicate parking balance we have developed along the street. We have had City garbage trucks turn back because they could not drive between the cars. Fire trucks have never turned back, but they crawl passed my house when my neighbors and I park legally. I've even knocked off a neighbor's side mirror as I drove between legally parked cars. Heaven forbid we have any fires or health emergencies during Pioneer Days at Liberty Park, volleyball tournaments, Shred Fests, or other fun activities we love to enjoy just across the street. Large trucks cannot go down Yale Ave on those days at all. Should the City permit parking on only one side of Yale, as they have done between 8th East and 9th East or along Princeton Ave, the loss of parking space would only make our problem completely unbearable. I've attached some parking photos and the Court letter for your consideration. I have other photos and letters to the City available dating back to 2000 should you want them for further review. Any further expansion of apartments or ADU's in our area will be an incredible mistake. Thank you for your consideration. And please vote NO on ADU expansion and NO on anymore apartments between 7th East and 8th East from 9th South to 13th South Sts.
12/6/2017 15:58	FF: ADU's	mzroberts@hotmail.com	Hello Charlie, I was going to send email letting you know I was pleased with City council's agreement regarding ADU's, and it seemed everyone could be content with outcome. This morning I read it's back to drawing board and agreement has been placed on hold due to possible discrimination as determined by the Disability Law Center. After all these months of discussion and a compromise finally reached, this discrimination issue just surfaced Monday? Unbelievable. I appreciate your efforts on this issue and am in complete agreement with your view on ADUs. I don't want them in my area for many legitimate concerns. And now what will future bring? Hard to understand all the time and energy and dollars that went into this and now there is nothing to show. I do not Believe ADU's will solve or make an impact on Salt Lake City's affordable housing crisis.
12/7/2017 13:47	FF: ADU's	llkpershing@icloud.com	Dear Councilmembers I encourage you to view the news on the wildfires of Southern CA. One of our Safety concerns discussed you with concerning external ADUs on the East Bench, esp in District 3 and 6 was the invasive, extremely flammable cheat grass covering our foothills. Similar fire dangers to that on view in Southern CA is possible in SLC. It is devastating. Please considers these issues when you draft the new ADU ordinance Respectfully and truly concerned Lynn Kennard Pershing Director of Education KEEPYalecrest

COMMENTS PULLED 01/03/2018

12/31/2017 15:25	Accessory Dwelling Units	ccrawley@gmail.com	Please approve ADU's for all areas of Salt Lake City. This is an important step to providing more affordable housing options within the city limits. Higher population density is what makes the great cities of the world great. Look at Portland, Oregon's growth models for ideas. They have transformed their city through proper zoning for high density.

COMMENTS PULLED 02/01/2018

1/26/2018 10:16	Accessory Dwelling Units Needed ASAP	itssslife@hotmail.com	Hello, I just wanted to let you all know that we need to put priority on getting the Accessory Dwelling Code reformed and passed ASAP. My Personal Oppinion(s): -- Height restriction should really allow for up to 26 feet (this would allow for a more "liveable" structure to be erected. -- Square footage restriction of 720-750 square feet would be nice As soon as the new code is passed I will be submitting plans the following week. Thank You,

COMMENTS PULLED 02/08/2018

1/29/2018 9:13	ADU	jayfederer@gmail.com	I know you are still reviewing the boundaries for ADUs. When is the counsel meeting this spring to announce their decision? Thank you
2/5/2018 14:16	ADU	onlymary@gmail.com	Please finish this process and accomplish the main goal. The gridlock surrounding this issue is just dripping with bureaucratic read tape and fear of change. Meanwhile, there are not enough places to live in SLC and finding a decent, affordable rental in-town, which helps tremendously with air quality and transportation when you live in-town, is going unaddressed in this relatively straight forward solution!

COMMENTS PULLED 02/15/2018

2/14/2018 15:29	FF: ADU's	amircornell@aol.com	Dear Mr. Norris SLC head planner and SLC council members My name is Amir Cornell I live at 1700 E 2700 So in Salt lake city. I reviwed your ADU proposal on page 6 and 6 i notice regardless of size of your property 650 Sqft guest house. I contacted with sarounded cities they have differnt ordinates and zoning .Cities are Milcreek, So Salt lake , West walley, Cottonwood West Jordan , Draper ,Sandy ant Etc. They have differnt ordinates they go by sixe of your prpertiy . Millcreek city is 1 1/2 block from my house I can built 1050 Sqft whicj half size of my current house or 1/3 acre lot size. All above cities futurte guest houses they go by Lot size. We bought our house with big lot for future improvmens My nieghbore east of my house 1749 E has 0.52 acre she love to put duplex apts for her grand children. Please take your time go ride around block from 2100 So to 2700 So and 2000 E to 900 E Please make it simple 1 2 3 make it easy for good citizen like me If you have any question feel free to call me 801 915 5299. Thank U

COMMENTS PULLED 3/7/2018

3/5/2018 10:23	Tiny homes do not = ADUs	egdieringer@gmail.com	So much discussion / worry about Tiny homes being ADUs. Although they may be the same, it is not necessarily the case. The key issue is affordable housing, which smaller homes should help to address.
3/5/2018 13:36	FF: ADU	amircornell@aol.com	AS I read draft copy of ADU (page 5,6) Guest house 650 Sgt . i am recommending adapting your New ADU similar ordinate to Salt lake county cities. please contact Mr Nick Norris planning Dir. 801 535 6173 or Joel Patterson801 535 6141 I live at 1724 E 2700 So Salt lake city south side 1 1/2 block from millcreek city . I have 1/3 acre lot i used less than 25% of my property. If my house was in millcreek city I am qualify for 1100 sft guest house or duplex in my lot. We people of south side of 27700 So bought our properties for refuter development. I contacted with neighboring cities Murry, Midvale , south Salt lake , Holiday , west Jordan, west valley and etc..these cities they go by size if lots . Because of shortage housing in Salt lake city allow to build Duplex in all district. Thank you for your service Amir Cornell 801 915 5299

COMMENTS PULLED 3/15/18

3/13/2018 15:05	Accessory Dwelling Units	itssslife@hotmail.com	Hello, Please approve Accessory Dwelling Units ASAP. I need to build a new detached garage and can't submit any plans or begin construction until ADU's are approved. Thank You, Aaron Johnson Hard Working Tax Payer

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December 4, 2017

Stan Penfold
Chair, Salt Lake City Council
451 South State Street, Room 304
PO Box 145476
Salt Lake City UT 84114-5476

Sent via: Electronic Mail

Re: Proposed ADU Ordinance Amendment

Dear Chairman Penfold and Council members,

In our comments on Growing SLC two weeks ago, the Disability Law Center (DLC) supported the recommendation to encourage additional accessory dwelling units (ADUs) citywide as in small step in addressing our affordable housing crisis. However, as Utah's private fair housing testing and enforcement agency, we were distressed to learn the Council is considering limiting ADUs to areas outside the avenues and east bench. We fear such a restriction will have a discriminatory and disparate impact on lower-income and minority residents, thus violating the Department of Housing and Urban Development's (HUD) Affirmatively Furthering Fair Housing (AFFH) rule.

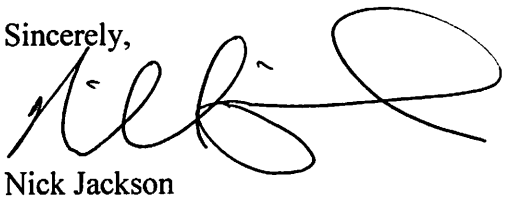
Data from HUD's AFFH mapping tool shows a large majority of residents north of S Temple and east of State Street are white. Students attend relatively good schools. Higher quality jobs are more generally available. The area is also comparatively well served by lower-cost transportation options. Additionally, few households are cost-burdened. Consequently, the poverty rate is one of the lowest in the city. And, while there is some subsidized housing, it is mostly sandwiched south of S Temple, between State St and 2nd E.

The corridor between I-15 and I-215 is almost the mirror image. A large number of the city's residents of color live within it. Students are less likely to have a high performing school in their neighborhood. There are fewer good jobs nearby. There is less easily accessible lower-cost transportation. Many households are also moderately or severely cost-burdened. Taken together, these factors help explain why the area has one of the highest poverty rates in the city.

The AFFH rule's purpose is to increase opportunity for all by decreasing racial, ethnic, and economic disparities. Access to safe and affordable housing in areas of opportunity is crucial to realizing this goal. Unfortunately, restricting ADUs will do nothing to further this objective. In fact - because there is virtually no subsidized housing in the area excluded by the proposed amendment to the ordinance - it may do the opposite, further isolating and segregating residents who are members of federally protected classes. The is why, given the data and the Division of Housing and Neighborhood Development's past commitment to lead out on developing the strategy the rule requires, the Council's proposal is so concerning.

Thank you for your time and consideration of our perspective. If you have questions or would like more information, please do not hesitate to contact us. We look forward to working with you to make sure all of Salt Lake City continues to be as welcoming and inclusive as possible.

Sincerely,



Nick Jackson
Staff Attorney
Disability Law Center

Cc: Nick Tarbet, Patrick Leary, Melissa Jensen, and Nick Norris;
CCF

/am

CMP 6445 – FALL SEMESTER 2017 – URBAN DESIGN RESEARCH STUDIO

Preliminary Discussion Points on Accessory Dwelling Unit Policy in Salt Lake City (updated 27 October 2017)

Instructor: Associate Professor Michael Larice **email:** larice@arch.utah.edu **cell:** (801) 696 4636

STUDIO DESCRIPTION: This intensive urban design research studio focuses on the issue of Accessory Dwelling Units in Salt Lake City. In boom towns across the west, housing prices are rising dramatically and pricing consumers out of the market. Supply of affordable housing and desirable starter homes is not keeping pace with demand. While housing at the suburban periphery continues apace, desirable housing at the center is difficult to manifest. Suburban sprawl and longer work commutes are endangering quality of life, decreasing air quality, and wasting time for commuters. Accessory dwelling units (ADUs) and smaller houses are a means of addressing the supply constraints of inner city housing in creative ways. However, despite their wide-ranging benefits, these housing types are debated and politically opposed in some communities by NIMBY (Not In My Backyard) assaults. Interesting in the context of Utah because of larger properties (from the many Plats of Zion) is that these have already been subdivided many times over in the early part of the 20th Century. In a way, ADUs have historically helped to develop Wasatch Front cities. Challenges to ADUs are newly being answered by recent YIMBY (Yes In My Backyard) movements found in the following cities: Helsinki, Finland, New York NY, San Francisco CA, Austin TX, Vancouver BC, London UK, Seattle WA, Portland OR, and Los Angeles CA, to name just a few of the dozens of cities where YIMBY has taken hold.

Our client for this studio is Salt Lake City's Department of Housing and Neighborhood Development (HAND). This studio is a pilot test for the widespread adoption of ADU policies and development standards in the Salt Lake Valley, and could be extended to other municipalities along the Wasatch Front. HAND will be joining us periodically for reviews periodically during the semester with advice and counsel to help design efforts. The studio this semester will be producing a monograph for our client that provides both research, policy suggestion, development standards and illustrative designs. The first half of the semester will be dedicated to research, analysis and land categorization, as well as development standard development. The second half will involve illustrative designs of ADU types and impacts on neighborhoods. Matching funds have been provided by WFRC.

ANTICIPATED STUDIO PRODUCTS: Key deliverables from this research studio include:
1. A full set of literature, readings, and case studies to educate our client on ADU issues;
2. A complete set of written arguments for and against ADUs to the municipality and cities in general;
3. Parcel level land analysis to understand the potential for ADUs in various neighborhoods;
4. Categorization of residential land types related to different ADU types;
5. Regulatory requirements for each of these land and housing types;
6. Building type illustrations;
7. Neighborhood buildout illustrations by scenario; and Impact analysis.

This 27 October 2017 update incorporates comments and concerns from the City staff and officials through individual meetings and the studio review. Changes to the previous are highlighted in RED.

POLICY RECOMMENDATIONS

The following updated policy recommendations are based on a consensus finding of graduate studio participants (Associate Professor / PhD level Teaching Assistant / 3 PhD students / 5 master students) in a graduate level *Accessory Dwelling Unit Urban Design Research Studio* at the University of Utah. Several other policies were discussed, but are not included herein because consensus was not reached. The recommendations are based on practices found in other cities across the US and Canada, where ADUs are succeeding as housing policy and through implementation: Santa Cruz, CA; San Francisco, CA; Portland, OR; Seattle, WA; State of Hawaii; Barnstable / Wellfleet / Lexington, MA; Vancouver, BC.

1 EMBED ADU POLICY INTO THE CITY'S LARGER HOUSING POLICY VISION: In those cities where officials are serious about implementing ADUs as part of the larger housing policy, little opposition to ADUs is felt across the city. Some cities are projecting ADUs into longer term housing supply and depending on their construction to meet housing supply needs. The city's housing policy vision should support ADUs; and, ADUs should support the city's larger housing policy vision. ADUs can fulfill a variety of housing policy objectives depending on program development; eg, in Santa Cruz in response to housing affordability crisis; in Hawaii in response to mid-market housing crunch; in Vancouver in response to long term projected need. Avoid lip-service to ADU policy; Be Bolder than Boulder.

2 MAINTAIN SINGLE FAMILY ZONING BUT REQUIRE ADMINISTRATIVE DESIGN REVIEW IN PERMITTING ADUs: To help preserve single-family neighborhoods and avoid unwanted optics associated with multi-family housing, do not up-zone single family parcels to higher density levels. This will diminish the need for cumbersome zoning changes. ADUs should be considered part-and-parcel of the larger single-family dwelling unit. To help streamline permitting of ADUs, current planning mechanisms (such as special exception provisions or conditional uses that require Planning Commission approval) are unwieldy and inappropriate for ADU review. Rather, City Planning might devise an administrative review process that can determine if ADU proposals meet regulatory development standards and any design guidelines that are drawn up that apply to new ADUs by neighborhood. Maintaining single-family zoning is in line with other cities that have ADU policies, eg, Beverly Hills CA, where ADUs serve as guest-houses, cabanas, in-law units (whether as rental or non-rental based accommodations).

3 PROVIDE DEPARTMENTAL AND INSTITUTIONAL SUPPORT FOR ADU ADMINISTRATIVE REVIEW, PERMITTING, AND ENFORCEMENT THROUGH A SPECIALIST POINT-PERSON FOR ADU PROGRAM AND POLICY DEVELOPMENT: Many of our case study cities have supplied additional departmental support for ADUs by hiring an ADU specialist or assigning an existing employee with ADU administrative review and enforcement responsibilities through permitting. This specialist employee can provide permitting and approval functions for ADUs, in addition to setting up design guidelines, tailoring ADU expectations on a neighborhood-by-neighborhood basis, understanding neighborhood character issues, and creating a positive experience for ADU construction and implementation. One of the better examples from our case studies is found in Seattle where an individual record of each ADU is kept to ensure institutional and regulatory memory of the permitting for the specific parcel. The goal of this policy is to transform the ADU experience from 'enforcement by complaint' to 'enforcement through permitting.' Departmental support should not come in the form of an 'ombudsman,' but rather as an ADU specialist or program director. Ombudsmen typically take complaints and process them. Rather than a complaint manager create a point-person who can craft and direct an aspirational ADU policy and program.

4 PROVIDE INCENTIVE-BASED PROGRAM SUPPORTS FOR ADU IMPLEMENTATION: The most progressive ADU case study cities provided a variety of different program supports tied to housing policy goals to incentivize ADU construction. Most cities provide some type of guidebook (either paper-based or online) to help homeowners understand the steps and processes to get ADUs implemented. Several cities provided permit fee waivers or property tax discounts in exchange for affordable renter agreements. The City of Portland, Oregon is probably the most progressive in providing programming in support of ADU expansion, helped in no small part by the local non-profit ADU support group. These program supports include: local tours of successful ADUs, ongoing research and metrics for ADU achievement in the c ity, how-to instruction guides and fee waiver advocacy. Hawaii provides full how-to kits for their Ohana Units ('ohana' means family). Santa Cruz, CA hired a handful of architects to develop illustrative ADU designs to show how ADUs could be designed and developed. Here in SLC, the research design studio is suggesting other programs, including: experimental designs associated with slim tower ADUs, tiny houses on wheels, and front yard ADUs that become additions to the primary dwelling unit. One of our more innovative suggestions is a neighborhood nexus where fees collected within a neighborhood or council district be collected into a discreet fund to be reinvested back into the neighborhood for local improvements and urban design upgrades.

5 ALLOW ADUs IN COUNCIL DISTRICTS WHERE THEY ARE DESIRED: To avoid pushback by neighborhoods where ADUs are unwanted, do not force ADUs on those Council Members or neighborhoods where they are perceived as a potential threat to current quality of life. In several of our case study cities the goal of universal city coverage was achieved through an incremental rollout of ADU policy over time. San Francisco started out with ADUs in only two districts before it was expanded to complete coverage over the City. Daybreak Utah is also using an incremental model of rollout to determine acceptability of higher intensity land uses. Gradual geographic adoption of ADU policy allows hesitant parts of the city understand the benefits of ADUs and associated policy as it is tested in other areas of the city first. These first adopters of ADU policy will enable the city to test policy, uncover loopholes, and understand benefits toward the larger universal coverage. Time will also allow various incentive programs and ideas to be developed and checked on the way to citywide adoption. The Planning Commission has already approved an ADU boundary map that excludes the Avenues and the East Bench from universal coverage of ADU implementation across the City. Maintain this boundary until such time that those districts want to participate fully.

6 LET ADUs DEVELOP NATURALLY WITHOUT LIMITS ON THE NUMBER OF PERMITS PER YEAR IN DISTRICTS WHERE THEY ARE ALLOWED / USE A PERMIT CAP IN DISTRICTS THAT WANT TO TEST THE EFFICACY OF ADU POLICY: To better test ADU popularity and appeal, do not limit the number of ADUs built each year in districts where they are allowed. One of the better metrics that we've discovered in our case study examples is the growth of ADU permitting and construction over time as a metric of success. Examining the changes in ADUs per year is a great gauge of how various program supports can help in the expansion of ADU implementation over time. In Portland, it is not surprising that ADU construction expanded considerably when a fee waiver program was implemented. Putting a cap on ADU permits will ease the fears of those who would not adopt ADU policy outright (or universally across the city) at the beginning of the policy, but it also hampers potential success. If Council Districts in the Avenues and East Bench want a gradual and incremental rollout to test ADU efficacy, put an arbitrary cap in those districts. Over time then, ADU policy can be evaluated and amended at a later date within

those specified districts. In all cases, as suggested by Council already, ADU policy across the City should be re-evaluated after a few years to determined workability of the policy.

7 ALLOW ONLY ONE ADU PER SINGLE FAMILY PARCEL: To help preserve neighborhood quality and guide neighborhood improvement, allowing only one ADU per parcel should be the norm. While this research studio has not engaged the attic or basement ADU type (the IADU: Interior ADU) [many of which are illegal], we think that only one ADU should be allowed per parcel. Vancouver BC allows one detached or addition-based ADU, in addition to another IADU, which has been proven to work there over a multi-decade period of testing. Most IADUs in Salt Lake City are currently illegal units, which should be considered in conjunction with future permitting. This recommendation is in line with the previous Planning Commission ordinance update. If an illegal ADU exists on a property, a second ADU should not be permitted.

8 AS STATED IN THE CURRENT PLANNING COMMISSION APPROVED ORDINANCE UPDATE, REQUIRE SINGLE FAMILY PARCEL HOMEOWNERS TO BE A RESIDENT ON THE PARCEL IN EITHER THE PRIMARY DWELLING UNIT OR THE ACCESSORY DWELLING UNIT: Nearly all of our case study cities require the homeowner of the parcel to be a resident on the parcel. This serves several purposes: to keep an eye on upkeep and maintenance of the grounds and units; to help control the design of the ADU in conformance with primary residence and the larger neighborhood; to continue seeing the ADU as in investment in the long-term value of the property; and to be able to control renter selection with respect to their own personal limits and tastes. Research studio participants took umbrage with suggestions that renters have an adverse impact on neighborhood quality, particularly since homeowners are self-selecting their renters (and typically since half of ADU residents are family members). However, in considering larger ADU policy, a couple of issues remain unresolved, including changes to ownership after sale of the property, and the issue of family trusts who may become absentee landlords over time. These issues will require additional discussion. The ordinance currently **implies** the disallowance of absentee landlords in ADU permitting. The ordinance should be more explicit in stating that absentee landlords not be allowed to construct ADUs; largely to avoid the poor maintenance often seen on single-family rental parcels; but also with respect to renter selection (which can often be at odds with neighbors).

9 THROUGH INTERNAL ADMINISTRATIVE REVIEW PROCESSES, THE ADU SHOULD BE PERMITTED TO BE MATERIALLY AND/OR STYLISTICALLY COMPATIBLE WITH THE PRIMARY DWELLING UNIT TO HELP PRESERVE NEIGHBORHOOD CHARACTER: To calm fears of current residents that neighborhood quality of life might be diminished, new ADUs should be designed to be in consonance with primary residences, if not exceeding them in quality. One of the objectives of ADU policy should be to improve the value of both neighborhoods and residences (optically, both the homeowners dwelling unit value as well as their neighbor's). Through internal administrative review within the permitting agency of the City, the new ADU should be designed in a manner that harmonizes positively with the neighborhood and the primary residence. Where the primary residence is dated and aesthetically unpleasing, the ADU should seek to improve the overall property value through higher level design. To avoid discretionary review, design guidelines should be developed and administered through the City Department responsible for ADU permitting. These guidelines should be embedded within the regulatory development standards associated with zoning. This policy recommendation in no way suggests that current design replicate antiquated styles, but rather is compatible and harmonizes with the spirit of primary dwelling units, as well as the larger neighborhood.

10 THE MAXIMUM 40% OR 45% FOOTPRINT COVERAGE AREA OF BUILDINGS ON THE PARCEL SHOULD BE FURTHER STUDIED TO DETERMINE IF THIS DEVELOPMENT STANDARD IS REALISTIC WITH RESPECT TO AN ASPIRATIONAL ADU HOUSING POLICY: To control overbuilding and maintain an acceptable amount of open space on the parcel, the building footprint coverage on any parcel should be determined contextually. What we are discussing here is building footprint coverage and not overall square footage of the new ADU, which will be regulated by development standards per ADU type. Four ADU types are being considered for this policy: 1. An addition to the existing primary dwelling unit; 2. A laneway cottage that is accessed by an alleyway to the rear of the property; 3. A backyard detached cottage; and, 4. An over-garage unit. Different coverage and volumetric square footage allowances should be developed for each of these types. The exact design and siting of the ADU on any parcel in any particular neighborhood should be controlled and permitted through administrative design review of the site plan. We do not think that a universal development standard is effective in considering the substantially different neighborhood forms we have researched in SLC. A universal 40% building footprint coverage may be unrealistic in permitting ADUs on certain lot sizes. This needs further study on a neighborhood by neighborhood basis, rather than from a universal development standard. While we do not reject the 40% building footprint coverage outright, it may need adjustment for certain smaller parcels; as a principle of ADU fairness and equity for different parcel sizes.

11 MAXIMUM ADU HEIGHTS SHOULD BE TIED TO THE EXISTING DEVELOPMENT STANDARDS OF THE PARCEL, WHILE TAKING PRIVACY AND VIEWSHEDS INTO CONSIDERATION: Rather than limiting the heights of new ADUs to arbitrary height limits (24' ridgelines or 20' flat roofs) or to primary dwelling units (which are often under-built within their zoning entitlement) building heights should be controlled by the same development standard associated with the zoning entitlement of the parcel. Much of the worker housing that was constructed in Sugar House, Center City, and the Westside could be improved by increased intensification of the new ADU with increased heights. Many of the houses in these areas allow 2 story building heights, but currently are only built to a single story. In allowing the current zoning entitlement, neighbor privacy and views should also be taken into consideration through internal administrative review. Windows should avoid overlooking onto neighboring parcels where possible. When not possible, windows should be glazed with obscured glass, while still allowing light into a room and allowing emergency egress. Balconies should only be allowed to overlook the backyard of the primary dwelling unit of the homeowner's parcel. Through administrative site visits during permitting, ADU officials should examine parcels and potential ADU siting to understand the privacy and view concerns of neighbors. Building setbacks for existing garages in conjunction with building permit processes already control placement of some windows where setbacks are narrower than currently allowed. This is a suggested amendment to the current Planning Commission ordinance update.

12 ONE ON-SITE PARKING SPACE SHOULD BE REQUIRED FOR AN ADU, ALLOWING ADMINISTRATIVE EXCEPTIONS WHERE THIS IS SPATIALLY NOT POSSIBLE: In most of our case study cities, parking is a major concern in adopting ADU policies. One on-site parking space should be required per new ADU that is approved in the city. This parking space can be configured in a number of ways to fit to the parcel. However, in support of the overall expansion of housing stock in the city, the construction of new ADUs should remain a possibility, even when parking cannot be accommodated on-site within the parcel boundaries. When this is not possible, the ADU applicant should apply for some type of administrative exception to allow curbside parking. Potential complaints from existing residents about excessive current curbside parking should be taken with a 'grain of salt' with regard to ADUs. Parking research in

Portland suggests that curbside parking of ADUs hovers around .49 spaces of curbside parking per new ADU, and that alternative means of transportation are typically sought by Portlanders in ADUs. During administrative site review during permitting, Salt Lake City ADU officials should determine curbside capacities in the neighborhood (in addition to how the primary homeowner is utilizing current on-site parking). In many cases, parking is limited within primary residences because garages are filled with stuff unrelated to parking. In flat areas of the City where cycling is a true opportunity, or areas within ¼ mile of primary transit stations, the City should probably lower the parking requirement of new ADUs. This policy recommendation is largely in line with the previous Planning Commission ordinance update, except for the administrative curbside exception.

TYPICAL ARGUMENTS FOR AND AGAINST ADUs

As part of the larger studio document that will be produced at the University of Utah, students will be writing typical arguments for and against Accessory Dwelling Units. These arguments have been culled from research on ADUs associated with NIMBY and YIMBY movements, as well as the city case studies undertaken by each student. The arguments are divided into five categories as illustrated below. Through all of our research, the argument in favor of ADUs has far outweighed the arguments against.

A: CITY / PUBLIC SECTOR ARGUMENTS FOR ADUs

A1. increase the intensity and density of the city
A2. improve environmental quality / reduce carbon footprint / air quality
A3. reduce commuting and VMT
A4. increase tax revenue for the city / possibly with a neighborhood nexus return
A5. inhibit sprawl and conserve land resources
A6. help to fill the mid-market housing gap
A7. aid in economic development for city/region, especially construction and materials
A8. encourage broader and increased modes of alternative transportation
A9. aids in transit ridership numbers
A10. can be embedded within the city's larger and long/term housing policy

B: HOMEOWNER / PRIVATE SECTOR ARGUMENTS FOR ADUs

B1. increase property values with new investments
B2. provide additional rental income to boost domestic budgets
B3. provide de facto security / eyes / house sitters / dog watchers / babysitters
B4. can enhance neighborhood quality of life, stability, livability
B5. provides numbers for new service provision: transit, parks, schools
B6. provide opportunity for extended family housing and aging in place
B7. infrastructure is already in place / land is already acquired
B8. homeowners have choice in renters / known entities / 'people like us'
B9. domestic control over the quality of construction and development / based in local taste
B10. retains the small scale quality and character of neighborhoods (with design supports)

C: HOUSING CONSUMER ARGUMENTS FOR ADUs

C1. produce new and diversified housing stock
C2. encourage new affordable housing or starter spots for housing-gap consumers

C3. provide more fine grain / human-scaled housing with home-like supply choices
C4. reduce stress associated with anonymous high density living & commuting
C5. provide more individuated space than corporate affordable and market rate rentals
C6. reduce prevalence of absentee landlords who abdicate property upkeep
C7. general increase in the quality of life.

D: SOCIAL ARGUMENTS FOR ADUs

D1. provide multi-generational housing and learning opportunities
D2. improve potential for social sustainability
D3. private sector produced housing is less expensive than NPO/Govt produced housing
D4. enhance retail resiliency and provide new retail opportunities
D5. may provide housing opportunities for the homeless and disenfranchised (with supports)
D6. it takes a village / so make a village
D7. cater to changing demographic trends / changing nature of the economy
D8. greater neighborhood vitality / intensity / more people / enriched community life
D9. decrease reliance, institutional pressures & growth of hospice care for rapidly aging society
D10. can help reinforce or newly brand a sense of local place / difference in neighborhoods

E: ARGUMENTS FOR SPECIFIC ADU HOUSING TYPES

E1. Over-garage ADUs benefit from using existing footprint coverage in existing locations
E2. Laneway or (alley-based) ADUs provide suitable privacy for both units due to alley entry to the ADU
E3. Any addition-based ADU (in back or front yards) will only require building permit review
E4. Experimental ADU types could be pilot tested to determine efficacy and work out design kinks
E5. Detached ADUs may provide the greatest 'quality of life' and sense of home for ADU residents

F: ARGUMENTS AGAINST ADUs

F1. impairs the privacy homeowners enjoy / overlooking onto neighboring property
F2. harms the character of the neighborhood / doesn't match existing character
F3. inability of the city to enforce ADU regulations and upkeep of the units
F4. creates too much curbside parking / "my guests will have no place to park"
F5. will introduce renters into the community who don't respect the neighborhood
F6. poor ADU implementation and upkeep will harm the value of primary residences
F7. endangers the few single-family housing neighborhoods still existing today
F8. will raise my property taxes too much / especially while on a fixed income

JACQUELINE M. BISKUPSKI
Mayor

DEPARTMENT *of* **COMMUNITY**
and **NEIGHBORHOODS**

CITY COUNCIL TRANSMITTAL

Patrick Leary, Chief of Staff

Date Received: March 9 2018
Date sent to Council: March 12 2018

TO: Salt Lake City Council
Erin Mendenhall, Chair

DATE:

FROM: Mike Reberg, Community & Neighborhoods Director

SUBJECT: PLNPCM2014-00447 Accessory Dwelling Units

STAFF CONTACT: Nick Norris, Planning Director 801-535-6173

DOCUMENT TYPE: Ordinance

RECOMMENDATION: That the City Council consider the options and adopt the ordinance

BUDGET IMPACT: none

BACKGROUND/DISCUSSION: During the December 6, 2017 City Council work session discussion the on proposed ADU ordinance, the Council asked that the Planning Division consider the following items related to the proposed ADU ordinance:

- Consider using the conditional use process for reviewing ADUs;
- Address issues related to using ADUs as short term rental units;
- Address enforcement issues, particularly through recording deed restrictions for approved ADUs;
- Correct some of the technical issues associated with the proposed ordinance so that it is easier to understand and administer; and
- Review some of the public concerns with ADUs and consider addressing those concerns.

The Council stated that they did not expect that any changes be sent back through the Planning Commission for review and input.

The Planning Division has done a review of the ordinance and made modifications to the ordinance based on the direction provided by the Council. An updated ordinance is attached. For the purpose of this transmittal, those changes are discussed in the section titled "Modifications to the ADU Ordinance." This section includes an explanation of what has changed, including some

technical changes being requested by the Planning Division to remove vague language, improve the ability to administer the ordinance, and remove references to certain requirements that are already in city code.

The Planning Division also further analyzed the entire ADU ordinance to better understand the impacts of the ordinance, including:

- What the City can expect in terms of the number of ADUs based on cities with similar ordinances;
- The impact that the proposed updated ordinance would have on Planning Division staff and Planning Commission workload, and
- The effectiveness of the updated ADU ordinance in achieving citywide housing goals now that Growing Salt Lake has been adopted.

This analysis can be found in attachment A.

<u>ADUs and the Conditional Use Process</u>
Current Ordinance: allows ADUs if associated with a single family dwelling unit if that property is also within ½ mile of a transit stop.

Planning Commission Proposal: eliminated the ½ mile requirement but imposed a boundary line that basically would have prohibited ADUs in the Avenues when located east of Memory Grove and north of South Temple as well as in the East Bench if east of 1300 East and north of I-80.

Updated Proposal based on Council Direction:

1. Eliminate the boundary in the Planning Commission Proposal;
2. Make ADU's a conditional use in the FR and R-1 zoning districts. These are the zoning districts that only allow detached single family dwellings; and
3. Make ADU's a permitted use in all other residential zoning districts that already allow duplexes, triplexes, and multi-family as permitted uses.

The recommendation in the updated proposal is based on the land uses that are already allowed in each residential zoning district. The proposal recognizes that in the zones that only allow single family residential uses that ADUs will have some impact that is greater than that of a single family dwelling. The conditional use process was chosen because:

- There is a public process that allows neighbors the opportunity to help identify specific impacts;
- The approval body is the Planning Commission, not staff; and
- The zoning ordinance already has a list of detrimental impacts that are to be considered when reviewing a conditional use.

One of the issues with the conditional process is that a conditional use is required to be approved if impacts can be mitigated. Conditional uses in the city are required to go through an early notification process and be presented to community councils. Often times it is stated that a community does not support an ADU and that it should be denied. Legally the city cannot deny a conditional use based on lack of support. The only way a conditional use can be denied is if there is a detrimental impact that cannot be reasonably mitigated.

The condition use process may not appease all concerned stakeholders. The Planning Commission cannot consider "public clamor" when considering a conditional use. Public clamor can be summarized as emotional or baseless opinion on a matter. Examples of public clamor include statements like "this proposal will lower my property value" or "this proposal will make it impossible to drive up and down my street." These are opinions that are not typically backed up by any facts.

Conditional uses legally have to be approved if a reasonable, detrimental impact can be mitigated. Mitigated means reduced and does not necessarily mean eliminated or even substantially eliminated. This has been determined through case law in Utah. HB 377 Land Use Amendments is a proposal before the Utah Legislature to codify this by adding the following statement to state code section 10-9a-507(2)(a)(ii):

> The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.

For example, if a neighbor raised a concern that a dumpster location for a business is right next to their fence and is concerned about the odor, overflow of garbage, and the dumpster attracting rodents, then the Planning Commission can require the dumpster to be located further from the property line to lessen the detrimental impacts of the use.

The conditional use process is a good way to inform the community about development proposals and identify potential impacts. It also establishes a "record" of decision making that is kept forever and used during an appeal process. These considerations often outweigh the negatives of the conditional use process.

The conditional use process does provide the city with additional enforcement tools if an owner of an ADU violates any applicable regulation or condition of approval. It does not make it easier for the City to deny a conditional use for an ADU because it is highly likely that any detrimental impact could have conditions imposed that would reduce detrimental impacts.

After analyzing this issue, the Planning Division would prefer that all ADUs be permitted uses in all residential zoning districts. However, understanding the competing goals and values that have been raised, understand that the conditional use process could be used for ADUs when located in single family zoning districts to help address unforeseen negative impacts. This acknowledges that an ADU may have an impact that is greater than a single family home and that a review process to identify and verify those impacts is appropriate. It should be noted that the conditional use process will discourage some property owners from building ADUs on their property and will add 60-90 days to the approval process. Both of these make it more difficult to develop this type of housing in the city.

In zoning districts that already permit more than one dwelling unit, the Planning Division is recommending that an ADU be a permitted use and not include any sort of special land use approval. This is because the SR-1A, R-2, SR-3 and RMF zones already allow two-family dwellings as permitted uses and the impact of an ADU is somewhere between a single-family

dwelling and a two-family dwelling, but the impact is less than all other residential uses allowed in these zones. ADUs also have size restrictions (floor area, height, lot coverage, rear yard coverage) that are intended to lessen impacts.

There will be an increase in workload for Planning Division staff and the Planning Commission. The approach discussed above would reduce the expected increase in staff workload and Planning Commission workload versus requiring all ADUs to go through a conditional use process. An additional option would be to allow an ADU as a permitted use in all zoning districts, but require a conditional use for detached accessory structures in the single family zoning districts.

In historic districts, requiring a conditional use for an ADU would add an additional process to the processes already required for new construction or major alterations to properties located within a local historic district. Allowing an ADU by right within historic districts supports the goals of preserving historic structures and would take some pressure off of properties that may not have many land use options other than single family dwelling use.

The Impact to Planning Division and Planning Commission Workloads

Requiring ADUs to go through the conditional use process will increase the workloads of the Planning Division and Planning Commission. The Planning Division processes an average of 26 conditional use applications per year. A conditional use for an ADU would have to be reviewed by the Planning Commission because all conditional uses that are located in a residential zoning district are required by ordinance to be reviewed by the Planning Commission. In 2017, the Planning Commission reviewed 87 applications in 23 meetings that took a total of 94 hours; the applications consisted of master plan amendments, zoning amendments, planned developments, conditional uses, design review, special exceptions and subdivisions. This equates to an average of 1.08 hours per application and an average meeting length of 4.08 hours.

The impact of requiring a conditional use for an ADU could only be determined by the number of applications that are received. For every 5 applications received, the workload would increase approximately 5.5%. If 10 applications are submitted, it would be an increase of 11% to the workload of the Planning Commission and extend the Planning Commission meetings by 10.8 hours per year and the average meeting could increase to 4.5 hours in length. The impacts could result in longer meetings and longer processing times for all land use applications. The impact to workloads is reduced by requiring only those ADUs in FR and R-1 zoning districts to go through the conditional use process and listing ADUs in all other residential zoning districts as permitted.

Processing a conditional use takes approximately 40 hours of staff time from the time an application is submitted to the time an application is approved. The 40 hours includes application intake, making sure the application is complete, meeting with the applicant, public engagement, analyzing the proposal, writing a staff report, and all the steps necessary to get the item to the Planning Commission. The 40 hours does not include time required by supervisors to review the staff reports or administrative staff time to prepare everything for the public hearings. If each application averages 40 hours of staff time, there would be approximately 200 hours of staff time that would need to be allocated for every 5 applications. 52 applications would equal a full time

employee. In 2017 we received the equivalent of 54 applications per planner. It is important to note that every ADU application will require some work by the Planning Division even if the proposed ADU is permitted. This extra time is due to the proposed 30 day noticing period, issuing a zoning certificate, and reviewing and recording a deed. These things don't occur with other permitted uses and are additional work not performed with other conditional uses. Utah Code 10-6-160(3)(a) states that "a city shall complete an initial plan review for a one to two family dwelling or townhome by no later than 14 business days after the day on which the plan is submitted to the town." A proposed change being discussed during the 2018 Utah Legislative session would make this section even more restrictive. The proposed ADU ordinance requiring a 30 day waiting period before a zoning certificate is issued could conflict with this state law because a zoning certificate is only issued after a full building permit review is done because it represents the approved development. If we are required to issue the permit within 14 business days, holding the zoning certificate for a full 30 days would not serve any purpose because the city would be required to issue the building permit according to state law.

Increasing the number of applications that the Planning Division is working on reduces the amount of staff resources that the Planning Division has to work on other things. The impact is primarily to master plan implementation and helping other departments and divisions with their planning needs.

The Planning Division has seen a 40% increase in the number of land use applications since 2011. In order to accommodate the increase in number of applications, the Planning Division has had to delay working on city desired or initiated applications and make changes to some land use processes to free up staff time. For example, some public processes have been changed (notice of application for special exceptions vs public hearings) or eliminated (no public process in the form based districts, reduced the number of land uses that were listed as conditional in the land use tables).

There has been some suggestion that the city allocate resources to either develop design standards for ADUs or to designate an ADU planner to answer questions and review ADU proposals. The number of ADU applications that we expect to receive does not warrant the allocation of staff resources at this level to either of these suggestions. The Planning Division would have the capacity to make information sheets to help demonstrate the regulations and process. The projected number of ADUs that can be anticipated indicates that ADUs will play a small role in helping achieve the city's housing goals. Planning Division resources would be better allocated to remove zoning barriers that are limiting the construction of new housing and developing zoning incentives to promote new housing construction because these things are more impactful to helping the City achieve its housing goals.

<u>ADUs and Short Term Rentals</u>
Current Ordinance: the existing ordinance does not address short term rentals.

Planning Commission Proposal: does not address short term rentals.

Updated Proposal based on Council Direction: prohibit an ADU from being used as a short term rental.

The Planning Division is recommending a restriction be placed on using ADUs as a short term rental. The short term rental issue is a growing concern for many communities. Short term rentals require a focused analysis and approach that involves multiple city functions and programs beyond zoning. Until that is done, they should be prohibited in an ADU.

Addressing Enforcement Issues

Current ordinance: doesn't address enforcement directly, but does include a number of requirements that a property owner would have to comply with in order to obtain city approval for an ADU.

Planning Commission Proposal: includes all of the requirements in the current ordinance.

Updated Proposal based on Council Direction: adds the conditional use process for ADUs in single family zoning districts.

One of the primary concerns raised by residents relates to the perceived lack of enforcement of city ordinances. This perception exists regardless of the status of the ADU ordinance. There are a few key elements of ordinance enforcement that have to be present to enforce any regulation:

- The regulations have to be clearly written so there is no dispute regarding what the regulation means;
- The City has to be able to prove that the violation has occurred; and
- The City needs to have the tools to remedy the violation.

One of the key items listed above is that the City has to be able to prove that a violation is occurring. Violations that are clearly visible are relatively easy to prove. Violations that are not clearly visible are much more difficult to prove. Without proof, a city would not have justification to take an enforcement action.

Most of the ADU regulations address visible impacts, such as parking, building location, building height, and design standards. However, enforcing the number of unrelated people living in a dwelling requirement and owner occupancy requirements are going to be difficult to enforce. Complaints about the number of unrelated people living in dwelling are particularly difficult to prove because outside of public records, the city often has no proof whether occupants are related or not.

The owner occupancy requirement would require a search of property transactions that may have involved a property that include an ADU to see if anything has changed. Property can be owned in basically three ways: in an individual name, in joint names with others, or by contract rights. The proposed ordinance requires that a property owner be one of these three. However, it limits the contract rights to those involving a family trust. Other contractual forms of ownership would not be eligible for an ADU. Second, it requires all owners to live on the property. This means that there are some properties owned in joint names would not be eligible unless all of the people named on the deed live on the property. There are countless combinations of relationships that could own a property jointly. If the primary purpose of the owner occupancy requirement is to avoid absentee owners with a lack of attention to the property creating nuisance issues, the

ownership requirement is more restrictive than it has to be to accomplish this goal. It could be modified to be more flexible towards the variety of property ownership arrangements and not require every listed owner or every listed trustor to reside on the property.

The deed restriction requirement helps notify new buyers that owner occupancy is required for the ADU, but it does not help enforce owner occupancy requirement other than providing a counter argument to a claim that an owner did not know about the owner occupancy requirement.

Technical Issues associated with the Planning Commission Proposal
Current Ordinance: not applicable

Planning Commission Proposal: contains multiple instances of vague wording associated with some of the standards for ADUs.

Updated Proposal: includes the following category of changes:

- Reorganizing the ordinance so that standards that apply to ADUs that are internal to a single family dwelling are in one section, standards that apply only to detached ADUs are in one section, and standards that are applicable to all ADUs are in one section.
- Changing the wording of some standards so that they are easier to understand, enforceable, and better address some of the impacts identified by neighbors.
- Adding design standards to address compatibility with principal structures.
- Deleting references to other code sections when they are not necessary because they are found in other code sections.

The technical changes are aimed at making the ordinance easier to administer and understand. The changes also take into account changes to State Statutes that were adopted and made effective in 2017 that address vague language. The intent is to eliminate vague language because language that is vague is required by state law to be interpreted to favor the land use application and results in some standards and requirements not being able to be applied or enforced by the City. In the attached ordinance, the technical changes are indicated by either a double strike-through line for those items being deleted or with a double-underline for those items being added or reorganized to a different section.

How the Ordinance Addresses Concerns Raised by Neighbors

Although not specifically asked for by the Council, the Planning Division received a number of comments from people who feel like their concerns have not been addressed in the ordinance. This section explains how the ordinance addresses specific themes that have been raised throughout the process.

Privacy is often cited as a concern associated with ADUs, particularly when an ADU is located in a detached accessory building. The Zoning Ordinance does not list privacy as one of the general purposes. Privacy is also not one of the considered detrimental impacts associated with conditional uses because it is difficult to measure. Privacy is, however, a by-product of zoning regulations because the zoning regulations establish what property owners can expect to occur next door. Privacy is generally impacted by the setbacks, height, window locations, outdoor

living space, and points of access, although the primary purpose of these types of regulations is to provide adequate light and air and mitigate against safety hazards, such as fire.

Window location on the second level of a detached ADU has the highest impact on the privacy of next door neighbors because a detached ADU can be located within the rear yard setback. The rear yard setback is an area where neighbors do not expect a dwelling unit because the principal building cannot be located in the rear yard setback. The Planning Commission proposal included vague language to address window locations and sizes. The updated proposal states that windows shall be no larger than the minimum required by the building code for egress, light, and air circulation and requires the glass to include glazing that prevents clear views from the windows into adjacent yards or requires the windows to face the interior of the subject property (and not the side or rear property lines) or face a public street or alley. The updated proposal does allow windows in existing structures to remain, but they would need to include obscure glass if located on a second level facing a side or rear property line.

Outdoor living space (such as decks and patios) also generated concerns regarding privacy. The existing ordinance does not address outdoor living space. The Planning Commission proposal limits the size of outdoor decks, balconies, and rooftop gardens and requires them to face an alley or corner side yard and prohibits roof top decks. The updated proposal maintains these requirements when a balcony or deck is located on a second level, but removes limits on rooftop gardens because a green roof does not have an impact on a neighboring property.

Building entrances can also impact privacy, particularly when an ADU is accessed from exterior stairs leading to a second level ADU. Ground level entrances create minor impacts to privacy. The updated proposal includes standards about entrance locations and requires them to be further from a property line if they are accessing an ADU above the ground level of the building.

Setbacks determine how close a building can be to a property line and along with building height are the primary regulations that help determine how much development can occur on a residential property. The updated ADU ordinance requires ADUs that are part of the principal dwelling to meet the same standards as the principal dwelling. Detached ADUs have to be at least 4 feet from a side or rear property line. If a detached ADU includes second story living space, the ADU must be stepped back a minimum of 10 feet unless that side or rear property line is adjacent to an alley.

PUBLIC PROCESS: Prior transmittals have addressed the public process associated with the ADU ordinance. The City Council specifically stated that it was not expected that an updated ordinance would have to go back through a public review process and that the council will hold additional public hearings on the ordinance.

EXHIBITS:

1. Accessory Dwelling Units in Salt Lake City report

SALT LAKE CITY ORDINANCE
No. _____ of 2018
(Amending various sections of the *Salt Lake City Code*
pertaining to accessory dwelling units)

An ordinance amending various sections of the *Salt Lake City Code* pertaining to accessory dwelling units, pursuant to Petition No. PLNPCM2014-00447.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on June 22, 2016 to consider a request made by the Salt Lake City Mayor (per the petition of former mayor, Ralph Becker) ("Applicant") (Petition No. PLNPCM2014-00447) to amend Sections 21A.40.200 (Zoning: Accessory Uses, Buildings and Structures: Accessory Dwelling Units), 21A.62.040 (Zoning: Definitions: Definitions of Terms), 21A.33.020 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts), and 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) pertaining to accessory dwelling units; and

WHEREAS, at its June 22, 2016 hearing, the planning commission voted in favor of forwarding a positive recommendation on said petition to the Salt Lake City Council; and

WHEREAS, the city council finds after holding a public hearing on this matter, that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.40.200. That Section 21A.40.200 (Zoning: Accessory Uses, Buildings and Structures: Accessory Dwelling Units) of the Salt Lake City Code shall be, and hereby is, amended to read as follows:

21A.40.200: ACCESSORY DWELLING UNITS:

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~~Accessory dwelling units, as defined in chapter 21A.62 of this title, shall be subject to the following:~~

A. Purpose Statement: The ~~purposes of the accessory dwelling unit provisions~~ regulatory intentions of this section are to:

1. Create new housing units while respecting the ~~look~~ appearance and scale of single-~~dwelling~~family residential development;

2. ~~Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives~~ 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 a mix of housing options that responds to changing family needs and smaller households~~ 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. ~~Promote a broader~~ Broaden the range of affordable housing throughout the city;

7. ~~Provide opportunity for work force housing in developed and new neighborhoods, close to places of work, thus reducing greenhouse gas emissions and reducing fossil fuel consumption through less car commuting~~ 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 ~~stops~~; and

9. Support the economic viability of historic properties and the city's historic preservation goals by allowing accessory ~~residential uses~~ dwellings in historic structures.

B. ~~Applicability: An accessory dwelling unit may be incorporated within or added onto an existing house, garage, or other accessory structure, or may be built as a separate, detached structure on a lot where a single-family dwelling exists. Accessory dwelling units are allowed in the following residential zone districts: FR-1/43,560, FR-2/21,780, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-1A, SR-2, SR-3, R-2, RMF-30, RMF-35, RMF-45, and RMF-75 subject to the provisions of this section.~~

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~~C.~~ Owner Occupant: For the purposes of this title, "owner occupant" shall mean the following:

1. An individual who:

   a. Possesses, as shown by a recorded deed, fifty percent (50%) or more ownership in a dwelling unit; and

   b. Occupies the dwelling unit with a bona fide intent to make it his or her primary residence; or

2. An individual who:

   a. Is a trustor of a family trust which:

      (1) Possesses fee title ownership to a dwelling unit;

      (2) Was created for estate planning purposes by one or more trustors of the trust; and

   b. Occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.

3. Even if a person meets the requirements of subsection ~~C1~~ B.1 or ~~C2~~ B.2 of this section, such person shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

   a. A claim by the city that a person is not an owner occupant may be rebutted only by documentation, submitted to the department of community and neighborhoods, showing such person has a bona fide intent to make the dwelling unit his or her primary residence. Such intent shall be shown by:

      (1) Documents for any loan presently applicable to the property where the dwelling unit is located which name the person as a borrower;

      (2) Tax returns which show the person has claimed income, deductions, or depreciation from the property;

      (3) Rental documents and agreements with any tenant who occupies the dwelling unit, including an accessory apartment;

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(4) Insurance, utility, appraisal, or other contractual documents related to the property which name the person as the property owner; and

(5) Documents which show the person is a full time resident of Utah for Utah state income tax purposes.

b. Any person who fails, upon request of the department of community and neighborhoods, to provide any of the documents set forth in subsection ~~C3a~~ B.3.a of this section or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this title that such person shall not be deemed an "owner occupant" of the dwelling unit in question.

4. The provisions of subsection ~~C3~~ B.3 of this section shall apply to any person who began a period of owner occupancy after September 1~~8~~, 2012, regardless of when the person purchased the property.

C. Applicability: Accessory dwelling units shall be ~~are a~~ permitted ~~use within the residential and special purpose districts~~ as specified in Chapter 21A.33 Land Use Tables of this title and subject to compliance with the applicable provisions of this title.

D. Methods of Creation: An accessory dwelling unit may be created through, but not limited to, the following methods:

1. Converting existing living area within a ~~principal~~ single family dwelling~~, such as a basement, attic space, or enclosed porch~~as an addition to an existing single family dwelling, or within a single family dwelling created as new construction; or
2. Converting an existing detached accessory building, as an addition to an existing accessory building, or as a newly constructed accessory building. ~~Adding floor area to a principal dwelling;~~
~~3. Constructing a new single-family attached or detached dwelling with an internal or detached accessory dwelling unit;~~
~~4. Converting or adding onto an existing accessory structure, such as a garage or other outbuilding, on a lot where no required parking for the principal dwelling is eliminated by the accessory dwelling unit; or~~
~~5. Constructing a new accessory dwelling unit within a separate detached structure in compliance with applicable lot coverage and setback regulations.~~

~~D. Standards: Accessory dwelling units shall conform to the following purpose statement and requirements:~~

~~1. Purpose: These design and development standards are intended to ensure that accessory dwelling units are:~~

~~a. Compatible with the desired character and livability of the residential zoning districts;~~

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b. Compatible with the historic district and landmark resources of the city;

c. Compatible with the general building scales and placement of structures to allow sharing of common space on the lot, such as yards and driveways; and

d. Smaller in size than the principal dwelling on the site.

2. General Requirements:

a. Owner Occupant Requirement: Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the principal dwelling or accessory dwelling unit. Owner occupancy shall not be required when:

(1) The owner has a bona fide, temporary absence of three (3) years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(2) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

b. Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the city attorney, filed with the county recorder's office indicating such owner occupied requirement of the property prior to issuance of a final certificate of occupancy for the accessory dwelling unit by the city. Such deed restriction shall run with the land until the accessory dwelling unit is abandoned or revoked.

c. One Per Lot: One accessory dwelling unit is permitted per residential lot.

d. Underlying Zoning Applies: Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot and bulk standards, such as building and wall height, setbacks, yard requirements, and building coverage.

(1) The requirements of section 21A.40.050 of this chapter, which govern all nonresidential accessory structures, do not apply to accessory dwelling units; and

(2) Accessory dwelling units may have the same building setbacks as that allowed in the zoning district for the principal dwelling on the property. An existing accessory structure whose setbacks do not meet the setback requirements for a dwelling as noted above may be converted into an accessory dwelling unit but any noncomplying setbacks may not become more noncomplying.

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e. Existing Development On Lot: A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

f. Internal, Attached, Or Detached: While accessory dwelling units are allowed only in conjunction with a principal dwelling on a lot, the unit may be built internal to, attached to, or as a separate unit detached from the principal dwelling.

g. Minimum Lot Area: Within permissible zoning districts, the minimum lot area required for an accessory dwelling unit shall be:

(1) Internal: For accessory dwelling units located within the principal single-family structure, no minimum lot area is required;

(2) Attached: For accessory dwelling units located within an addition to the single-family structure, no minimum lot area is required; or

(3) Detached: For accessory dwelling units located within a detached structure, a minimum lot area of five thousand (5,000) square feet is required.

h. Building Code Compliance: Accessory dwelling units are subject to compliance with current building code at time of permit approval.

i. Public Utilities: No structure that is not connected to the public water and sanitary sewer systems shall have an accessory dwelling unit.

j. Multi-Family Districts With Single-Family Dwelling On Lot: A lot located within a multi-family zoning district that is currently built out with a single-family detached dwelling and does not have the required minimum amount of land to add additional units pursuant to the multi-family zoning district requirement, one accessory dwelling unit may be permitted.

k. Not A Unit Of Density: Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

l. Rooming House: Neither dwelling unit may be used as a "dwelling, rooming (boarding) house" as defined by section 21A.62.040 of this title.

m. Home Occupations: Home occupations may be conducted in an accessory dwelling unit as per section 21A.36.030 of this title.

n. Historic Preservation Overlay District: Accessory dwelling units located in an H historic preservation overlay district are subject to the applicable regulations and review processes of section 21A.34.020 of this title, including the related guidelines and standards as adopted by Salt Lake City to ensure compatible building and preservation of historic resources.

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o. Fixed Transit Stop: The property on which an accessory dwelling unit is permitted shall be located in whole or in part within a one-half ($^1/_2$) mile radius of an operational fixed transit stop (i.e., commuter rail, light rail, streetcar, etc.).

p. Windows: In an accessory dwelling unit that does not comply with the setback regulations for a single-family dwelling, the placement of windows within the accessory dwelling unit shall not be allowed within ten feet (10') of a side yard or rear yard property line, except under the following conditions:

(1) Windows adjacent to a rear yard property line may be allowed within ten feet (10') of the rear yard property line if the rear yard abuts an alley, or

(2) Windows located within ten feet (10') of a property line may be allowed if the bottom of the windowsill is located at least six feet (6') above the corresponding floor plate.

3. Methods Of Creation: An accessory dwelling unit may only be created through one or more of the following methods:

a. Converting existing living area within a principal structure, such as a basement or attic space;

b. Adding floor area to a principal structure;

c. Constructing a new single-family detached dwelling unit structure with an internal or detached accessory dwelling unit;

d. Converting or adding onto an existing accessory structure on a lot, such as to a garage or other outbuilding, where no required parking for the principal dwelling is eliminated by the accessory dwelling unit; or

e. Constructing a new accessory dwelling unit within a separate detached structure in compliance with applicable lot coverage regulations.

4. Size Of Accessory Dwelling Unit: The maximum size of an accessory dwelling unit may be no more than fifty percent (50%) of the gross square footage of the principal dwelling unit or six hundred fifty (650) square feet whichever is less. The minimum size of an accessory dwelling unit is that size specified and required by the adopted building code of the city.

5. Ownership: An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot.

6. Number Of Residents: The total number of residents that may reside in an accessory dwelling unit may not exceed the number that is allowed for a "family" as defined in section 21A.62.040, "Definitions Of Terms", of this title.

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7. Parking:

a. An accessory dwelling unit that contains a studio or single bedroom, one additional on site parking space is required.

b. An accessory dwelling unit that contains two (2) or more bedrooms, two (2) additional on site parking spaces are required.

c. The city transportation director may approve a request to waive, or modify the dimensions of, the accessory dwelling unit parking space upon finding that the parking requirement for the principal dwelling is met, and

(1) Adequate on street parking in the immediate vicinity is available to serve the accessory dwelling unit and will not cause congestion in the area; or

(2) The accessory dwelling unit is located within one fourth ($^1/_4$) mile of a fixed transit line or an arterial street with a designated bus route.

d. The city transportation director may allow tandem parking, within a legal location behind an existing on site parking space, to meet the accessory dwelling unit parking requirement so long as the parking space requirement is met for the principal dwelling.

8. Location Of Entrance To Accessory Dwelling Unit:

a. Internal Or Attached Units: Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front facade of the principal dwelling. No new entrances may be added to the front facade of a principal dwelling for an accessory dwelling unit unless such access is located at least twenty feet (20') behind the front facade of the principal dwelling unit.

b. Detached Units: Accessory dwelling units that are detached from the principal dwelling:

(1) May utilize an existing street-facing front facade entrance as long as the entrance is located a minimum of twenty feet (20') behind the front facade of the principal dwelling, or install a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance is facing the rear or side of lot.

(2) Shall be located no closer than thirty feet (30') from the front property line and shall take access from an alley when one is present and accessible.

c. Corner Lots: On corner lots, existing entrances on the street-facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing

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toward the rear property line or interior side yard, or toward the back of the principal dwelling.

d. H Historic Preservation Overlay District: When accessory dwelling units are proposed in an H historic preservation overlay district, the regulations and design guidelines governing these properties in section 21A.34.020 of this title shall take precedence over the location of entrance provisions above.

e. Side Entrance Exemption: Side entrance for an accessory dwelling unit shall not be subject to compliance with subsection 21A.24.010H, "Side Entry Buildings", of this title.

9. Exterior Design:

a. Within An H Historic Preservation Overlay District: Accessory dwelling units located within an H historic preservation overlay district shall meet the process, regulations, and applicable design guidelines in section 21A.34.020 of this title.

b. Outside H Historic Preservation Overlay District Or Historic Landmark Site: Accessory dwelling units shall be regulated by the following exterior design standards:

(1) The maximum height of a detached accessory dwelling unit shall not exceed the principal structure; and

(2) An accessory dwelling unit shall be designed and constructed to be compatible with the principal structure.

10. Registration: Accessory dwelling units shall be registered with the city to evaluate whether the accessory dwelling unit initially meets applicable requirements; to ensure that the accessory dwelling unit meets health and safety requirements; to ensure that the property owner is aware of all city regulations governing accessory dwelling units; to ensure that the distribution and location of accessory dwelling units is known, to assist the city in assessing housing supply and demand; and to fulfill the accessory dwelling units purpose statement listed above. To accomplish this, property owners seeking to establish an accessory dwelling unit shall comply with the following:

a. Building Permit: Apply for and obtain a building permit for the proposed accessory dwelling unit, regardless of method of creation;

b. Inspection: Ensure accessory dwelling unit is constructed, inspected, and approved in compliance with current building code; and

c. Business License: Apply for and obtain an annual business license for the accessory dwelling unit in accordance with the applicable provisions of the city.

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~~11. Occupancy: No accessory dwelling unit shall be occupied until the property owner obtains a business license for the accessory dwelling unit from the city.~~

E. Standards: Accessory dwelling units shall conform to the following requirements:

1. General Requirements applicable to all accessory dwelling units:

a. One Per Lot: City may permit one accessory dwelling unit for each lot that contains a single-family dwelling.

b. Not a Unit of Density: Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

c. Ownership: An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.

d. Owner Occupancy: The city shall only permit an accessory dwelling unit when an owner occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall not be required when:

(1) The owner has a bona fide, temporary absence of three (3) years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
(2) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

e. Number of Residents: The total number of residents that reside in an accessory dwelling unit may not exceed the number allowed for a “family” as defined in Section 21A.62.040, “Definitions of Terms”, of this title.

f. Home Occupations: Home occupations may be conducted in an accessory dwelling unit as per Section 21A.36.030 of this title.

g. Prohibition on Short Term Rental: No property that contains an accessory dwelling unit, whether the accessory dwelling unit is interior to the principal structure or in a detached accessory structure, shall be rented for less than 30 consecutive days or otherwise used as a short term rental.

e. Parking: An accessory dwelling unit shall require a minimum of one on-site parking space that is a minimum of nine feet (9’) wide by twenty feet (20’) deep.

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(1) The planning director, in consultation with the transportation director, may approve a request to waive the parking requirement for the accessory dwelling unit upon finding that the parking requirement for the principal dwelling unit is complied with, and:

(a) Legally located on street parking is available immediately in front of the lot where the accessory dwelling unit is located; or

(b) The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed rail transit line or an arterial street with a designated bus route.

(3) The planning director, in consultation with the transportation director, may allow tandem parking, located in front of or behind existing on-site parking, to meet the accessory dwelling unit parking requirement so long as the parking space requirement is met for the principal dwelling.

2. ~~Design~~ Additional Requirements for Accessory Dwelling Units Located Within a Single Family Dwelling: Accessory dwelling units located within a single family dwelling shall comply with the following standards:

a. ~~Compatibility: An accessory dwelling unit shall be designed and constructed to be compatible with the principal dwelling~~Any addition shall comply with the building height, yard requirements, and building coverage requirements of the underlying zoning district or applicable overlay district unless modified by the historic landmark commission for a property located within an H Historic Preservation Overlay District.

b. ~~Underlying Zoning Applies~~Size Requirements: No accessory dwelling unit shall occupy more than fifty percent (50%) of the gross square footage of the single family dwelling. The square footage of an attached garage shall not be included in the gross square footage unless the accessory dwelling unit is located in a basement that includes habitable space below the garage. ~~Unless specifically provided in this section, an accessory dwelling unit shall conform to the lot and bulk requirements of the underlying zoning district, including building and wall height, setbacks, yard requirements, and building coverage.~~

~~(1) On a corner lot, all detached accessory dwelling units shall comply with the corner side yard setback requirement of the underlying zoning district.~~
~~(2) A detached accessory dwelling unit that has habitable space above the first floor shall have a minimum side yard and rear yard setback of four feet (4').~~
~~(3) A detached accessory dwelling unit that exceeds the maximum height of an accessory structure, as permitted by the underlying zoning district, shall increase the minimum interior side yard and rear yard setback one foot (1') for every additional foot of building height.~~

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~~(4) An existing accessory structure that does not conform with the lot and bulk controls of this chapter may be converted into an accessory dwelling unit pursuant to the procedures and standards set forth in Chapter 21A.38, "Nonconforming Uses and Noncomplying Structures" of this title.~~

c. Entrance Locations: ~~Area of Accessory Dwelling Unit:~~ Entrances to an accessory dwelling unit that are located within a single family dwelling shall only be permitted in the following locations:

(1) An existing entrance to the single family dwelling;~~The maximum gross floor area of an attached accessory dwelling unit may not exceed fifty percent (50%) of the gross floor area of the principal dwelling.~~
(2) When located on a building façade that faces a corner side yard, the entrance shall be setback a minimum of twenty feet (20') from the front building facade;~~The maximum gross floor area of a detached accessory dwelling unit may not exceed fifty percent (50%) of the gross floor area of the principal dwelling or six hundred fifty (650) square feet, whichever is less.~~
(3) Exterior stairs leading to an entrance above the first level of the principal structure shall only be located on the rear elevation of the building.~~The minimum gross floor area of an accessory dwelling unit is that size specified and required by the adopted building code of the city.~~
(4) Side entrances to an accessory dwelling unit are not considered a principal entry to the building and are exempt from subsection 21A.24.010.H "Side Entry Buildings".

~~d. Height of Detached Accessory Dwelling Unit:~~

~~(1) Maximum height of an accessory dwelling unit shall not exceed the principal dwelling; and~~
~~(2) Maximum height of a detached accessory dwelling unit located over an accessory use, such as parking or storage, 24'-0" measured to the ridge of a pitched roof building, and 20'-0" of a flat roof building provided the minimum interior side.~~

~~e. Location of Entrance to Accessory Dwelling Unit:~~

~~(1) Internal or Attached Units: Accessory dwelling units that are internal or attached to a principal dwelling may be accessible from the following:~~

~~(a) An existing entrance to the principal dwelling.~~
~~(b) An additional entrance on a street-facing facade provided:~~

~~i. Entrance is located at least twenty feet (20') behind the front facade of the principal dwelling; or~~
~~ii. Entrance is screened from public view by landscaping or architectural feature that is compatible with the design of the principal dwelling.~~

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(c) An existing or additional entrance that faces the interior side yard or rear yard of lot.

(2) Detached Units: Accessory dwelling units that are detached from the principal dwelling may be accessible from an:

(a) Entrance located at least twenty feet (20') behind the front facade of the principal dwelling; or
(b) Entrance that faces the interior side yard or rear yard of lot.

(3) Side Entrance Exemption: Side entrance for an accessory dwelling unit shall not be subject to compliance with subsection 21A.24.010.H, "Side Entry Buildings", of this title.

f. Upper Level Windows in Detached Accessory Dwelling Unit: As with lot and bulk regulations, the following standards are intended to ensure that detached accessory dwelling units maintain a neighborly relationship with adjacent properties:

(1) Living space on an upper level shall have their primary windows facing the interior of the lot or overlooking an alley or public street.
(2) Upper level windows facing side or rear property lines yards shall be modestly no larger than necessary sized, sufficient to meet the need minimum building code requirements for light, air, and egress where required. Skylights, clerestory windows, or obscured glazing should be considered as the means to enhance interior daylighting without creating overlook into a neighboring property.
(3) A detached dwelling unit shall be designed with consideration given to the relationship between desired window size and placement and the scale of building facades, projections and dormers. Dormers and building facades should not be windowless.
(4) Window openings located within an existing accessory structure, whether conforming or non-conforming with setback window regulations in this chapter, may be retained if compliant with building and fire codes.

g. Outdoor Roof Decks and Balconies: Balconies and roof decks, including rooftop gardens, shall be designed and located as follows:

(1) The total area shall not exceed 86 square feet;
(2) Balconies and decks shall be located so they face an alley or corner side yard; and
(3) Flat roofs above an upper level or story may not be used as roof deck areas, and must not have stair access or railings. Ladder and roof hatch access necessary for green roof maintenance may be provided.

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~~h. Parking:~~

~~(1) An accessory dwelling unit requires one on-site parking space.~~

~~(2) The planning director, in consultation with the transportation director, may approve a request to waive, or modify the dimensions of, the accessory dwelling unit parking space upon finding that the parking requirement for the principal dwelling is met, and:~~

~~(a) Adequate on-street parking in the immediate vicinity is available to serve the accessory dwelling unit and will not cause congestion in the area; or~~

~~(b) The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed transit line or an arterial street with a designated bus route.~~

~~(3) The planning director, in consultation with the transportation director, may allow tandem parking, located in front of or behind existing on-site parking, to meet the accessory dwelling unit parking requirement so long as the parking space requirement is met for the principal dwelling.~~

3. Additional Requirements for an Accessory Dwelling Unit Located in a Detached Accessory Building: An accessory dwelling unit located in a detached accessory building or as an addition to an existing accessory building shall comply with the following standards, (except that any of the standards in this section may be modified by the historic landmark commission for a property located in an H Historic Preservation Overlay District):

a. Shall comply with all applicable general yard, bulk, and height limitations found in Section 21A.40.050 of this chapter and any accessory building regulation found in the underlying zoning district or any applicable overlay zoning district unless otherwise regulated by this section.

b. Shall comply with the building maximum coverage requirements of the underlying zoning district or applicable overlay zoning district, whichever is more restrictive.

c. Setbacks: All accessory dwelling units located in an accessory building shall be located between the rear wall of the single family dwelling and the rear property line and be subject to the following setback requirements:

(1) 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.

(2) Side and Rear Yard Setbacks:

LEGISLATIVE VERSION

(a) New accessory buildings: Shall be located a minimum of four feet (4') from any side or rear lot line.

(b) Additions to existing accessory buildings: The addition shall be located a minimum of four feet from any side or rear lot line. If an existing accessory building includes an addition, all of or portions of the existing structure may be used as an accessory dwelling unit provided the existing setbacks are not further reduced and the structure complies or can be altered to comply with the applicable sections of the adopted fire code of the city.

(c) Second story additions: A second story addition to an existing accessory building is permitted provided the second story addition has a minimum setback of ten feet from a side or rear property line and the second story addition complies with all applicable regulations for accessory dwelling units located on a second floor of a detached accessory building. If the side or rear lot line is adjacent to an alley, the setback may be reduced to four feet (4')

d. Building Height:

(1) The maximum height of an accessory building containing an accessory dwelling unit shall not exceed the height of the single family dwelling on the property or exceed seventeen feet in height, whichever is less.

Exception: If the single family dwelling on the property is over seventeen feet 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 setback a minimum of ten feet (10') from a side or 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.

(2) Accessory building height shall be measured to the ridge of the roof for buildings with a pitched roof and to the top of the roof line for a flat roof.

e. Size Requirements: An accessory building that contains an accessory dwelling unit shall be subject to the building coverage requirements for accessory buildings found in Section 21A.40.050. In no instance shall any accessory dwelling unit exceed a gross floor area of six hundred and fifty square feet (650 ft^2).

f. Entrance Locations: The entrance to an accessory dwelling unit in an accessory building shall be located:

LEGISLATIVE VERSION

(1) Facing an alley, public street or facing the rear façade of the single family dwelling on the same property.

(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.

(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.

g. Requirements for Windows: Windows on an accessory building containing an accessory dwelling unit shall comply with the following standards:

(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 of a side or rear property line unless the side or rear property line is adjacent to an alley.

(2) Except as required in paragraph a, windows shall maintain a similar dimension and design as the windows found on the principal structure.

(3) Window openings located on the ground floor within an existing accessory building, whether conforming or non-conforming with window regulations in this chapter, may be retained if compliant with building and fire codes. Existing windows located on a second level within an existing accessory building shall be brought into compliance with this section.

h. Balconies and Decks: balconies and decks shall be designed as follows:

(1) Shall not exceed eighty square feet (80 ft^2) in size when located above the ground level of the building;

(2) Shall be located a minimum of ten feet (10 ft) from a side or rear yard lot line unless the applicable side or rear yard lot line is adjacent to an alley;

(3) Rooftop decks are prohibited.

~~3. Historic Preservation Overlay District: Accessory dwelling units located in an H Historic Preservation Overlay District are subject to the applicable regulations and review processes of Section 21A.34.020 of this title, including related guidelines and standards adopted by Salt Lake City to ensure compatible building and preservation of historic resources.~~

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F. Registration Process: Property owners seeking to establish an accessory dwelling unit shall comply with the following:

1. Application:

a. Zoning Certificate: Apply for a zoning certificate in accordance with Chapter 21A.08 of this title.

i. Prior to the issuance of zoning certificate for an accessory dwelling unit that is listed as a permitted use in the underlying zoning district, the planning director shall provide written notice by first class mail a minimum of thirty (30) days in advance of issuance of the certificate to all abutting properties and those properties located directly across the street from the subject property. A building permit application may be processed concurrent with the zoning certificate notice period.

ii. The zoning administrator shall issue the zoning certificate after the thirty (30) day notice period if the requirements of Subsection 21A.40.200.E are met.

b. Building Permit: Apply for and obtain a building permit for the proposed accessory dwelling unit, regardless of method of creation.

~~i. Building Code Compliance: Accessory dwelling units are subject to compliance with current building code at time of permit application.~~
~~ii. Permit Allocation: The city shall limit the establishment of accessory dwelling units to twenty-five (25) units per calendar year.~~
~~iii. The city shall process building permit applications in the order received, however building permit issuance shall be in the order of compliance with current building code.~~
~~iv. Inspection: The city shall ensure the accessory dwelling unit is constructed, inspected, and approved in compliance with current building code.~~

2. Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the city attorney, and shall be filed with the county recorder's office. The form shall state that the owner occupant must occupy the property as required within this section. Such deed restriction shall run with the land until the accessory dwelling unit is abandoned or revoked.

3. Business License: In accordance with applicable provisions of the city, the property owner shall apply for and obtain an annual business license for the accessory dwelling unit.

4. Certificate of Occupancy: No accessory dwelling unit shall receive a certificate of occupancy or be occupied until the property owner completes the registration process outlined in this section.

LEGISLATIVE VERSION

G. Abandonment: If a property owner is unable or unwilling to fulfill the requirements of this section, the owner shall remove those features of the accessory dwelling unit that make it a dwelling unit. Failure to do so will constitute a violation of this section.

H. Reporting: The planning division shall provide an annual report to the city council detailing the number of applications, address of each unit for which an application was submitted, a brief explanation of reasons why an application was denied, and a map showing approved accessory dwelling units. The report shall be transmitted to the city council by February 15th for the previous year.

SECTION 2. Amending the Text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the Salt Lake City Code shall be, and hereby is, amended modify only the definition of "DWELLING, ACCESSORY UNIT", which definition shall read as follows:

DWELLING, ACCESSORY UNIT: A type of accessory use that includes a residential unit that is located on the same lot as a single-family attached or detached dwelling unit, either internal to or attached to the single-family unit or in a detached structure. The accessory dwelling unit shall be a complete housekeeping unit with a shared or separate entrance, and separate kitchen, sleeping area, closet space, and bathroom facilities.

The codifier is instructed to modify only the aforementioned definition and make no other revisions to Section 21A.62.040 as part of this ordinance.

SECTION 3. Amending the Text of *Salt Lake City Code* Section 21A.33.020. That Section 21A.33.020 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts) of the Salt Lake City Code shall be, and hereby is, amended to modify that table only as it pertains to the use "Dwelling, accessory unit", which use category shall read as follows:

LEGISLATIVE VERSION

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend: C = Conditional P = Permitted

Use	Permitted And Conditional Uses By District																		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Dwelling, accessory unit	~~P~~C	~~P~~C	~~P~~C	~~P~~C	~~P~~C	~~P~~C	P		P	P	P	P	P	P	P	P	P	P	P

LEGISLATIVE VERSION

SECTION 4. Amending the Text of *Salt Lake City Code* Section 21A.33.070. That Section 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) of the Salt Lake City Code shall be, and hereby is, amended to modify that table only as it pertains to the use "Dwelling, accessory unit", which use category shall read as follows:

LEGISLATIVE VERSION

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional P = Permitted

Use	Permitted And Conditional Uses By District																
	RP	**BP**	**FP**	**AG**	**AG -2**	**AG -5**	**AG -20**	**OS**	**NOS**	**A**	**PL**	**PL-2**	**I**	**UI**	**MH**	**EI**	**MU**
Dwelling:																	
Accessory Unit			P	P	P	P	P										P

LEGISLATIVE VERSION

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2018.

_____
CHAIRPERSON

ATTEST:

_____
CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER

(SEAL)

Bill No. _____ of 2018.
Published: _____.
HB_ATTY-#55795-v7-Ordinance_amending_ADU_regs.DOCX

LEGISLATIVE VERSION

SALT LAKE CITY ORDINANCE
No. _____ of 2018
(Amending various sections of the *Salt Lake City Code*
pertaining to accessory dwelling units)

An ordinance amending various sections of the *Salt Lake City Code* pertaining to accessory dwelling units, pursuant to Petition No. PLNPCM2014-00447.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on June 22, 2016 to consider a request made by the Salt Lake City Mayor (per the petition of former mayor, Ralph Becker) ("Applicant") (Petition No. PLNPCM2014-00447) to amend Sections 21A.40.200 (Zoning: Accessory Uses, Buildings and Structures: Accessory Dwelling Units), 21A.62.040 (Zoning: Definitions: Definitions of Terms), 21A.33.020 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts), and 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) pertaining to accessory dwelling units; and

WHEREAS, at its June 22, 2016 hearing, the planning commission voted in favor of forwarding a positive recommendation on said petition to the Salt Lake City Council; and

WHEREAS, the city council finds after holding a public hearing on this matter, that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.40.200. That Section 21A.40.200 (Zoning: Accessory Uses, Buildings and Structures: Accessory Dwelling Units) of the Salt Lake City Code shall be, and hereby is, amended to read as follows:

21A.40.200: ACCESSORY DWELLING UNITS:

A. Purpose Statement: The regulatory intentions of this section 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.

B. Owner Occupant: For the purposes of this title, "owner occupant" shall mean the following:

1. An individual who:

   a. Possesses, as shown by a recorded deed, fifty percent (50%) or more ownership in a dwelling unit; and

   b. Occupies the dwelling unit with a bona fide intent to make it his or her primary residence; or

2. An individual who:

   a. Is a trustor of a family trust which:

      (1) Possesses fee title ownership to a dwelling unit;

(2) Was created for estate planning purposes by one or more trustors of the trust; and

b. Occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.

3. Even if a person meets the requirements of subsection B.1 or B.2 of this section, such person shall not be deemed an owner occupant if the property on which the dwelling unit is located has more than one owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

a. A claim by the city that a person is not an owner occupant may be rebutted only by documentation, submitted to the department of community and neighborhoods, showing such person has a bona fide intent to make the dwelling unit his or her primary residence. Such intent shall be shown by:

(1) Documents for any loan presently applicable to the property where the dwelling unit is located which name the person as a borrower;

(2) Tax returns which show the person has claimed income, deductions, or depreciation from the property;

(3) Rental documents and agreements with any tenant who occupies the dwelling unit, including an accessory apartment;

(4) Insurance, utility, appraisal, or other contractual documents related to the property which name the person as the property owner; and

(5) Documents which show the person is a full time resident of Utah for Utah state income tax purposes.

b. Any person who fails, upon request of the department of community and neighborhoods, to provide any of the documents set forth in subsection B.3.a of this section or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this title that such person shall not be deemed an "owner occupant" of the dwelling unit in question.

4. The provisions of subsection B.3 of this section shall apply to any person who began a period of owner occupancy after September 18, 2012, regardless of when the person purchased the property.

C. Applicability: Accessory dwelling units shall be permitted as specified in Chapter 21A.33 Land Use Tables of this title and subject to compliance with the applicable provisions of this title.

D. Methods of Creation: An accessory dwelling unit may be created through, but not limited to, the following methods:

1. Converting existing living area within a single family dwelling as an addition to an existing single family dwelling, or within a single family dwelling created as new construction; or
2. Converting an existing detached accessory building, as an addition to an existing accessory building, or as a newly constructed accessory building.

E. Standards: Accessory dwelling units shall conform to the following requirements:

1. General Requirements applicable to all accessory dwelling units:

a. One Per Lot: City may permit one accessory dwelling unit for each lot that contains a single-family dwelling.

b. Not a Unit of Density: Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

c. Ownership: An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.

d. Owner Occupancy: The city shall only permit an accessory dwelling unit when an owner occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall not be required when:

(1) The owner has a bona fide, temporary absence of three (3) years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
(2) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

e. Number of Residents: The total number of residents that reside in an accessory dwelling unit may not exceed the number allowed for a “family” as defined in Section 21A.62.040, “Definitions of Terms”, of this title.

f. Home Occupations: Home occupations may be conducted in an accessory dwelling unit as per Section 21A.36.030 of this title.

g. Prohibition on Short Term Rental: No property that contains an accessory dwelling unit, whether the accessory dwelling unit is interior to the principal structure or in a detached accessory structure, shall be rented for less than 30 consecutive days or otherwise used as a short term rental.

e. Parking: An accessory dwelling unit shall require a minimum of one on-site parking space that is a minimum of nine feet (9') wide by twenty feet (20') deep.

(1) The planning director, in consultation with the transportation director, may approve a request to waive the parking requirement for the accessory dwelling unit upon finding that the parking requirement for the principal dwelling unit is complied with, and:

(a) Legally located on street parking is available immediately in front of the lot where the accessory dwelling unit is located; or

(b) The lot or parcel containing the accessory dwelling unit is located within a one-fourth (1/4) mile radius from a fixed rail transit line or an arterial street with a designated bus route.

(3) The planning director, in consultation with the transportation director, may allow tandem parking, located in front of or behind existing on-site parking, to meet the accessory dwelling unit parking requirement so long as the parking space requirement is met for the principal dwelling.

2. Additional Requirements for Accessory Dwelling Units Located Within a Single Family Dwelling: Accessory dwelling units located within a single family dwelling shall comply with the following standards:

a. Any addition shall comply with the building height, yard requirements, and building coverage requirements of the underlying zoning district or applicable overlay district unless modified by the historic landmark commission for a property located within an H Historic Preservation Overlay District.

b. Size Requirements: No accessory dwelling unit shall occupy more than fifty percent (50%) of the gross square footage of the single family dwelling. The square footage of an attached garage shall not be included in the gross square footage unless the accessory dwelling unit is located in a basement that includes habitable space below the garage.

c. Entrance Locations: Entrances to an accessory dwelling unit that are located within a single family dwelling shall only be permitted in the following locations:

(1) An existing entrance to the single family dwelling;
(2) When located on a building façade that faces a corner side yard, the entrance shall be setback a minimum of twenty feet (20') from the front building facade;

(3) Exterior stairs leading to an entrance above the first level of the principal structure shall only be located on the rear elevation of the building.
(4) Side entrances to an accessory dwelling unit are not considered a principal entry to the building and are exempt from subsection 21A.24.010.H "Side Entry Buildings".

3. Additional Requirements for an Accessory Dwelling Unit Located in a Detached Accessory Building: An accessory dwelling unit located in a detached accessory building or as an addition to an existing accessory building shall comply with the following standards, (except that any of the standards in this section may be modified by the historic landmark commission for a property located in an H Historic Preservation Overlay District):

a. Shall comply with all applicable general yard, bulk, and height limitations found in Section 21A.40.050 of this chapter and any accessory building regulation found in the underlying zoning district or any applicable overlay zoning district unless otherwise regulated by this section.

b. Shall comply with the building maximum coverage requirements of the underlying zoning district or applicable overlay zoning district, whichever is more restrictive.

c. Setbacks: All accessory dwelling units located in an accessory building shall be located between the rear wall of the single family dwelling and the rear property line and be subject to the following setback requirements:

(1) 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.

(2) Side and Rear Yard Setbacks:

(a) New accessory buildings: Shall be located a minimum of four feet (4') from any side or rear lot line.

(b) Additions to existing accessory buildings: The addition shall be located a minimum of four feet from any side or rear lot line. If an existing accessory building includes an addition, all of or portions of the existing structure may be used as an accessory dwelling unit provided the existing setbacks are not further reduced and the structure complies or can be altered to comply with the applicable sections of the adopted fire code of the city.

(c) Second story additions: A second story addition to an existing accessory building is permitted provided the second story addition has a minimum setback of ten feet from a side or rear property line and the second story

addition complies with all applicable regulations for accessory dwelling units located on a second floor of a detached accessory building. If the side or rear lot line is adjacent to an alley, the setback may be reduced to four feet (4')

d. Building Height:

(1) The maximum height of an accessory building containing an accessory dwelling unit shall not exceed the height of the single family dwelling on the property or exceed seventeen feet in height, whichever is less.

Exception: If the single family dwelling on the property is over seventeen feet 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 setback a minimum of ten feet (10') from a side or 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.

(2) Accessory building height shall be measured to the ridge of the roof for buildings with a pitched roof and to the top of the roof line for a flat roof.

e. Size Requirements: An accessory building that contains an accessory dwelling unit shall be subject to the building coverage requirements for accessory buildings found in Section 21A.40.050. In no instance shall any accessory dwelling unit exceed a gross floor area of six hundred and fifty square feet (650 ft^2).

f. Entrance Locations: The entrance to an accessory dwelling unit in an accessory building shall be located:

(1) Facing an alley, public street or facing the rear façade of the single family dwelling on the same property.

(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.

(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.

g. Requirements for Windows: Windows on an accessory building containing an accessory dwelling unit shall comply with the following standards:

(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 of a side or rear property line unless the side or rear property line is adjacent to an alley.

(2) Except as required in paragraph a, windows shall maintain a similar dimension and design as the windows found on the principal structure.

(3) Window openings located on the ground floor within an existing accessory building, whether conforming or non-conforming with window regulations in this chapter, may be retained if compliant with building and fire codes. Existing windows located on a second level within an existing accessory building shall be brought into compliance with this section.

h. Balconies and Decks: balconies and decks shall be designed as follows:

(1) Shall not exceed eighty square feet (80 ft^2) in size when located above the ground level of the building;

(2) Shall be located a minimum of ten feet (10 ft) from a side or rear yard lot line unless the applicable side or rear yard lot line is adjacent to an alley;

(3) Rooftop decks are prohibited.

F. Registration Process: Property owners seeking to establish an accessory dwelling unit shall comply with the following:

1. Application:

a. Zoning Certificate: Apply for a zoning certificate in accordance with Chapter 21A.08 of this title.

i. Prior to the issuance of zoning certificate for an accessory dwelling unit that is listed as a permitted use in the underlying zoning district, the planning director shall provide written notice by first class mail a minimum of thirty (30) days in advance of issuance of the certificate to all abutting properties and those properties located directly across the street from the subject property. A building permit application may be processed concurrent with the zoning certificate notice period.

ii. The zoning administrator shall issue the zoning certificate after the thirty (30) day notice period if the requirements of Subsection 21A.40.200.E are met.

b. Building Permit: Apply for and obtain a building permit for the proposed accessory dwelling unit, regardless of method of creation.

2. Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the city attorney, and shall be filed with the county recorder's office. The form shall state that the owner occupant must occupy the property as required within this section. Such deed restriction shall run with the land until the accessory dwelling unit is abandoned or revoked.

3. Business License: In accordance with applicable provisions of the city, the property owner shall apply for and obtain an annual business license for the accessory dwelling unit.

4. Certificate of Occupancy: No accessory dwelling unit shall receive a certificate of occupancy or be occupied until the property owner completes the registration process outlined in this section.

G. Abandonment: If a property owner is unable or unwilling to fulfill the requirements of this section, the owner shall remove those features of the accessory dwelling unit that make it a dwelling unit. Failure to do so will constitute a violation of this section.

H. Reporting: The planning division shall provide an annual report to the city council detailing the number of applications, address of each unit for which an application was submitted, a brief explanation of reasons why an application was denied, and a map showing approved accessory dwelling units. The report shall be transmitted to the city council by February 15th for the previous year.

SECTION 2. Amending the Text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the Salt Lake City Code shall be, and hereby is, amended modify only the definition of "DWELLING, ACCESSORY UNIT", which definition shall read as follows:

DWELLING, ACCESSORY UNIT: A type of accessory use that includes a residential unit that is located on the same lot as a single-family attached or detached dwelling unit, either internal to or attached to the single-family unit or in a detached structure. The accessory dwelling unit shall be a complete housekeeping unit with a shared or separate entrance, and separate kitchen, sleeping area, closet space, and bathroom facilities.

The codifier is instructed to modify only the aforementioned definition and make no other revisions to Section 21A.62.040 as part of this ordinance.

SECTION 3. Amending the Text of *Salt Lake City Code* Section 21A.33.020. That Section 21A.33.020 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts) of the Salt Lake City Code shall be, and hereby is, amended to modify that table only as it pertains to the use "Dwelling, accessory unit", which use category shall read as follows:

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend: C = Conditional P = Permitted

Use	Permitted And Conditional Uses By District																		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Dwelling, accessory unit	C	C	C	C	C	C	P		P	P	P	P	P	P	P	P	P	P	P

SECTION 4. Amending the Text of *Salt Lake City Code* Section 21A.33.070. That Section 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) of the Salt Lake City Code shall be, and hereby is, amended to modify that table only as it pertains to the use "Dwelling, accessory unit", which use category shall read as follows:

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional P = Permitted

Use		Permitted And Conditional Uses By District																
		RP	**BP**	**FP**	**AG**	**AG -2**	**AG -5**	**AG -20**	**OS**	**NOS**	**A**	**PL**	**PL-2**	**I**	**UI**	**MH**	**EI**	**MU**
Dwelling:																		
	Accessory Unit			P	P	P	P	P										P

SECTION 5. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2018.

_____
CHAIRPERSON

ATTEST:

_____
CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER

(SEAL)

Bill No. _____ of 2018.
Published: _____.
HB_ATTY-#55795-v8-Ordinance_amending_ADU_regs.docx

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: February 26, 2018
By: _____
Paul C. Nielson, *Senior City Attorney*

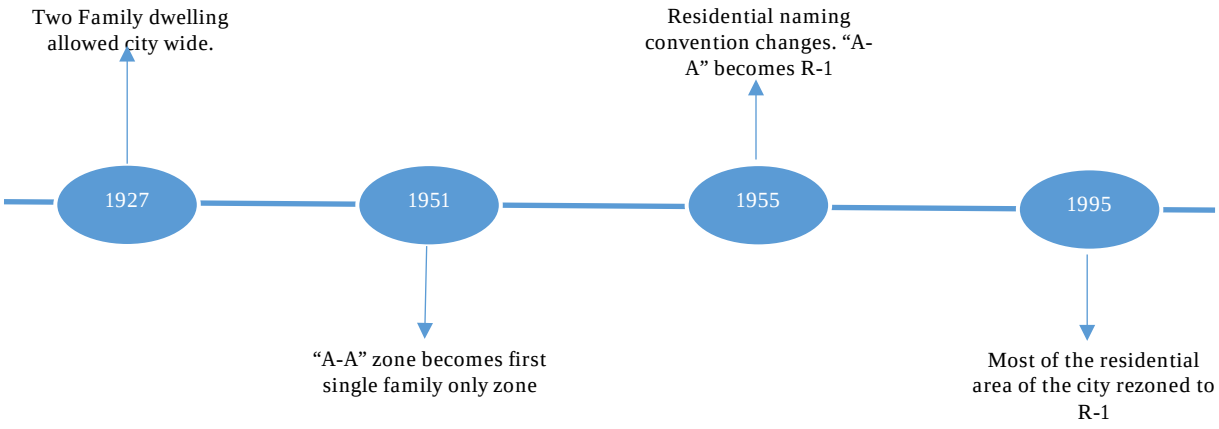
1.
Accessory Dwelling Units in Salt Lake City Report

Accessory Dwelling Units in Salt Lake City

This report is intended to provide city decision makers with an analysis of the proposed Accessory Dwelling Unit (ADU) Ordinance as it relates to the housing goals of the city. This analysis also establishes a framework for evaluating ADU's in terms of how they may help to achieve city housing goals and impact neighborhoods.

History of ADU's in Salt Lake City

Accessory dwelling units have been built in Salt Lake City for as long as the city has existed. Early ADU's were built as small additions onto homes and as small, backyard cottages. In the City's first zoning ordinance (1927), a two family dwelling was permitted in all residential zones and the minimum lot sizes depending on the zone were between 3,500 and 9,000 square feet for a two family dwelling. By 1951, the "A-A" zone was adopted and only allowed single family dwellings. It was mapped exclusively in the Federal Heights Neighborhood. By 1955, the residential zones were renamed to R-1, R-2, R-3, R-4, R-6, and R-7. The "AA" zone became R-1 and was mapped in Federal Heights and the upper Avenues, east of 11th Ave. The rest of the city allowed for at least 2 dwelling units on a lot with a minimum lot size of 6,000 square feet. In 1995, most of the city zoned R-2 was rezoned to an R-1 zone and two family dwellings were prohibited in most of the City.



Prior to 1927, backyard cottages, additions to the rear of homes, and second story apartments were constructed throughout the City. After 1927, this trend continued with a number of building permits being issued for additional dwelling units in all residential areas of the city. An unknown number of dwelling units were created without permits. When the city rezoned the entire city in 1995, the zoning ordinance included a process to legalize dwelling units that were built without permits provided the unit met basic life-safety requirements. Since 2004,

approximately 100 accessory dwelling units have been approved through the unit legalization process.

There are approximately 2,300 properties in the City that contain two dwelling units according to Salt Lake County Assessor data. More than 60% of these properties are located in residential zoning districts that only allow single family dwellings. The other 40% are located in zoning districts that allow two-family dwellings. Without field checking each property, the available data does not identify properties that were originally constructed as a two family dwelling (duplex or twin home) or if they were later converted to a two-family dwelling. The Salt Lake County Assessor's office primarily uses building permits to identify properties that change from year to year. It is likely that most of the properties identified in the adjacent table were created through some permitting process.

Zoning District	# of Two Family Dwellings
R-1/5,000	786
R-1/7,000	652
R-1/12,000	5

The purpose of this data is to demonstrate that although the city allowed two family dwellings by right from 1927-1995, a relatively small number of properties contain two family dwellings. For example, there are approximately 16,644 properties that are zoned R-1/5,000. The number of R-1/5,000 zoned properties that contain a two family dwelling is about 4.7%. One of the reasons why the number of two-family dwellings in the R-1/5,000 and R-1/7,000 zones is substantially higher than the R-1/12,000 zone is that most of the properties in the R-1/5,000 and R-1/7,000 zones were developed prior to 1951 when the minimum lot sizes for a two family dwelling were lower.

Despite not knowing the nature of how the two family dwellings in the city were created, a number of these properties are legally recognized as having two dwellings on the property. If a property was not originally constructed as a two-family dwelling, it likely was created through the conversion of interior space to a second unit, such as a basement or on a second level of the home.



A detached ADU located in the Wasatch Hollow neighborhood.

Second dwelling units were rarely built as a detached structure, although some do exist. Some were built as second dwellings and have remained that way over time. Others were built and eventually subdivided off of the main parcel and are now considered single family dwellings. The aerial view to the right shows properties located on 400 East and about 950 South. The "backyard cottages" were built prior to the city having zoning regulations. The dwellings have a footprint of approximately 800 square feet and the lots are approximately 1,300 square feet. A sizeable amount of the lot goes out into the alley, which skews the lot size.



"Backyard cottages" in Salt Lake City

What can the City expect from the updated ADU ordinance?

The expectations in this section were identified by reviewing the history of ADUs in different cities to see how many ADUs have been constructed under ordinances that are similar to the updated proposal. It only takes into consideration detached single family dwellings and does not include ADUs that may be part of a townhome. Townhomes make up a very small percentage of the total housing units in Salt Lake City and the data does not differentiate between small apartment buildings that have only 4 units and townhomes that have 4 units.

Salt Lake City is following the same path that most cities do with ADUs: take a measured approach with a more restrictive ordinance to see what happens. As a city's housing shortage continues, communities make fairly bold modifications to the ADU ordinance, such as eliminating owner occupancy, reducing lot coverage requirements, increasing size allowances, waiving parking requirements, and addressing restrictions on height.

Portland, OR and Denver, CO are two cities where data regarding ADUs is readily available, but on opposite ends of the spectrum in terms of number of ADUs constructed. Portland is probably the most successful ADU program in the US. Approximately 1,900 ADUs have been built in Portland since 1997. That equates to 1.3% of all of the single family dwellings in Portland, the equivalent of one ADU for every 76 single family dwellings in the city. From 2000 to 2010, a total of 271 ADUs were permitted in Portland. This is about 0.2% of all single family homes in Portland. In 2010, Portland made changes to the ADU regulations and waived utility hook-up fees for ADUs. That year, 86 ADUs were permitted and that number climbed to 615 ADUs permitted in 2016. More than 98% of single family homes do not have an ADU on the property. This indicates that the impact to single family zoning is limited. If every ADU in Portland had

three adjacent properties, about 4% of all properties would have an ADU next door. Allowing ADUs in all residential districts does increase the development right of properties, but the evidence shows only a small percentage of property owners build ADUs. In other words, nearly all of the single family zoned properties are not impacted by an ADU.

Denver, CO is in a similar situation as Salt Lake City. Between 2010 and September 2016, 84 ADUs were constructed in Denver (source: www.denverite.com/carriage-houses-work-parts-denver-better-others-15159/). Denver has a similar ordinance to the updated proposal but does not allow them citywide. Denver has recently acknowledged that it cannot fully fund the resources necessary to address the housing supply and affordability issue in the City and that ADUs can help them address housing needs. Denver has determined that they can reach city housing goals if three properties per block add an ADU. According to Denver, the typical block has about 30 homes.

Table: projections of ADUs in SLC compared to Portland and Denver

City	# of single family dwellings (2010 census data)	# of ADUs	% of SFD with an ADU	Average ADUs per year since ADU ordinance passed
Portland	145,000	1,900 (since 1997)	1.3%	95
Denver	150,000 (estimated)	84 (From 2010 to Sept. 2016)	0.005%	14
Salt Lake City (projected based on Portland)	42,000	546 (projected)	1.3%	27 (over a 20 year period)
Salt Lake City (projected based on Denver)	42,000	24	0.005%	4

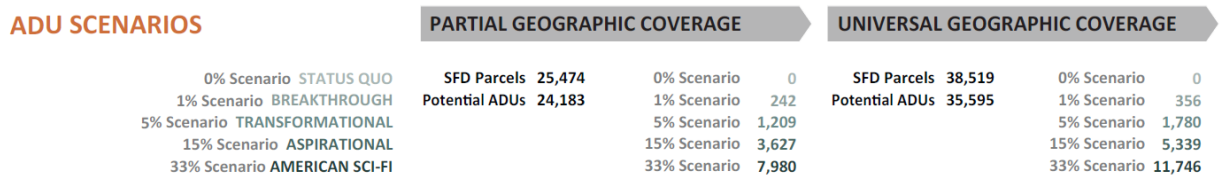
A projection for total number of ADUs Salt Lake City could expect based on what Portland has experienced would result in about 550 ADUs in the City over a 20 year period, which is one ADU for every 77 single family dwelling in the city. Approximately 2,200 properties would have an ADU next door. This equates to about 27 ADUs per year.

A projection based on the Denver experience would result in a total of 24 ADUs over a 6 year period. This equals one ADU for every 1,750 single family dwelling in the City. About 100 homes would have an ADU next door. Salt Lake City would likely see more ADUs than Denver has seen because the proposed ordinance allows them in all residential zoning districts, while Denver only allowed ADUs in certain neighborhoods.

The University of Utah conducted an Urban Design Studio class in the fall of 2017 that focused on ADUs. They did some analysis of what is possible based on an “aspirational” ordinance that was intended to show the impacts of ADUs if 3% of the properties in the city contained an ADU. The study identified approximately 38,500 single family parcels in the city, which is less than what the 2010 census shows and Salt Lake County Assessor data shows. In the table above, census data is used because it was easier to find census data from other cities versus trying to find other housing numbers.

The studio class used various scenarios (15, 5%, 15%, and 33%) to determine how many ADU’s were likely. The 1% scenario identified 356 ADU’s in SLC, which is similar to the numbers in the

above table when adjusted for the census data numbers of total single family dwellings. A snapshot of the ADU scenarios is below.



Detached ADUs or Attached ADUs?

The University of Utah Urban Design Studio was intended to demonstrate what was possible in SLC, to measure the impacts of ADUs, and to make policy recommendations to the City that would help create an ADU program that was "aspirational." The work of the Studio Class provides some useful insight into what the city can expect.

The Planning Division reviewed some of the final work of the Studio Class to see how existing accessory building regulations and the proposed ADU regulations will impact the ability of a property owner to build an ADU. The findings indicate that detached ADUs are going to primarily be limited by an existing regulation for accessory buildings that limits the *cumulative total footprint* of all accessory buildings to no more than 50% of the footprint of the home or 720 square feet, whichever is less. This standard applies to all single family dwellings (attached and detached) located in an FR, R1, R2 or SR zoning district. A single family home in an RMF zoning district does not have the cumulative total footprint requirement. The RMF zone is limited only by a yard coverage requirement that limits accessory structures to 50% of the rear yard (the space between the rear wall of the building and rear property line).

It is common for a city to limit the size of accessory structures. Salt Lake City's regulations appear to be more restrictive than most other communities. A better approach for the City to consider would be to limit an individual accessory dwelling to be a maximum of 50% of the footprint of the principal building and use a rear yard coverage to determine the maximum cumulative size. Ironically, Salt Lake City's rear yard coverage (50%) is exceptionally large compared to other cities. A rear yard coverage of 25% is more commonly used. This approach allows the regulations to be proportionate to the individual characteristics of the lot and the principal structure.

Where Can Detached ADUs Be Expected?

Properties that contain homes with large footprints

Homes that have attached, 2 car garages

Properties with large back yards

Properties with 2 story homes

Properties located in RMF zones

Given the restrictions within the updated ordinance, the most likely scenario for ADUs will be as attached units. This is because:

- The zoning ordinance allows more lot coverage for principal structures;
- The zoning ordinance allows for more building height for principal structures;
- There will be some cost savings because the principal structure already has all utilities to the building;

- Internal modifications are generally less expensive than making additions or building a detached ADU on the property.

The Planning Division is aware of one development in the Fairpark Neighborhood that could potentially include an ADU in each of the proposed 12 units. This development includes a mix of single family attached dwellings and single family detached in an SR-3 zoning district. It is likely that all of these would be internal to the principal dwelling.

How the ADU Ordinance Could Help Address the City's Housing Issues

Growing Salt Lake establishes a goal that states "Revise the Accessory Dwelling Unit ordinance to expand its application throughout the city and develop measures to promote its use." The proposed updated ordinance would expand the use of the ADU ordinance because it allows ADUs citywide.

The proposed updated ordinance, however, includes a number of regulations that will make it difficult to establish and maintain an ADU in Salt Lake City. It may be that the intent of the regulations is to purposefully limit ADUs because of the unknowns and the fear of certain impacts and to allow ADUs in a cautious manner. This approach does allow a community to become more accepting of ADUs over time, but it reduces the ability of ADUs to help achieve housing needs and goals.

Portland and Santa Cruz are examples of cities that had a restrictive ADU ordinance that produced few ADUs. After removing some of the restrictions, the number of ADUs increased rather dramatically. Santa Cruz has updated their ADU ordinance six times since 2002. Honolulu updated its ADU ordinance in 2015 and has permitted 150 ADUs since then. The Honolulu ordinance is rather simple and includes:

- Limits on the square footage of an ADU;
- A simple owner occupancy requirement that does not require every listed owner to reside on the property;
- Requires one parking stall, but waives the parking requirement if within ½ mile of a rail transit station;
- Requires a deed restriction; and
- Prohibits short term rentals.

The analysis in this report indicates that the city is not likely to see a large number of ADUs constructed in the city. This is primarily due to the restrictions placed on accessory buildings that are currently in the code combined with the proposed ADU regulations. The code could be improved to promote more ADUs, as stated in Growing Salt Lake. The University of Utah Design Studio Class mad a number of policy recommendations that would promote ADUs and address some of the impacts. Many of these recommendations have been discussed within this report and some are included in the proposed ordinance. The recommendation to employ a, ADU specialist is not supported by the Planning Division. Assigning a department specialist as a point of contact would be a difficult position to manage given the unknown number of applications that we would receive and the need for increased capacity within the Planning Division. The Division does not dedicate employees to specific tasks because the workload is never balanced and the types of applications received come in waves. This requires a constant shifting of personnel to make sure that all of our applications are processed in a timely manner that matches our resource. Specialized planning offices the size of Salt Lake City do not work

well because the workloads of various programs are not balanced. Specialized staff are often not trained to work on planning work that is outside their area of specialization, which creates uneven workloads amongst staff. A better approach given the resources of the Planning Division would be to have several staff members who are highly familiar with the regulations and processes that can help people navigate the permitting process.

The design of an ADU is often a point of concern in many communities that are seeing an increase in the number of ADUs. Some do include design standards within their ordinance. The Council could decide to apply design standards to ADUs. Common design standards are addressed below:

- Roof Design: The design of the roof shall match the shape, pitch, and roofing material of the roof of the principal structure for new accessory structures containing an ADU or when a second level is added to an existing accessory structure.
- Building Materials: The exterior building materials of the accessory dwelling unit shall match the type, dimension, and orientation of the exterior building materials of the principal structure for new accessory structures containing an ADU.
- Windows: windows shall maintain a similar dimension and design as the windows found on the principal structure.

The use of guidelines are fairly difficult in Utah due to language in State Code and should not be used without adopted review standards. Using more extensive standards than those listed above could be time consuming to produce and would likely require additional zoning text amendments so they are more legally defensible. One of the challenges with writing design standards for ADUs is that it is often difficult to mesh the bulk standards with the design standard. For example, a tudor style home typically has steep roof lines. A requirement to match the roof design would likely mean that the ADU would be taller than what would be allowed under the proposed ordinance. This occurs under the existing standards for accessory buildings because accessory buildings have a strict height limit and exceptions to the height limit are based on the height of other accessory buildings on the block face instead of the relationship between accessory building and primary building.

Other Possible Improvements to the ADU Ordinance

Owner Occupancy

The definition of owner occupancy is too narrow, does not allow for a variety of ownership types, and requires all owners to live on the property. A simpler version of owner occupancy would allow for a property to be owner occupied even if it has multiple owners. For example, two siblings that jointly inherited a house could not create or maintain an ADU under the updated proposal unless they both live in the home. It would also eliminate the sections of the proposed ordinance that requires all listed owners to live on the property. Below is some sample owner occupancy language that could be considered:

> For the purpose of this title, an owner occupant shall mean:
>
> 1. An individual who is listed on a recorded deed as an owner of the property;
> 2. Any person who is related by blood, marriage, or adoption to an individual who is listed on a recorded deed as an owner of the property;

3. An individual who is a trustor of a family trust which possesses fee title ownership to the property.

Make Attached ADUs Permitted

An ADU that is internal to an existing structure does not have the same physical impacts on a property as a detached ADU. Allowing them as permitted in all zoning districts would result in more ADUs being built in the City. This would be accomplished by changing the "C" in the land use tables for single family zoning districts to a "P".

Modify the Cumulative Footprint Requirement for Accessory Buildings

The maximum size for accessory buildings make it very difficult to build a detached accessory dwelling unit and a garage on most properties in the City. This issue is a result of the maximum cumulative size of all accessory buildings on a property being limited to no more than 50% of the footprint of the home or 720 square feet, whichever is less. This could be accomplished in a number of ways:

- Eliminate the maximum, cumulative size of all accessory structures requirement that is found in the accessory use chapter of the zoning ordinance. Accessory buildings would still be regulated by the maximum lot coverage, maximum rear yard coverage, and maximum footprint size of no more than 50% of the principal structure. If a property did not exceed the lot coverage or rear yard coverage, and ADU could be built as a stand-alone structure provided it was less than 50% of the footprint of the home or 650 square feet (whichever is less), it did not result in a rear yard coverage of more than 50% and did not exceed the total lot coverage of the underlying zoning district.
- Exempting an ADU from the cumulative total will also address this issue.
- Eliminating the cumulative maximum footprint size of 50% or 720 ft^2 so it is not cumulative and modifying the maximum rear yard coverage to 25%. This would eliminate the issue of accessory buildings overwhelming the principal structure but allow more flexibility, particularly for larger lots.

Some of the suggestions to modify the accessory building footprint regulations are outside the scope of the ADU ordinance and would need to be addressed as a separate application.

Parking Requirements

Allow for the ADU parking requirement to be eliminated even if the primary dwelling does not meet the current parking requirement. While the updated proposal includes a process for reducing the parking requirement, it can only occur if the property already has enough parking to meet the parking requirement for the principal dwelling. If the property does not have two legally located off street parking spaces, the ADU has to have an on-site parking stall. Properties built before about 1950 often do not have two on-site parking stalls that meet current parking requirements and would not qualify for a waiver of the parking requirement for an ADU. These properties have a higher likelihood of being located in parts of the city that are served by Trax, the S Line, or high frequency bus routes. Not allowing a waiver for these properties because they were built when the zoning ordinance required less parking contradicts city policies and goals of promoting development along transit routes. This could be accomplished by:

- Adding language to the ADU ordinance that says that the square footage of the ADU footprint is in addition to cumulative total allowed in the accessory use chapter;

- Eliminating the cumulative total of all accessory buildings from the accessory use chapter and rely on the maximum rear yard coverage and total lot coverage.

Notice to Neighbors

The proposed ordinance includes a requirement for a zoning certificate and requires a 30 day notice period before the certificate can be issued. The purpose the 30 day notice period serves is to let the property owners know that a building permit has been submitted for an ADU. This type of notice is a courtesy notice. A notice of a pending zoning certificate does not create any sort of appeal rights for the neighbor because it is not a final decision and does not provide any neighbor with any sort of process to object to the issuance of a zoning certificate. Any sort of appeal would start from the time that a final decision is made and that a person is noticed of that final decision. If the purpose of the notice is to let a neighbor know an ADU has been proposed next door, it shouldn't include a 30 day waiting period and instead provide instruction on how to find out more about the proposal, how to find out if or when a building permit has been issued, and the deadline to file an appeal.

The ordinance could also be changed to state that the notice be sent out once the permit is issued. Doing this would establish the start of an appeal period so that a neighbor could review the building permit and determine if they believe that the permit was issued in error. Those ADUs that require a conditional use would not be subject to the notice because the conditional use process already has a notice period and a clear appeal process.

Business License Requirement

A business license should not be required in every instance. For example, if an ADU is occupied by a family member, there may not be a rental contract or any sort of financial transaction. Furthermore, any rental unit is already required to have a business license under city code so adding it to the ADU section of the zoning ordinance is not necessary.

Abandonment of an ADU

The abandonment section of the code may not be enforceable. The issue is with the requirement to remove "those elements that make the unit an ADU." The language is vague and does not provide enough direction as to specifics of what would have to be removed or when it would have to be removed by. If the modification is simply removing a door or a lock that divides the ADU from the rest of the property, it is an easy modification. But if the ADU is completely separate with a separate outside entrance then it might be extremely difficult to remove the features that make it an ADU and may require internal connections between the principal dwelling and the ADU.

A detached ADU is probably easier to enforce the abandonment requirement because removing a kitchen and bathroom from an accessory building clearly would result in the unit not being an ADU. However, the ordinance does not state what should be removed.

COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Ben Luedtke
Budget & Public Policy Analyst

DATE: April 10, 2018

Project Timeline:
Set Date: March 6, 2018
Public Hearing: March 20, 2018
1st Briefing: April 3, 2018
2nd Briefing: April 17, 2018
Potential Action: May 1, 2018

RE: **Federal HUD Grant Appropriations 2018-2019: CDBG, ESG, HOME and HOPWA**

NEW INFORMATION

Potential Funding Shifts

1. Bicycle Collective Goodwill Bikes Program (CDBG Public Services #14) – Council Member Kitchen expressed interest in funding this application. The CDCIP Board and Mayor did not recommend funding. This is the first year the program is requesting CDBG funding. The program does not align with the transportation objective in the five-year Consolidated Plan but does meet the homeless services objective of increasing access to supportive services. During the April 3 work session briefing, the Administration mentioned this program is under consideration for inclusion in the consolidated line item for homeless services providers in the FY19 annual budget. An estimated 200 adults would benefit from the program.

2. Wasatch Homeless Healthcare Medical Outreach Team (CDBG Public Services #21) – Council Member Wharton expressed interest in funding this application. The CDCIP Board and Mayor did not recommend funding. This program has applied for and received CDBG funding for approximately 10 years. The program advances the homeless services objective by increasing access to healthcare. During the April 3 work session briefing, the Administration mentioned this program is under consideration for inclusion in the consolidated line item for homeless services providers in the FY19 annual budget. An estimated 200 adults would benefit from the program.

    a. Impact of No Funding – According to the application, the $39,600 request is to pay 71% of an FTE medical provider's compensation. Funding was secured from Federal and private sources to pay the remaining $15,940 portion of the position. The total position cost is $55,540 which is equivalent to 1% of the organization's $5.5 million annual budget.

Post Street and 1000 West Street Reconstructions (CDBG Neighborhood Improvements #2 and #3)
The two applications are to fund the design (#2) and reconstruction (#3) of several street blocks. HUD requires design and construction for a project be submitted as separate applications. The CDCIP Board and Mayor both recommended only 84% funding for both applications. This funding level would allow reconstruction to proceed but the 600 South bike paths would likely be removed from the project scope. Jointly funding the reconstruction projects is anticipated to create economics of scale savings. HUD prefers projects to start construction within a year of funding awards. This does not leave sufficient time for an application funding the 600 South bike paths to go through the normal CIP process.