



Memorandum

**Planning Division
Community & Economic Development Department**

To: Salt Lake City Planning Commission
From: Michael Maloy AICP, Principal Planner
Date: November 4, 2010
CC: Wilf Sommerkorn, Planning Division Director
Cheri Coffey, Planning Division Assistant Manager
Paul Nielson, Senior City Attorney
Re: Planning Commission Briefing on PLNPCM2010-00612 Accessory Dwelling Units Ordinance

Overview.

A request by Mayor Ralph Becker to amend the Salt Lake City Zoning Ordinance in order to permit accessory dwelling units (ADUs) within single-family and multi-family residential districts. An accessory dwelling unit (ADU) is a residential unit that is located on the same lot as a single-family dwelling unit, either internal or attached to a single family unit (such as in an addition) or in a detached structure (such as in a garage or separate accessory structure).

By providing housing on existing lots in developed neighborhoods, ADUs are a form of land use that makes good use of land and public infrastructure investment. ADUs also increase use of transportation alternatives (such as walking, cycling, and mass transit) that lead to reductions in green house gas emissions and energy use. This request is part of the Sustainability City Code Initiative Project.

Objective.

The purpose for the Planning Commission briefing is to:

- Acquaint the Commission with the proposed regulation (see Attachment A – Accessory Dwelling Units Fact Sheet and Attachment D – Draft Accessory Dwelling Units Regulation);
- Discuss issues that have been previously identified by the public (see Attachment F – Public Comments and Attachment G – Focus Group Meeting Notes); and
- Identify additional concerns (if any) to be addressed by staff.

Issues.

Based on comments received during the public input process, staff has summarized the following items that need discussion:

- Are ADUs an appropriate land use for Salt Lake City?
- In which zoning districts should ADUs be allowed?
- Should ADUs only be allowed within single-family districts?
- Should ADUs only be located within a specified distance or range from mass transit?
- Should ADUs only be allowed within a specified area through the establishment of a zoning overlay?
- Should ADUs only be allowed on owner-occupied properties? If so, what precautions should the City take to ensure that properties with ADUs are owner occupied?
- Should the proposed ordinance include additional design regulations for properties not regulated by a Historic District?

Attachments.

- A. Accessory Dwelling Units Fact Sheet
- B. Quick Notes on Accessory Dwelling Units (published by the American Planning Association)
- C. Seattle Backyard Cottages (newspaper article)
- D. Draft Accessory Dwelling Units Regulation
- E. Public Input Process
- F. Public Comments
- G. Focus Group Meeting Notes

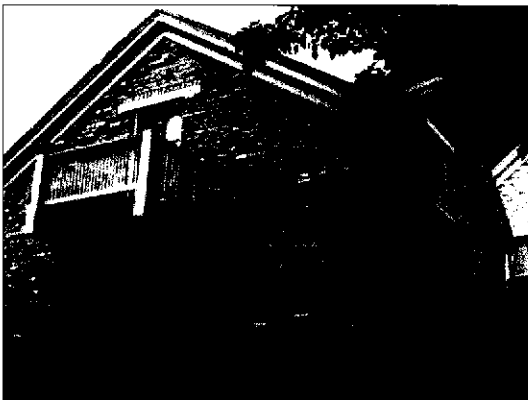
Accessory Dwelling Units – Fact Sheet



ADU within existing structure



ADU in standalone structure



ADU above garage

Definition

An Accessory Dwelling Unit (ADU) is a residential unit that is located on the same lot as a single-family dwelling unit, either internal to a single family dwelling, attached to a single family unit (such as in an addition) or in a detached structure (such as in a garage or separate accessory structure). The Accessory Dwelling Unit must be a complete housekeeping unit with a shared or separate entrance, kitchen, sleeping area, closet space, and bathroom facilities.

Background

Accessory Dwelling Units (ADUs) have become an important component of the housing stock in many communities - both large and small - in the United States. By providing housing on existing lots in developed neighborhoods, ADUs are a form of land use that makes good use of land and public infrastructure investment. Accessory Dwelling Units, when located near employment and retail centers, help increase use of circulation alternatives (such as walking, cycling, mass transit) leading to a reduction in green house gas emissions and energy (fuel) use. Additionally, the changing face of the American public and its housing needs supports the inclusion of ADUs as a housing alternative. More people are aging, are "empty nesters", and desire to down-size. In addition, the work force continues to be challenged to find affordable housing and ADUs can help address that demand.

Purpose Statement

The purposes of the proposed Accessory Dwelling Unit regulations are to:

1. Create new housing units while respecting the look and scale of single-family dwelling development;
2. Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
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 that responds to changing family needs and 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 range of accessible and more affordable housing;
7. Provide opportunity for workforce 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;
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 in historic structures.

General Concepts

Regulations to ensure mitigation of negative impacts are:

1. Limit Size of ADU: Proposal is to limit the size of an Accessory Dwelling Unit to ensure it is subordinate to the principal structure. The regulation would limit the size to 50% of the square footage of the principal structure or 650 square feet; whichever is less.
2. Require Owner Occupancy: Require either the principal unit or the ADU to be occupied by the owner of the lot. The idea is that if an owner is on site, they are more likely to ensure tenants are not causing problems (such as noise, etc.) and will ensure the property is maintained.
3. Limit ADUs to one ADU per lot.
4. Require ADUs to be registered / licensed with City.
5. Parking – one stall per ADU. As written, parking would be required but the Transportation Division could modify the requirement (such as allow Tandem Parking or no Parking) where certain factors are evident (such as there is available on-street parking, it is within ¼ mile of a TRAX Station, it is within walking distance to a Business District area, etc.).
6. Home occupations (such as an office) allowed in an ADU, but conditional home occupations (such as music lessons or hair styling) where person would come to house would not be allowed in the ADU.
7. Must meet height, setback and building coverage for the principal structure regulations of the zoning district.

8. Entrances for an ADU must be to the back or side of the property. This is to enforce the subordinate nature of the unit.

General Questions

The following questions have been identified during staff review of the proposed regulation:

1. Where to Allow? In what zoning districts should Accessory Dwelling Units be allowed?
 - a. Should they only be allowed in single-family zoning districts?
 - i. Could they be allowed in local historic districts to help off-set cost of preservation (incentive)?
 - ii. Could they be allowed near Light Rail Transit Stations or within walking distance of a business area?
 - iii. Could they be allowed on multi-family zoned properties, with single-family homes, where the lot is too small to allow anything but a single family unit?
 - iv. Should they only be allowed on single-family residential lots where the size of the lot meets a minimum square footage?
 - v. Are there certain neighborhoods where a “pilot program” could be started to gauge demand / impacts?
2. Design Guidelines Should there be design guidelines for detached ADUs?
 - a. Such as exterior materials, roof pitch, window patterns, etc to ensure compatibility with house design.
 - b. We currently do not have these types of design standards within the City except within designated local historic districts.

QUICKNOTES

This PAS QuickNotes was prepared by APA research staff with contributions from Elisa L. Paster and Evan D. Fieldman, associates at the Paul Hastings law firm.

Accessory Dwelling Units

Accessory dwelling units (ADUs) are small, self-contained living units that typically have their own kitchen, bedroom(s), and bathroom space. Often called granny flats, elder cottage housing opportunities (ECHO), mother-daughter residences, or secondary dwelling units, ADUs are apartments that can be located within the walls of an existing or newly constructed single-family home or can be an addition to an existing home. They can also be freestanding cottages on the same lot as the principal dwelling unit or a conversion of a garage or barn.

The benefits to the home owner and the ADU occupant are many. For the home owner, ADUs provide the opportunity to offer an affordable and independent housing option to the owner's grown son or daughter just starting out or to an elderly parent or two who might need a helping hand nearby. The unit could also be leased to unrelated individuals or newly established families, which would provide the dual benefit of providing affordable housing to the ADU occupant and supplemental rental income to the owner. Supplemental income could offset the high cost of a home mortgage, utilities, and real estate taxes. Finally, leasing an ADU to a young person or family can provide an elderly home owner with a sense of security and an opportunity to exchange needed work around the house and yard for a discount on rent.

Despite the benefits, some communities resist allowing ADUs, or allow them only after time-consuming and costly review procedures and requirements. Public resistance to ADUs usually takes the form of a perceived concern that they might transform the character of the neighborhood, increase density, add to traffic, make parking on the street more difficult, increase school enrollment, and put additional pressure on fire and police service, parks, or water and wastewater. However, communities that have allowed ADUs find that these perceived fears are mostly unfounded or overstated when ADUs are actually built.

ADUs are a particularly desirable option for many communities today considering the current economic climate, changes in household size, increasing numbers of aging baby boomers, and the shortage of affordable housing choices. They provide a low-impact way for a community to expand its range of housing choices.

LOCALITIES AND STATES GET INTO THE ACT

Towns, cities, and counties across the country have done the right thing by proactively amending local zoning ordinances to allow ADUs. This is typically done either as a matter of right or as a special or conditional use. In either case, reasonable conditions may be imposed. Some states, including California, have enacted legislation that limits the ability of localities to zone out ADUs.

In 2001 AARP retained APA's Research Department to write a guidance report for citizens interested in convincing local and state officials of the benefits of allowing ADUs and showing them how to do it. *Entitled Accessory Dwelling Units: Model State Act and Model Local Ordinance*, the monograph provides alternative statute and ordinance language useful to implementing all forms of ADUs.

The Model Local Ordinance suggests recommendations for communities. Additionally, the intent of the ordinance describes the permitting process for eligibility and approval, and further outlines standards for ADU approval pertaining to lot size, occupancy, building standards, parking and traffic, public health, and how to deal with nonconforming ADUs. *The Model State Act* provides findings and policies encouraging the approval of ADUs and names local governments as the entities entitled to authorize

"Towns, cities, and
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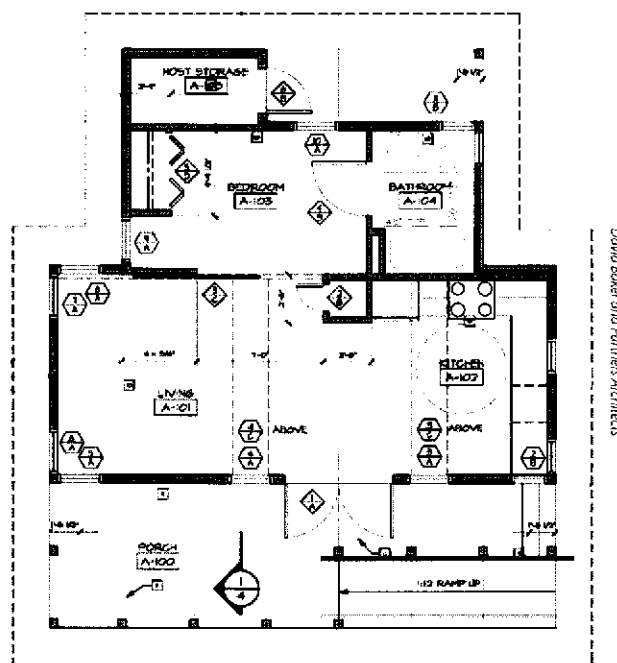
American Planning Association

Making Great Communities Happen

adoption of an ADU statute. It specifies the limits to which local governments may prohibit ADUs and outlines default permitting provisions if a locality does not adopt an ADU ordinance. It details optional approaches for adopting ADU ordinances, certifying local ADU ordinances, gathering data on ADU efforts, preparing reports and recommendations, and forming a statewide board overseeing ADUs.

WHAT ISSUES ARISE WHEN A PROPOSED ADU ORDINANCE IS CONSIDERED?

ADU ordinances offer a variety of benefits to local communities but the road to implementation may not be an easy process. While ADUs are more widely accepted now than in years past, skeptics still remain and some still oppose ADU zoning. The following describes some issues or decision points that communities must address in order to successfully navigate the perilous waters of public acceptance. The approach that is right for your city or town will be unique, based on local physical, political, social, and economic conditions.



Single story ADU floor plan.

By-right Permitting. Should permits for ADUs be issued as a matter of right (with clear standards built into the ordinance) or should they be allowed by discretion as a special or conditional use after a public hearing?

Occupancy. Should ordinance language allow an ADU only on the condition that the owner of the property lives in one of the units?

Form of Ownership. Should the ordinance prohibit converting the ADU unit into a condominium?

Preexisting, nonconforming ADUs. How should the ordinance treat grandfathered ADUs? How do you treat illegal apartments that want to apply for an ADU permit?

Unit Size: Should the ordinance limit the square footage of the ADU to assure that the unit is truly accessory to the principal dwelling on the property?

Adequacy of Water and Sewer Services. How do you guarantee there is enough capacity in sewer lines, pumping stations, and treatment facilities to accommodate ADUs?

These are not easy issues. However, communities would do well to seriously consider adopting an approach that: allows ADUs by right with clear written conditions; does not require owner occupancy; prohibits condominium ownership on the basis that a condo could not be considered accessory; provides a simple procedure for legalizing preexisting or formerly illegal apartments provided the unit is inspected; provides a generous size standard; and provides a water and sewer adequacy standard. □

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For a complete list of references visit <http://www.planning.org/pas/quicknotes/>

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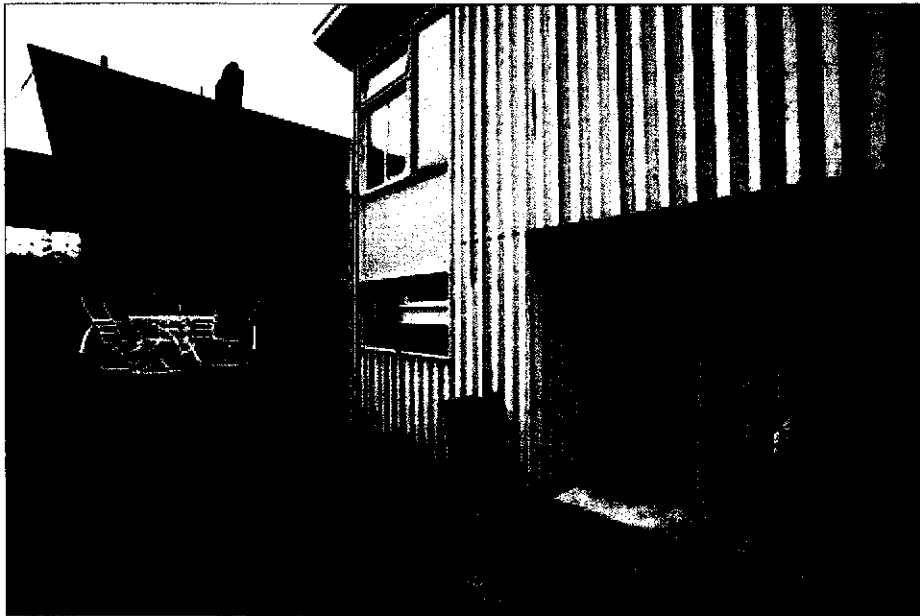
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For more information on this topic visit www.planning.org.

Seattle's backyard cottages make a dent in housing need

By Judy Keen, USA TODAY

Updated 5/26/2010 12:02 PM



John Stoeck sweeps the 437-square-foot cottage he's building behind his home in Seattle. The city changed zoning rules to allow cottages in single-family neighborhoods.



Lynn Watkins, left, and her partner, Yolinda Ward, built a 600-square-foot cottage behind their four-bedroom Craftsman-style house after deciding the "big house" was too big.

SEATTLE — John Stoeck is building a one-bedroom, 437-square-foot cottage on the spot where his garage stood before a tree fell on it. Construction costs: about \$50,000. When the cottage is finished this summer, he plans to rent it for at least \$900 a month, which will make a nice dent in his mortgage payments.

His is just one of about 50 tiny cottages sprouting in backyards across the city as it tries to expand affordable housing options in established neighborhoods without resorting to high rises and apartment complexes. The city changed zoning

rules to allow cottages in single-family neighborhoods citywide, rejected a proposed cap of 50 cottages a year and helped organize a design competition to spur creation of reasonably priced plans. The point is not just to allow the cottages, but to encourage them.

"I want to preserve rural areas around Seattle, and I don't want the suburbs continuing to march on without any limits. One way to do that is to add more density to these inner-city neighborhoods," says Stoeck, 47, an architect.

Backyard cottages are a promising way to address the need for affordable housing without diminishing the character of urban neighborhoods, and they're creating more options for families who want to live near an elderly parent or adult child. "It's harder and harder for working people to live in the city," says former Seattle mayor Greg Nickels, now a fellow at the Harvard University Institute of Politics.

The backyard homes, he says, also help ease traffic jams and reduce pollution.

Seattle tested the backyard cottages initiative in the southeast part of the city starting in 2006, resulting in 28 cottages. It was expanded citywide in December, and 22 more building permits have been issued.

Other cities such as Denver and Faribault, Minn., are allowing for the first time or expanding programs that encourage backyard residences to accommodate growing demand for affordable housing in the wake of the recession and foreclosure crisis.

Unlike attached "granny flats" or basement apartments, backyard cottages are separate buildings, often just a few feet from owners' homes. Once built, owners such as Stoeck either rent out the cottage or rent out their main home and move into the cottage.

Besides expanding housing options, backyard cottages have another benefit: "It's really a way to help people hang on to their homes," says Andrea Petzel, senior urban planner for the city of Seattle. She expects about 40 to be built each year.

The Denver City Council votes next month on a zoning code that for the first time would allow "accessory dwelling units," including detached cottages, in some residential areas.

It would "balance our housing opportunities and at the same time add density" in areas where affordable rentals are scarce, says Peter Park, community planning and development manager.

Faribault, Minn., which has a rental housing shortage, began allowing freestanding backyard dwellings in October.

"It can be a good thing if you have the proper controls in place," zoning administrator Greg Kruschke says.

Santa Cruz, which has some of California's highest housing prices, encourages backyard cottages citywide, and about 40 are built each year. Santa Cruz "did not want to price people out of living here," says Carol Berg, the city's housing and community development manager.

The concept evolved from the carriage houses where employees or extended families lived near grand homes in the early 1900s, says Dana Cuff, professor of architecture and urban design at UCLA. That changed in the 1950s, she says, when the American dream meant owning a single-family home on a big lot.

"We need to adapt our living environment to the kinds of families we have now," Cuff says.

"We have two people working in nearly every household now, so people don't need as big a yard," she says.

Other benefits: Owners' rental income can help fend off foreclosure, and aging parents can move into cottages to maintain their independence, she says.

Backyard cottages "don't suit everyone, but they're really right for some people," Cuff says.

Her view is borne of personal experience: A decade ago, she and her husband moved into one on their property in Santa Monica.

Critics cite privacy concerns.

Seattle needs room to grow: Almost two-thirds of the city is zoned for single-family homes. Its population rose from 563,374 in 2000 to 602,000 last year.

Houses are pricey here. The median cost in the fourth quarter of 2009 was \$305,500, compared with the national median price of \$172,900, the National Association of Realtors says.

Nickels had been intrigued by the idea of backyard cottages for decades before he became Seattle's mayor in 2002 and made it a priority. Opponents argued that it would double the city's density, he recalls, but he felt "there was no excuse other than political cowardice not to move forward."

After the first batch of cottages was built in southeast Seattle, a survey of people who lived near them turned up a surprise: More than half the neighbors didn't know they were there, he says.

Some critics of the Seattle initiative still worry that backyard cottages will clutter neighborhoods, clash with existing homes, create parking shortages and attract irresponsible renters.

Seattle architect and developer Marty Liebowitz says the cottages could rob neighbors of the privacy they want to "barbecue, entertain guests and walk around naked if they're kinky."

Seattle arborist Michael Oxman has another concern: If the idea catches on and many cottages are built, he says, they "would decimate the urban forest of Seattle." Inevitably, he says, trees will be removed to make room for cottages and parking spaces for owners and tenants.

Chuck Cady, who has sold Seattle real estate for 30 years, says cottages probably increase the value of lots where they're built but might hurt the value of homes adjacent to them.

"If you've got a lovely backyard that's totally private, it's worth more than one with a two-story, butt-ugly addition looking down on your backyard," he says.

In Seattle, "none of the worst-case scenarios happened," Petzel says. Getting city permits for a typical single-family home can take about three months, but for cottages the turnaround time can be as short as six weeks, she says.

Seattle City Councilmember Sally Clark, a proponent of the initiative, says design standards were written to help ensure neighbors' privacy.

Backyard cottages can be built only on lots of 4,000 or more square feet, height is limited based on lot width, and entrances must face away from neighbors. At least one property owner must live in the main house or cottage.

"Sometimes they actually improve the neighborhood," says Diane Sugimura, Seattle's director of planning and development. "We don't believe the majority of homeowners will choose to do this, but it really provides another option ... and it allows you an income source."

'A great spot'

College student Laura Chamberlain, 20, would love to live in a backyard cottage. She's tired of overpriced apartments near campus, and the expansion of Seattle's light rail system makes living away from school more practical, she says.

"A cottage would be a great spot for me while I save enough money to buy a house, and unlike condo living, I might be able to grow my own vegetables," she says.

Stoeck, who shares the main house with his wife, Jennifer, and son Colin, 9, says that because the cottage is just steps from his back door, choosing the right tenant is important. So is keeping his neighbors happy: He gave them a tour of the cottage and assured the people who live next door that his tenant won't be able to see into their home.

"You have to be careful about the context and scale of the neighborhood, but I think the idea is great, and I'd do it again in a second," Stoeck says.

Clark says the economy helped prove cottages' value.

"In a recession people are definitely looking for ways to pay the bills and for lower-cost housing options," she says. "Seattle had an overheated rental market, so folks who had backyard cottages had something that was desirable."

Patrick Leigh, 57, took a different approach to the cottage initiative. He built a bigger new house in front of an existing tiny one on the back of his lot in West Seattle. The houses are for sale. "If people want affordable housing," says Leigh, a land surveyor, "this is one way to help."

"There are tough choices to be made as population increases. Do we really want to keep building out where people have to commute? I think we're better off getting more density in the city."

Less is more for some

Yolinda Ward and Lynn Watkins bought a four-bedroom Craftsman-style house in Seattle's Columbia City neighborhood four years ago after falling in love with its architectural details and expansive yard. Soon, the couple decided the house was too big, so they built a 600-square-foot cottage behind and over the existing garage and moved into it. They rent the "big house" to Ward's godson, Erik Norwood, his wife Rebecca and their two children. A friend rents the basement.

Although Watkins, 60, had to forfeit part of her garden space to build the cottage, she loves living in it. "It's easier to clean and everything's right here," she says. The bedroom is on the ground level; upstairs there's a kitchen and living room.

Original designs for the cottage included big windows facing the back door and deck of the "big house," says Ward, 61. They decided to move the windows to overlook the garden and eliminated them on the wall with a view of the big house.

Privacy is important, but being close to her godson's family is part of the appeal, Ward says. She can open a window near her desk and chat with almost-3-year-old Jaeda when she's playing outside. There's a big family meal every other Wednesday.

The cottage cost about \$135,000, Ward says, and added about \$200 to their mortgage payment — an increase covered by the rent they receive, which also covers increased property taxes. The property, appraised at \$560,000 before the cottage was added, now is worth \$710,000.

The only drawback the couple can think of is that they don't have room for overnight guests. Watkins still has room for a garden, and the "green" elements they added — including extra insulation, a water heater that kicks in only when hot water is needed and the recycling of runoff water — keep expenses low.

"It's a very easy way to get regular income, and it will pay for itself," Ward says. Strangers sometimes knock on their door to ask about the cottage — and how they can build one, too.

CHAPTER 21A.26	2
21A.26.01: ACCESSORY DWELLING UNITS	2
A. Purpose Statement.....	2
B. Applicability.....	2
C. Definition.....	3
D. Standards	3

DRAFT

Chapter 21A.26 ¹

21A.26.01: ACCESSORY DWELLING UNITS

Background/Commentary:

Accessory dwelling units (ADUs) have become an important component of the housing stock in many communities—both large and small—in the United States. Noted ADU programs include Portland, OR, Santa Cruz and Chula Vista, CA, Seattle, WA, Lexington, MA, and Aspen, CO. By providing housing on existing lots in developed neighborhoods, ADUs are a form of land use that makes good use of land and public infrastructure investment. ADUs, when located near employment and retail centers, help increase use of mobility alternatives leading to a reduction in green house gas emissions and energy (fuel) use. Additionally, the changing face of the American public and its housing needs supports the inclusion of ADUs as a housing alternative. More people are aging, are “empty nesters”, and desire to down-size. The work force continues to be challenged to find affordable housing and ADUs can help address that demand.

Clarion’s approach to addressing ADUs in the Salt Lake City context, where the zoning code currently does not address ADUs, is straight-forward and relatively simple. ADUs would be allowed in specific residential zones, but only in conjunction with an owner-occupied single-family dwelling and a number of design and use related standards are provided to address neighborhood compatibility.

A. PURPOSE STATEMENT

The purposes of the accessory dwelling unit provisions are to:

1. Create new housing units while respecting the look and scale of single-dwelling development;
2. Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
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 that responds to changing family needs and 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 range of accessible and more affordable housing;
7. Provide opportunity for workforce 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;
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 in historic structures.

B. APPLICABILITY

Accessory dwelling units 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

¹ The numbering system follows the general format of the city’s current zoning code. A specific section number will be assigned after discussions with staff.

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-3, R-2, RMF-30, RMF-35, RMF-45, RMF-75 ² subject to the provisions of this section.

Accessory dwelling units located in a Historic Preservation Overlay District ~~or designated as a Historic accessory dwelling units~~ are subject to building code and other applicable codes as adopted by the city.

C. DEFINITION³

Accessory dwelling unit: A residential unit that is located on the same lot as a single-family 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.

D. STANDARDS

1. Purpose

These design and development standards are intended to ensure that accessory dwelling units:

- a. Are compatible with the desired character and livability of the residential zoning districts and Salt Lake City's neighborhoods;
- b. Respect the historic district and landmark resources of the city;
- c. Respect the general building scales and placement of structures to allow sharing of common space on the lot, such as yards and driveways; and
- d. Are smaller in size than the principal dwelling on the site.

2. Generally

- a. **Owner-occupied Property Required.** Accessory dwelling units shall only be permitted when the property owner lives on the property either in the principal structure or ADU ~~accessory to an owner-occupied principal dwelling on the lot.~~⁴ A lot approved for development with an accessory dwelling unit must have a deed restriction filed with the county clerk and recorder's office indicating such owner-occupied requirement of the property prior to final approval of the accessory dwelling unit by the city.
- b. **One per Lot.** One accessory dwelling unit is permitted per residential lot.
- c. **Underlying Zoning Applies.** Unless specifically addressed in this section, accessory dwelling units are subject to the regulations for a principal structure of the underlying zone district with regard to dimensional standards (e.g., height, setback/yard requirements, building coverage, etc.). See density provision in (d.) below. If there is any conflict between the provisions of this section and any other section of the zoning code, the provisions of this section shall take precedence. Specifically, the requirements of Section 21A.40.050, Accessory Uses, Buildings, and Structures that focus on non-residential accessory structures do not apply to accessory dwelling units. Accessory dwelling units may be located within 10 feet of a dwelling structures on abutting lots, but only if the adopted building code is met for the accessory unit.
- d. **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 a single-family residential property.

² ~~Consideration should be given to appropriate single-family districts, predominant lot sizes in districts, proximity to work centers and transit, and current neighborhood layout/development patterns.~~

³ This definition will be inserted in Chapter 21A.62, Definitions, of the current zoning code. The definition of, "dwelling, single-family" is used intentionally in this section to exclude mobile homes, travel homes, and temporary housing to qualify as the principal dwelling for the purposes of accessory unit on the same lot.

⁴ ~~Option: Could also allow the ADU (vs. principal house) to be occupied by the owner one of the two units must be owner-occupied.~~

- e. **Home Occupations.** Home occupations listed in Section 21A36.030 B, Permitted Home Occupations, are allowed to be conducted in an accessory dwelling unit. Those home occupations listed in this section under “Conditional Home Occupations” are explicitly not allowed in accessory dwelling units in order to maintain the residential nature of the 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. **Historic Preservation Overlay Districts and Landmark Sites.** Accessory dwelling units located in a Historic Preservation Overlay District ~~or designated as a Historic Landmark Site~~ are subject to the applicable regulations and review processes of Section 21A.34.020, including the related guidelines and standards as adopted by Salt Lake City to ensure compatible building and preservation of historic resources.
- h. **Building Codes.** Accessory dwelling units are subject to building code and other applicable codes as adopted by the city in place at the time of application for construction of the unit.

3. Methods of Creation

An accessory dwelling unit may only be created through the following methods:

- a. Converting existing living area within a principal dwelling area, basement, or attic;
- b. Adding floor area;
- c. Constructing a new principal dwelling 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.
- e. Constructing a new accessory dwelling unit within a separate detached structure in compliance with applicable lot coverage regulations.

4. Size

The maximum size of an accessory dwelling unit may be no more than 50% of the square foot of the principal dwelling unit or ~~800~~ 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/Number of Residents

The accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot. 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 the zoning code.

6. Parking

One additional on-site parking space is required for an accessory dwelling unit. The accessory dwelling unit parking space requirement may be waived by the City Transportation Director 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 and will not cause congestion in the area; or
- b. Accessory dwelling unit is located within 1/4 mile of a fixed transit line or an arterial street with a designated bus route.

Additionally, the City Transportation Director may allow a tandem space (behind an existing on-site parking space) to serve the accessory dwelling unit when the parking space requirement is met for the principal dwelling.

7. Location of Entrances/Units

- 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 façade of the principal dwelling. No new entrances may be added to the front façade of a principal dwelling for an accessory dwelling unit unless such access is located at least twenty (20) feet behind the front façade of the principal dwelling. ~~Any new entrance shall face toward the side or rear of the lot.~~

- b. **Detached Units**

Accessory dwelling units that are detached from the principal dwelling may:

- (1) Accessory dwelling units that are detached from the principal dwelling may utilize an existing street-facing front façade entrance as long as the entrance is located a minimum of twenty (20) feet behind the front façade 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) Newly constructed detached dwellings shall be located no closer than thirty (30) feet from the front property line and shall take access from an alley when one is present.
- 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 toward the rear or internal lot line, or toward the back of the principal dwelling.
- d. **Historic Preservation Overlay Districts and Landmark Sites.** When accessory dwelling units are proposed in a Historic Preservation Overlay Districts ~~or on historic landmark sites~~, the regulations and design guidelines governing these properties in Section 21A.34.020 will take precedence over the location of entrance provisions above.

8. Exterior Design

- a. **Within Historic Preservation Overlay District ~~or Designated Historic Landmark Site~~**

Accessory dwelling units located within a Historic Preservation Overlay District ~~or designated as a historic landmark site~~ shall meet the process, regulations, and applicable design guidelines in Section 21A.34.020 of the zoning code.

- b. **Outside Historic Preservation Overlay District ~~or Not Historic Landmark Site~~**⁵

9. Registration

Accessory dwelling units are required to be registered with the city to ensure compliance with applicable regulations, to assist the community in assessing housing supply and demand, and to fulfill the Accessory Dwelling Unit Purpose Statement, above.

⁵ Some communities impose exterior design standards while others do not address ADU architectural design at all. Such standards could address ADU exterior finish, roof pitch, window pattern and size, height relationship to principal dwelling, etc. More regulations could impede ADU creation, but on the other hand, consideration should be given to ensure neighborhood compatibility. The need for such standards is one for further discussion.

- a. No accessory dwelling unit shall be occupied until the owner completes a license registration form for the dwelling unit with the City Planning & Zoning Division. The requirement for license registration is intended to ensure that the applicant is aware of all city regulations governing accessory dwelling units; that the city has all information necessary to evaluate whether the accessory dwelling unit initially meets and continues to comply with applicable requirements; that the accessory dwelling unit meets health and safety requirements; and that the distribution and location of accessory dwelling units is known.
- b. Accessory dwelling units used for rental purposes shall be licensed ~~registered~~ and certified in accordance with the applicable provisions of the City Housing & Neighborhood Development Division.

DRAFT

Public Input Process

Sustainable City Code Initiative—Accessory Dwelling Units

December 2009	General Information about Accessory Dwelling Units in <i>Urbanus</i> —the monthly Planning Division e-newsletter.
December 2009	Fact sheet and draft ordinance posted to Planning Division website.
December 17, 2009	Open House (all people on ListServe notified of Open House including all community council chairs).
July 1, 2010	Second article about ADUs in <i>Urbanus</i> —the monthly Planning Division e-newsletter.
July 14, 2010	Focus Group. Clarion met with Focus Group made up of community council chairs, citizens, housing builders and housing advocates.
July 15, 2010	Open House / Public Forum at Salt Lake City Library conducted by Clarion Associates.
September 1, 2010	Open City Hall forum began (20 comments as of November 4, 2010).
September 2, 2010	Presented information to Community Council Chairs at Mayor's breakfast meeting with Community Council Chairs.
September 16, 2010	Presented information at Salt Lake Network meeting.
October 21, 2010	Public Forum – City Hall.
October 27, 2010	Wasatch Hollow Community Council.
November 10, 2010	Planning Commission Work Session.
December 9, 2010	Planning Commission Issues Only Public Hearing (Clarion will attend meeting). Mayor also scheduled to attend meeting.

Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

Public Comments as of November 4, 2010, 11:35 AM



Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

Introduction

As part of the Sustainability Code Amendment Project, the Planning Division is currently working with Clarion Associates to propose regulations which would allow accessory dwelling units in Salt Lake City. The Planning Division is currently working to obtain public feedback on the proposed regulations prior to scheduling a public hearing with the Planning Commission. The proposed regulations would be a text amendment to the City's Zoning Ordinance.

Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

Summary of Statements

Users

Total: 20

As of November 4, 2010, 11:35 AM, this forum had:

Attendees:	256
Participants:	20
Hours of Public Comment:	1.0

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

Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

Susan Fisher in Salt Lake City

November 1, 2010, 3:09 PM

As a 41-year resident of the Greater Avenues, I have some perspective on their history. First, let me say that the quality of the Avenues as a place to live and raise a family is far better now than it was even twenty years ago, and one of the principle reasons is that residents have fought to limit density, often by re-converting apartments back into single-family structures. Furthermore, the few apartments that existed in lower Federal Heights from the Depression era have been phased out over the years. One can scarcely argue that residents found an additional apartment in their home a desirable thing. We appreciate R-1 zoning precisely because it disallows multiple-family dwellings.

There are two density issues in this proposed ADU ordinance, and they are not clearly and separately addressed: building density and population density. I was astounded to read in the proposed ordinance that an ADU is expressly interpreted as NOT increasing density! Clearly, only structural density is considered here at all, and adding an additional structure would increase even that parameter. Common sense indicates that increased population density means more cars, more traffic, more ambient noise, more school children (in already overcrowded schools), increased use of already overburdened parks, less play area at home per child, etc. The proposed ordinance even stipulated that additional off-street parking space provisions can be waived, thus adding to street congestion. I cannot see that this would improve quality of life in any respect. I saw the dramatic results of decreased population density and noise – and increased resident satisfaction – in my own neighborhood when the Pi Kappa Alpha house burned and the fraternity was relocated.

Furthermore, the implied altruism for assisting an aging population is weak. As an older resident, I cannot believe that having a separate apartment in my home would provide me with increased “companionship and services.” No renter is legally bound to watch out for the landlord. In addition, it would be a long time before the cost of creating an apartment would be amortized by rental income; even a reverse mortgage would be faster and less demoralizing for both resident and neighborhood. The proposed ordinance does not offer any protection at all for the character of the existing neighborhood. It is inappropriate to force such a far-reaching ordinance change upon us when Historic District designation for Federal Heights is under consideration. The City Council should consider carefully the vested interests of those who propose to change the integral character of a single-family district. I think the respondent who proposed high-rise apartments (with underground parking) on already existing parking lots is on the right track.

The truth of the matter is that one of the first things people buy is privacy, and this is usually expressed first in the space they can place between themselves and their neighbors. Federal Heights has larger lots, and the coverage is far less than the city-allowed 40%. Indeed, even the smallest lots in this zone average only 25-30% coverage, while on the larger lots the coverage is even less. This lower density is directly correlated to house prices and the increased taxes they generate. People consistently demonstrate they are willing to pay for privacy and what it brings: less traffic, less noise, more space – and the joy of more big trees. This proposed ordinance would degrade our quality of life.

Beverly Nelson in Salt Lake City

October 28, 2010, 12:41 AM

www.PeakDemocracy.com/512

Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

An ordinance allowing homeowners to build accessory dwelling units on their property could provide benefits to homeowners, families, the elderly and renters in some Salt Lake communities. But ADUs should not be considered to be a panacea for every neighborhood in Salt Lake. There are neighborhoods in Salt Lake where accessory dwellings would not be appropriate, particularly those where high density is already an issue, where crime is high, and where schools already suffer from over-population. To allow residents to build accessory dwelling units on properties in these neighborhoods would only serve to exacerbate the problems they are already dealing with and would be detrimental to the entire community.

In regard to my own community, I live in lower Federal Heights in close proximity to University fraternities and sororities. My community already suffers from lack of parking, traffic congestion, excessive noise and crime. We already have problems with duplexes that started out as mother-in-law apartments 20 or 30 years ago, but that now house University students who, unfortunately, think it is cool to disrespect the community in which they live. I would not support an ordinance that allowed my neighbors, or residents in areas of the City that are experiencing the problems I have listed to build accessory dwellings on their properties.

Gene Fitzgerald in Salt Lake City

October 27, 2010, 9:32 AM

As president of the Federal Heights Neighborhood association and a member of the board of the GACC I think I can say that in general we oppose the move toward allowing accessory dwelling units. In our neighborhoods especially (Butler ave, Federal way etc) over the years we have had many rental units that were merely extensions of Greek housing and the problems that accompany those organizations. In the past 20 years or so, we have been moving toward and achieving more restrictive zoning rather than moving toward rental units in family homes. The ADU would significantly change that dynamic and open up homes in the area to the sort of abuse that we have seen in the past. We feel this way despite the restrictions the ADU has put on renting--people have a way of skirting those restrictions especially when we do not see an adequate oversight by the city to enforce them. So that is my feeling at this point and I sense that many neighbors agree with me

Esther Hunter in Salt Lake City

October 26, 2010, 8:24 PM

I believe there is a justified need for the ability to legalize accessory dwelling units in the City.

This can be useful and helpful to many. I support the owner occupied requirement. Having said that, I also believe that this ordinance is not yet ready for prime time. This is a significant change.

While we need to step forward, a blanket approach rather than a carefully planned, appropriately applied approach will further exacerbate many city issues and problems such as our failing and underfunded infrastructure especially evident in many older neighborhoods. The benefit of not being first is that we can learn from and avoid the long term problems this type of change has created in other cities.

This ordinance needs to be built on a firm foundation.

The foundation should come first.

In Salt Lake the very zones/properties that could best absorb additional density due to their size

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Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

and stature will not likely be utilized in this manner but instead it will be the older already more dense, smaller lots that will be further compromised.

This is not socially responsible.

This type of significant change should be carefully trialed, have a great deal more thought out criteria (ie design guidelines), correlation with other ordinances (ie the duplex legalization process), and have more details developed that give specific criteria for approval.

Is it near transit, what does the master plan say, how much density already exists, how much parking is available, is there a lit street lamp, impact to property values, what is the crime rate, roads/water/sewer impacts to name but a few.

What exactly tips the balance into the negative for a particular block face, a neighborhood?

Instead, we could begin by having the ordinance trialed through a one off review process such as conditional use or Board of Adjustments rather than implemented in a blanket fashion. Maybe where the least negative impact is likely but where a thoughtfully assessed minimum criteria has been met (ie new Sugar House streetcar line).

While the manpower to prepare a case for review is staggering, the ability of the City to manage/enforce/police this ordinance city wide as written is not likely feasible at all.

If a more restricted/one off trial run proves successful, this gate can always be widened.

As Dr. Chris Nelson (UU FAICP Presidential Professor City and Metropolitan Planning) has stated,

ALL of the Cities anticipated growth could be absorbed by utilizing the many existing flat surface parking lots which also coincides with one of the goals of the Downtown Community Council.

Incentives for this type of development would meet the need for additional tax base, density/growth while at the same time enriching the City without disrupting existing neighborhoods.

I sincerely hope the administration will take the additional time to develop this into a win-win approach that does not harm some areas while protecting others. This is doable.

quinn mccallum-law in Salt Lake City

October 25, 2010, 6:26 PM

I think this plan has great potential to both preserve existing buildings and create new housing opportunities. I currently live in an owner occupied legal triplex and it works well for my wife and I but I think we could take it further as a city. What about "ABU's" or accessory business units as well on owner occupied properties? I am aware of home-occupation permits but within many area's of the city this could contribute to the liveliness of up and coming areas as well as create places for people to actually walk to, something that is still lacking in SLC albeit growing. I see so many of these buildings around the city going to waste because the current owners see no value in commercial space, yet, seemingly, are disinterested in selling them (I've found 1 for sale publicly in the last five years.) So letting others build businesses as well would be as or more beneficial than the ADU's. I am still all for the ADU ordinance in the interim.

Kelly Stevens in Salt Lake City

October 25, 2010, 9:37 AM

I am a 15 year resident of the Avenues. I have owned two owner-occupied duplexes and have

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Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

been working with the city to legalize a triplex that was non-conforming. I am absolutely opposed to ADU's. Residents of the Avenues have protected this neighborhood for decades, working hard to make it a safe, live-able community. When rampant development of apartment complexes and creation of non-conforming apartments was the norm for the Avenues, it was a dangerous, drug-ridden neighborhood on the decline. With the hard work of many citizens, regulations have made it difficult to add apartments and break up single-family dwellings. This trend has protected our neighborhood and created a GREAT place to live. The avenues can be seen as an at-risk neighborhood in SLC. Crime is relatively high within our boundaries. With more apartments and a more transient population, the scale could be tipped. Parking is another complicated issue with negative implications from allowing ADU's especially with an allowance for 'limited' exemptions. The requirement for an owner-occupied house seems very tenuous and difficult to regulate down-the-line.

Stephanie Churchill Jackel in Vista

October 23, 2010, 1:32 PM

I'm concerned that the "fact sheet" and the draft ordinance don't agree as to the size of ADU allowed. The fact sheet says 50% of sq. ftg. of primary structure or 650 sq.ft., whichever is GREATER, while the ordinance says 50% or 650 sq.ft., whichever is LESS. This is a serious discrepancy. I also think strict design guidelines should apply wherever the ADU is located, historic district or not.

Dana Schaffer in Salt Lake City

October 16, 2010, 4:51 PM

I'm an Avenues Homeowner. This is a city and neighborhoods closest to the city should become more dense. Also, I agree with this proposal because it is environmentally friendly to increase density within the city and limit sprawl. The more the merrier. I think this will allow our neighborhood to be diverse and it will keep it so that people providing services within the community and others like teachers, can afford to live in the neighborhood in which they are contributors. Since we are experiencing severe property tax increases, I imagine this move may allow many people (e.g. fixed incomes) who are a valuable part of the neighborhood to keep their homes. Also, if our neighborhood becomes more dense, we might actually be able to support some more small businesses. I for one would like a few more restaurant options within walking distance and perhaps a store other than Smith's. Someone brought up parking. I'm not really worried about that, having lived in San Francisco and Seattle. The more dense it becomes, the more people will take public transit and hopefully those people won't need cars at all, if there are businesses within walking distance and transit to the U and downtown. I do hope they will consider adding traffic lights and enforce the speed limit so that we can be pedestrian friendly, even if we increase density. However, even recent requests for those services/changes have fallen on deaf ears.

Jon Parrish in Salt Lake City

October 8, 2010, 12:41 PM

Highly in favor of ADU. What a great way to stimulate economy, provide low cost housing to grad students, young couples, and young families; not to mention bringing extra taxes in which will keep my taxes lower! Let's ask the business owner who just shut down due to the lack of business, the school teacher who just got laid off due to the lack of students, or the student who just took the semester off to pay for the gas it takes to drive from out of town if they are in favor of infill. I vote yes.

linda burr in Draper

October 6, 2010, 8:16 AM

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Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

As a former Avenues resident for over twenty years, I think having Accessory Dwellings are not going to detract from the neighborhood. There are many already being used. I know the area had a bad period where many Victorians were split up as apartments, but now that many are single family dwellings again, a small cottage for students or for working singles/couple residences would be great infill. Of course there would be zoning still in place for fire safety, noise, parking, etc. We have the countries' worst air pollution partly because people drive to get downtown for work and school. I'm sure many would like to have a closer, quiet, residential, more affordable place to live.

Hilary Verson in Salt Lake City

October 1, 2010, 5:12 PM

I support ADU. As long as these rentals are on owner-occupied property, they will be well-maintained. ADU's will increase the population density & increase property tax without causing duress. Additionally, I suggest a small annual rental unit tax for apartment dwellers to help maintain infrastructure and services, perhaps \$25/year. I think this would provide about \$750,000/year without raising residential property tax.

Jim Ferguson in Salt Lake City

October 1, 2010, 3:54 PM

This is a terrible idea. It will turn back years of work making the Avenues one of the nicest places in the city to live. We have all worked for years to get rid of Accessory Dwelling Units. There is no rational reason, other than greed, to bring back the blight.

James Ferguson.

Pax Rasmussen in Salt Lake City

September 24, 2010, 11:58 PM

I strongly support this ordinance. I keep hearing about the 'inevitability' of growth in the valley, and it makes me sick. There really is only so much space, not to mention water. And the more we sprawl, the worse the already terrible air gets. Instead of dinking around with ideas like the northwest quadrant, we should focus on INFILL. I find the comment referring to Tokyo offensive: To that commenter, I ask, "Would you prefer Tokyo or L.A.?" Because L.A. is the direction we're headed. If you don't like density, move to the country. Up to a point, the denser the city, the better—the city becomes more walkable, more supportive of independent, locally-owned business, and more community-oriented. Hurrah for the ADU!

Mike Kephart in Denver

September 22, 2010, 7:25 AM

Here in the city of Denver we included ADUs in our new zoning ordinance adopted recently. I would suggest letting the maximum size of an ADU increase with the size of the lot. We included this provision in our code. I would also suggest that you ask families to tell their stories rather than trying to appeal to the populace with logic and reason. This is a change and people generally fear change unless they can personalize it. We failed in this respect and it became a divisive issue when it could have been seen as good for families.

bruce beck in Salt Lake City

September 20, 2010, 7:51 AM

I agree with Alysa K

Semi-anonymous in Salt Lake City

September 15, 2010, 9:08 PM

If this can be accomplished without creating mega houses or mega barns then go for it along with the following: I believe a ratio between property size and house foot print needs to be

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Accessory Dwelling Units (ADU)

What do you think about the proposed ordinance allowing Accessory Dwelling Units?

All Statements

established. There should also be a limit on number of people based on family relation and total number per square foot.

Kathryn Fitzgerald in Salt Lake City

September 10, 2010, 4:25 PM

I am concerned about the parking consequences of this ordinance in the University area, especially near the blocks zoned for Greeks. The Greek houses are already allowed virtually unlimited parking permits while single family homes are limited to three permits. This should not be a blanket citywide ordinance. It must examine the differences among neighborhoods and differing consequences of the change.

Philip Carlson in Salt Lake City

September 2, 2010, 3:58 PM

I hope this moves along!

We need more residents in the City. This will not likely increase density dramatically, but even a slight increase will be good for our community.

The owner occupation requirement is an important part of the proposal. Really, I would hope that few houses are divided, but that accessory units would be detached keeping the main house intact for larger families. Units above garages or even separate buildings would be best.

Semi-anonymous in Salt Lake City

September 1, 2010, 8:39 PM

I am opposed to this proposed ordinance as it will increase population density in already crowded areas. We are already suffering from crime, congestion, transportation problems, lack of privacy and other intrusions to a calm and peaceful life. Is Tokyo really the city we want to morph into?

Alyssa Kay in Salt Lake City

September 1, 2010, 6:30 PM

This is a positive move for Salt Lake City. Accessory Dwelling Units will allow extended families to live closer together, provide rental income and increase the city's density (without significant impact on character) to mitigate urban sprawl. I am in favor of this ordinance.

Some of the specifics of the ordinance, however, are unnecessarily restrictive such as the Owner-Occupied Property requirement. There are many renters who would benefit from this kind of living arrangement. This section seems to be prejudiced against renters.

Section 7.b.(1) is unclear. If the accessory unit is detached how/why would an existing entrance be used? Why would a new entrance be required to face away from the street? In my opinion that would create a mass that would be unattractive from the streetscape.

Overall, this is a good start. Thanks!

Maloy, Michael

From: cindy cromer [3cinslc@live.com]
Sent: Thursday, October 21, 2010 9:02 PM
To: Maloy, Michael
Subject: more on ADU's

Follow Up Flag: Follow up
Flag Status: Flagged

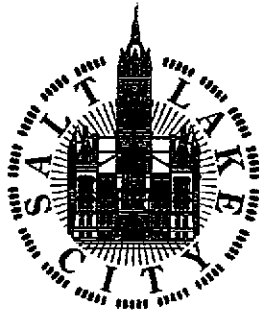
Categories: Other

Michael-Thanks for your patience regarding my numerous objections to Clarion's proposal for ADU's. I just spotted the following information in a much longer list of incentives for historic preservation that I proposed to Planning in January. Again, the City gives away development rights that it could use to leverage the kind of reinvestment it wants in housing. It is not getting enough benefit in the right places under Clarion's proposal. cindy

excerpt from a list of proposed incentives for historic preservation, submitted to Planning in January 2010:

Restrict **ACCESSORY DWELLING UNITS** initially to historic properties (either as stand alone Register sites or in City Register Districts) located in multiple family zoning districts. Focus on RMF-30 and RMF-35 zones especially in the Capitol Hill, Avenues, and Central City Districts. Rationale: These zones are established for multiple unit occupancy. The current residents and property owners EXPECT tenants as neighbors. The Landmarks Commission is currently doing an excellent job of implementing the design guidelines and ordinances that are available. The regulatory process for infill in historic districts is working far better than the compatible infill ordinances for single family zoning districts. Structures in historic districts have higher maintenance costs and would benefit from the additional income that accessory dwelling units could provide. The majority of the City's surviving carriage houses are concentrated in the historic districts and on stand alone Register sites

Provide **DENSITY BONUSES** for property owners who are reinvesting in historic Districts and stand alone historic sites. (This would be one way the City could create incentives for protecting excellent historic buildings that would qualify for stand alone status but are not surrounded by the critical mass of surviving historic buildings to be in a District).



**Public Forum
COMMENT FORM**

October 21, 2010

Accessory Dwelling Unit—Draft Ordinance

NAME	Ray Gardner
ADDRESS	93 Laurel St
ZIP CODE	84103
E-MAIL	raygardner@q.com
COMMENT	I believe this proposal is all admirable and will be a great addition to the community
NAME	Rich Welch Garbett Home
ADDRESS	273 East Capital Street
ZIP CODE	84003
E-MAIL	rich@garbetthomes.com
COMMENT	Increase size to 1200 sq ft; reduce set back to 1' from pc
NAME	Sonya Martinez
ADDRESS	
ZIP CODE	
E-MAIL	Smartm122@slcap.org
COMMENT	Require units to be licensed, ensure proper maintenance → transient oriented

Maloy, Michael

From: esther e. hunter [estherehunter@hotmail.com]
Sent: Wednesday, October 27, 2010 8:17 AM
To: Coffey, Cheri; Maloy, Michael
Subject: Re: ADU question

Categories: Other

Concerns:

Does the sentence "If there is any conflict between the provisions of this section shall take precedence." not undo many protections in place to make sure the ADU do not negatively impact an area. This concern is based on my experience of code interpretations in Building Services when permits are actually pulled. Can this be clarified to avoid conflicts in the future.

Experience has taught us that the review criteria utilized by various departments when the approve exceptions and plans is not specific and does not encompass neighborhood concerns.

Specific criteria for assessment for parking, infrastructure, etc. would make this ordinance more sellable.

Right now many communities are mounting opposition. Those that have the strongest land use experience will be most vocal (ie GACC) and those that are not as organized or versed (ie Central City) will not. Since the Mayor has stated we will start with a trial where this is wanted, I am concerned.

Can something more be done to clarify parking? Exceptions given due to transit does not mean the current or future tenant does not own a car. I am sure transportation has some guidelines for if there is enough parking on a street for the housing units in the area. What is the break even point? Concern that people will pull up back yards to put in asphalt and additional flat surface parking which does nothing to keep the character of an area. Concern that parking pads will appear in the front of homes. Is this allowed and when?

This ordinance and process needs to be integrated with the legalization process. Again since at one point leasing rooms in all homes during and after the war was allowed in the UNC area, this does not establish a documented right for a duplex, triplex, etc. Since this is not clear, many are obtaining approval by staff and the BOA. What is realistic for an established neighborhood in terms of infrastructure, parking, density, enforcement, etc. when you take this process and the ADU plan into consideration. Should there be a limit to allow a neighborhood to be stable? The single family owners are loosing in this context what they thought they were acquiring in neighborhood feel if the density of these two programs is too high. Have not brainstormed how but let me know if talking more about this could help clarify the issue. I think there are solutions.

Maybe the community could help identify a trial area that agrees. To have buy in to be a trial area that agrees would be excellent. The community might form a committee that gives monthly feedback to the staff and work jointly to form what can work city wide.

More as I have time. best, e

From: esther e. hunter
Sent: Wednesday, October 27, 2010 7:29 AM
To: Cheri Coffey ; michael.maloy@slcgov.com
Subject: ADU question

Hi,

The fact sheet states that we do not have design guidelines for areas besides historic districts. Does the compatible infill guideline not apply?

Thanks, e

Esther Hunter

801.583.9804

Maloy, Michael

From: esther e. hunter [estherehunter@hotmail.com]
Sent: Wednesday, October 27, 2010 8:25 AM
To: Maloy, Michael
Subject: Re: ADU question

Categories: Other

Thank you Michael.

Maybe this could be clarified in a Question and Answer type of added piece. Most in the community give the name design to all of the things in both.

best, e

From: Maloy, Michael
Sent: Wednesday, October 27, 2010 8:16 AM
To: 'esther e. hunter'
Subject: RE: ADU question

Esther:

Thanks for the question. Any compatible infill regulation would still apply under the proposed ADU ordinance. I think when we made the summary statement regarding "design guidelines" we were thinking more about aesthetic controls (i.e. material, architectural design, etc.) rather than height, bulk, or spatial relationships, which our infill regulations primarily address.

Sincerely,

Michael Maloy, AICP
Principal Planner
Salt Lake City Corp
PO Box 145480
451 S State Street Rm 406
Salt Lake City, Utah 84114-5480
(801) 535-7118 Office
(801) 535-6174 Fax
michael.maloy@slcgov.com

From: esther e. hunter [mailto:estherehunter@hotmail.com]
Sent: Wednesday, October 27, 2010 7:29 AM
To: Coffey, Cheri; Maloy, Michael
Subject: ADU question

Hi,

The fact sheet states that we do not have design guidelines for areas besides historic districts. Does the compatible infill guideline not apply?

Thanks, e

Esther Hunter

801.583.9804

Maloy, Michael

From: esther e. hunter [estherehunter@hotmail.com]
Sent: Wednesday, October 27, 2010 9:40 AM
To: Coffey, Cheri; Maloy, Michael
Subject: ADU Pilot Idea

Categories: Other

Hi...

Had an after thought...not sure if the goal right now is still attempting to go city wide or to have a 3-6 month pilot somewhere.

Do you have any areas interested? All I am hearing is mounting opposition.

If you are looking to pilot, how large would the area have to be? Would 16 blocks be enough....thinking of the UNC.

What about the idea of having a working committee from the community pilot area that works collaboratively to help sort out some solutions in a positive way for the issues listed in my previous email?

Not sure I could sell my board but maybe? Right now they are opposed but they are reasonable and if they could have a hand it forming a win win solution, I think

they would be all over this. I know it would require the community committee with allowance for real team work like we did with IHC.

IHC was a terrific example. We were in and out of the PC within 10 minutes due to our joint steering efforts yet this was from a very long negative starting point.

Besides..we love a challenge.

Benefits of the UNC are:

transit

R2 zone

Historic

next to UU

Tons of illegal units

Have strong working committee that already speaks land use with extensive experience working/thinking win win

Small area that has all issues in spades so we have realistic experience to work out what could work City wide.

It could be a real win win example of showing how the community can work together with the City in a pilot vs what has been going on in Yalecrest, etc.

See what you think.

best, e

Esther Hunter

801.583.9804

Maloy, Michael

From: esther e. hunter [estherehunter@hotmail.com]
Sent: Friday, August 20, 2010 12:43 AM
To: Maloy, Michael
Subject: ADU's

Categories: Other

Hi Michael,

I have just come back from a very long ECCC Executive Board meeting where ADU's were discussed at great length. The interest in our council area is very high.

However, this interest is being heightened due to Cindy's document has made it's way around several of the neighborhoods.

As we wrote before, Gary and I are very interested in making sure that our council area is providing accurate and fair information to our members regarding this potential concept and have not had the opportunity to have a representative attend the special focus groups. We believe the ECCC is one of the most impacted areas. We would very much appreciate your help in this area. The neighbors Gary and I have spoken with (this week alone) number in the low 50's. This is unusual high for an early policy discussion when the concept is not yet fully developed.

The informal majority opinion is that neighbors are very concerned that this policy be inclusive and allow all residential zones the ability to earn this extra income for their building even if they are not historic or in a higher density zone. Many are also wanting to conform with City law since they have been illegal for many a year. As you know, we have a very high rate of illegal duplexes.

When you are ready, we would greatly appreciate anything you can give us so that we can distribute it to our council area so they have a full picture of the concept. Or if you are able to attend a general meeting we would welcome this very much.

Please let us know your suggestion and ideas.

best, Esther

Co-Chair, ECCC

*Esther Hunter
801.583.9804*

Maloy, Michael

From: cindy cromer [3cinslc@live.com]
Sent: Thursday, August 19, 2010 8:45 PM
To: Coffey, Cheri; Maloy, Michael
Subject: ADU's
Attachments: ADU71410.rtf

Categories: Other

Cheri and Michael-The Community Network asked me to talk about ADU's at the August meeting. I suggested that the Network invite Planning to talk about Clarion's proposal and I would talk about mine. I passed out the attachment this morning at the Network meeting and hope that the topic will be scheduled again next month with someone from Planning in attendance.

The longer I consider Clarion's proposal, the more problems I see with it. The City could NEVER enforce the owner occupancy requirement. I cannot imagine a judge deciding against a property owner who had an ADU and could no longer live in the property. It would not happen. Maybe it would in Colorado but it wouldn't happen in Utah. EVER.

The attachment is the same one I circulated in July with a few minor tweaks. c

Maloy, Michael

From: Allen Family [mecj@me.com]
Sent: Friday, July 23, 2010 10:28 AM
To: Maloy, Michael
Subject: Complete-Sustainability and ADU's in R-2 district
Categories: Other

Mr. Maloy,

I am writing to ask that zoning district R-2 be included in the ADU section of the proposed sustainability ordinance. Living in a rental district and trying to rent out a duplex apartment in an owner occupied home is unnecessarily difficult. Zoning and code impose guidelines for renting that are outdated and outlandish. I would like to see restrictions such as lot size and frontal space removed from city code. I would also like to see the R-2 district included in the upcoming ADU portion of the sustainability ordinance.

I appreciate your attention to this matter.

Liz Allen

Accessory Dwelling Units

What would it take to put them in Single-family zoning districts?

Comments by Cindy Cromer

July 14, 2010, revised August 18, 2010

Clarion has proposed that Accessory Dwelling Units (ADU's) be allowed in single-family zoning districts, in owner-occupied housing. I want to start by identifying the prerequisites for such an approach to work.

The City would have to have **effective enforcement** regarding violations of its zoning ordinance and permitting process. While there are effective employees who work in enforcement in Salt Lake, we do not have consistent and comprehensive enforcement. The City will not be able to enforce the "owner occupancy" requirement.

The City would need a **successful program for compatible infill** to address design issues associated with ADU's. The current ordinance for infill has not been successful and is under revision.

Logically there would need to be a **demand for additional units**, or the City would be undermining the efforts of existing landlords to fill their vacancies. As every landlord I know would attest, the last couple of years have been very challenging with higher vacancy rates, concessions, and stagnant rents in the face of rising taxes and utilities. The Clarion proposal restricts ADU's to one-bedroom apartments. That is the very part of the market that is the weakest right now, as people have downsized to studios or rented rooms or move in with someone to share expenses.

There would need to be **public support for unit legalization** and expansion of housing in low density neighborhoods. The Board of Adjustment did an about face a year and a half ago and began approving unit legalizations that it would have denied previously. Public opinion has not made a similar shift. Recent cases on the Board's agenda in the University and Gilmer Park Neighborhoods indicate that property owners in low density areas do not always share the Administration's enthusiasm for additional units.

It would make sense to have additional housing **located in areas served by mass transit**. Clarion's proposal to restrict ADU's to single family zoning districts introduces new units of housing in areas that typically have

limited or no mass transit.

In order to have safe housing as part of an ADU initiative, the City has to have a process for **business licensing in single family structures**. Currently, the City licenses buildings with 3 or more units. While the City has discussed requiring business licenses for rental properties that are single family and duplex structures, the City does not have a process in place to regulate rental housing already in single family structures, much less to regulate the additional units created as ADU's.

Some of the deficits mentioned above are long standing and cannot be overcome by the Mayor's directive to improve/create the tool. The one involving public opinion is not under the Mayor's control.

So what could the City do that would increase housing without aggravating existing problems and creating a firestorm of opposition?

The City could begin the implementation of ADU's in the existing multiple-family zoning districts, RMF-30 and RMF-35. It could narrow the opportunity even further initially by restricting ADU's to the City's historic districts where there is a design review process that is working well. The residents in these zoning districts expect renters as neighbors. These parts of the City have much better service by mass transit, especially TRAX. The City is already licensing many of these buildings as businesses.

Because of current market conditions, it is important that the City take an incremental approach. Starting in the multi-family zones within historic districts allows that. The City could start with the RMF-30 and -35 zones and then add the R-2 zone. Or, it could add properties within the National Register Historic Districts using guidelines similar to those used for additions in historic districts.

Not only would this approach have a greater potential for success, the City would also be offering an incentive for historic preservation, which already has a longer approval process.

The immediate risk of Clarion's approach is that it will create a nonproductive uproar of opposition from residents in some of the City's more exclusive neighborhoods. The long term risk is that it will create a mess on a City-wide level, which like so many previous bad ideas, the

City's planners will not be able to fix.

Maloy, Michael

From: robert daniels [bipdaniels@gmail.com]
Sent: Tuesday, July 06, 2010 8:38 AM
To: Maloy, Michael
Subject: ADU's

Categories: Other

Good morning Michael.....

I am both pleased and interested in the city developing plans regarding ADU's. They are in integral part of this city's housing stock. I am, however, concerned that they will be inappropriately regulated. A foreseeable problem might be Mrs. Murphy's Exemption. I will not try to explain this outmoded loophole to you but I will say that it is a part of the Fair Housing law that has outlived its useful existence. I was a victim of it and know of others who were also adversely affected. It would be so simple for the city to create an ordinance to render it obsolete. I would appreciate your looking into that.

Thanks,

Bip

Coffey, Cheri

From: Gary Harding [garyh99@comcast.net]
Sent: Tuesday, January 19, 2010 1:40 PM
To: Coffey, Cheri
Cc: Yalecrest CC Chair
Subject: RE: Comments---FW: Yalecrest Notice - Accessory Dwelling Units proposed by SLC
Attachments: Accessory Dwelling Units Purpose and Background.pdf

Ms. Coffey,

I read the brief attachment. First I observe that the attachment has very little definition it just floats a broad concept. Deviating from the current residential zoning restrictions by allowing people to add ADU's is just that, a violation of the existing zoning concepts. I would oppose any broad based variance such as this. After the opposition stated above my thoughts on your General Questions are:

1. Yes on-site parking should be required along with any new dwellings. If an ADU is approved the owner should have to periodically submit (say with property tax payments) a certification that they still have the required on-site parking
2. Definitely not in RA zones
3. Size should be seriously restricted and definitely not on par with a Principal Structure.
4. Any regulations should be subordinated to existing regulations and infill restrictions.
5. Yes, any structure (on or beyond the scale of a 2 car garage) on residential property in the city should be subject to design guidelines.
6. Businesses and Home Occupations should be prohibited in ADUs. Otherwise they would be built specifically as business locations despite whatever guidelines are offered.
7. If ADU's are made available the property owner should have to submit with property tax payments a certification that the structure is not longer used as a Dwelling, or was vacant all year, or that the occupancy still complies with the ADU requirements..

As you can tell I think this initiative would just be used as a vehicle to increase population density and undermine the character of the residential districts for which the city is justifiably proud.

From: dmgib@xmission.com [mailto:dmgib@xmission.com]
Sent: Monday, December 21, 2009 11:38 AM
To: dmgib@xmission.com
Subject: Yalecrest Notice - Accessory Dwelling Units proposed by SLC

Neighbors,

The Salt Lake City Planning Division is currently looking at creating an ordinance that, if approved, could greatly impact our neighborhood. The City is moving forward with a Sustainability Code Revision Project that includes, among other items, Allowing "Accessory Dwelling Units".

I encourage you to read the attached document and send your comments to the staff contact, Cheri Coffey, 801.535.6188, or (cheri.coffey@slcgov.com). The proposed ordinance is in the early stages and the City is eager to receive comments.

You can sign up for SLC Planning notices at:
<http://www.slcgov.com/CED/planning/pages/projects.htm>

Reminder - NO Jan. 6 Yalecrest Meeting

Happy Holidays!
Lisette Gibson
Yalecrest Neighborhood Council Chair
day 801-583-9316

Accessory Dwelling Unit (definition):

A residential unit that is located on the same lot as a single-family 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, kitchen, sleeping area, closet space, and bathroom facilities.

Public Open House Notification

Sustainability Code Revision Project. The Planning Division is currently working with Clarion Associates to develop various amendments to the City's Zoning, Site Development and Subdivision Ordinances relating to sustainability regulations.

The proposed changes include allowance for **ACCESSORY DWELLING**

UNITS, Alternative Energy Systems (Solar Oriented Subdivisions, Small Wind Energy Systems, Solar Arrays, Solar Collection Systems); Urban Agriculture (Community Gardens, Seasonal Farm Stands, Community Supported Agriculture, hoopouses, greenhouses and coldframes) and Street and Pedestrian Connectivity Standards for new development (Staff contact: Cheri Coffey at 801.535.6188 or cheri.coffey@slcgov.com).

Coffey, Cheri

From: Dan Jones [djones7530@hotmail.com]
Sent: Tuesday, January 05, 2010 6:17 PM
To: Coffey, Cheri
Subject: Accessory Dwelling Units

Ms.Coffey, I am a resident at 1738 Yale Avenue in the "Harvard-Yale" area of the city.

I have learned some news from our neighborhood council that has me quite concerned, to wit, that the city is considering rezoning fo allow "Accessory Dwelling Units" to be constructed in our neighborhood. My comments below refer to an information circular I received from ARCH giving the definition, background, and purpose statement of ADUs.

My concerns fall into three areas:

1. This is already a high-density (small-lot) neighborhood with challenging parking. We don't need to increase the density by "increasing the housing stock of existing neighborhoods"!
2. It is a neighborhood with great charm. In the recent past the city has realized this and taken steps to prevent architectural monstrosities from being built (in some cases, alas, too late.) This ordinance if passed could kick off another cycle of ugly remodelling. The picture shown in the ARCH circular of an attached ADY above-garage was anything but reassuring in this regard.
3. This is a very safe, family-oriented neighborhood. No matter how well-intentioned, these units once built will certainly turn into rentals that will forever change the historically stable character of our neighborhood.

I would appreciate hearing from regarding any public fora that will be provided for feedback on this proposal. I am quite sure that if our neighborhood was canvassed in any manner, an overwhelming negative response would be turned in.

Thank you in advance for your consideration of these comments.

Dan Jones
1738 Yale Ave.
SLC 84108

Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

Coffey, Cheri

From: dm gib@xmission.com
Sent: Monday, January 04, 2010 11:54 AM
To: Warren Lloyd
Cc: Coffey, Cheri; Hunter Esther; Oliver Anne; Schwemmer AIA Annie; Huffaker Kirk; Love, Jill; Garrett, Luke; Martin, JT; Simonsen Soren; Virginia Hylton home; GEORGE CATHY KELNER; Sally Patrick; Michael F. Jones; Jon Dewey; Yalecrest CC Chair
Subject: Re: ADU Zoning

Warren,

Thank you for copying us on your email regarding the City's proposed idea of allowing Accessory Dwelling Units. Personally, I think this is a terrible idea and it should NOT be implemented city wide. The Yalecrest Executive Board is opposed to the idea.

Here are my comments to the Accessory Dwelling Unit section that was included with the "Sustainability Code Revision Project".

The Accessory Dwelling Unit section language should be removed from the Sustainability Project. It needs to stand alone as a separate ordinance as this is a huge issue that would have tremendous impact on our neighborhoods.

These units would not work in the Yalecrest neighborhood. Yalecrest is a Single-Family Residential Neighborhood (R-1-5000 and R-1-7000) with the exception of two businesses (zoned CN).

Allowing accessory dwelling units would essentially change the underlying zoning from single family to multi-family. Allowing these dwellings would eliminate the predictability of living (or moving into) a quiet single family neighborhood. We already have the problem in the Yalecrest area of "lack of privacy" when oversized new and existing garages and home additions loom over neighboring yards and homes. These units should NOT be allowed in R-1 zoned areas.

Character - Yalecrest already has a huge problem in maintaining the character of our historic neighborhood due to historically insensitive new construction and additions. Encouraging this type of development would only add to the problem. The "worse case" has to be considered. As with the Hubbard McMansion and the new detached garage at 1605 Princeton Avenue, people WILL take advantage of the City's ordinances and push the limits. The garage at 1605 Princeton has three dormers on the east side, has a sliding glass door on the southwest side and is almost as tall as the primary structure. An illegal sewer line was "caught" by the city and plugged. It is clear this detached garage was planned as a dwelling unit. Please drive by and see the garage for yourself!

Don't apply this city wide. If it appears that this ordinance would be appropriate for a particular area of SLC (and you have the public support), try it out and see how it goes first. This idea might work in some areas of SLC (possibly along existing public transit lines).

UTA has eliminated a tremendous amount of public transportation in the

Yalecrest area over the years and there are no nearby businesses to easily walk to (#7 and #8).

Lot coverage - how would these units impact the current lot coverage requirements? The lot coverage percentage was reduced in 2005 with the city-wide compatible infill zoning.

Units and Occupancy - would there be a cap on units per lot? What about the rule of "no more than three unrelated adults living together"? How many occupants would be allowed in these units?

Parking - As I mentioned, large out of scale garages are a huge issue for the Yalecrest area. And who would want to see parking pads added

to our lots (and is getting rid of green space for asphalt or concrete parking pads sustainable)? I don't see how the parking could

work. Most lots and garages in our area are small and a lot of residents

already park one car on the street. Where would all the cars be parked? Off street parking has to be a requirement.

This should NOT take precedence over other existing regulations. This section should NOT be rushed through.

I moved into our neighborhood years ago with the assumption (and the zoning) that only single-family homes would be line our streets and garages (containing cars) would line most backyards.

Thank you,

Lisette Gibson,
Chair - Yalecrest Neighborhood Council

Quoting Warren Lloyd <warren@lloyd-arch.com>:

> Cheri:

>

> Thanks for your work on the Sustainability Code Project.

>

> I am responding (in red) to the General questions with some brief

> comments with a cc to several neighborhood advocates for their thoughts.

>

- > Happy New Year!
- >
- >
- > Warren
- >
- > General Concepts
- > Regulations to ensure mitigation of negative impacts
- >
- > 1. Limit Size of Unit: Proposal is to limit the size of Accessory
- > Dwelling Unit to ensure it is subordinate of the principal
- > structure.
- >
- >
- > 2. Owner Occupancy: Require either the principal unit or the ADU to
- > be
- > occupied by the owner of the lot.
- >
- > General Questions
- >
- > 1. Parking Requirement: Should an Accessory Dwelling Unit have to
- > include on-site parking?
- >
- > In general I would be opposed to additional on-site parking
- > requirements for the ADU but would suggest a tool that would give
- > planning staff ability to respond to specific conditions where on-
- > street parking problems have been documented.
- >
- > 2. Where to Allow: In what zoning districts should Accessory
- > Dwelling
- > Units be allowed?
- >
- > I would consider it in ALL residential zones
- >
- > 3. Should the size of the structure conform to the regulations of
- > Principal Structures or Accessory Structures?
- >
- > I would use the Accessory Structure standards
- >
- > 4. Should these regulations take precedence over other existing
- > regulations if there is a conflict (such as those relating to
- > compatible infill or historic preservation regulations?)
- >
- > No, but they should be a criteria for approving a special exception
- > or
- > variance.
- >
- > In H overlay districts, the ADU could be noted in a staff report as
- > mitigating or supporting condition to an application
- >
- > Is there a way to confirm the intent of an applicant to provide
- > additional housing?

- > Have we now come full circle from requiring homeowners to verify that
- > the accessory structure (ADU) WON'T be used for housing to requiring
- > that it WILL be housing?
- >
- > 5. Should there be design guidelines for these types of structures
- > (where they are detached?)
- >
- > Yes, There should be a Design guideline for detached ADU's
- > They could be developed from the patterns established in the
- > Compatible Infill Overlay and the Residential Design Guidelines from
- > the H Overlay.
- >
- > 6. Should home occupations be allowed in Accessory Dwelling Units?
- >
- > Yes
- >
- > 7. Other
- >
- >
- >
- > Warren K Lloyd, AIA LEED AP
- > Principal
- >
- >
- > LloydArchitects
- > Salt Lake City + Seattle
- >
- > 573 E 600 S, Salt Lake City UT 84102
- > ph 801.328.3245 / fax 801.328.3246
- > lloyd-arch.com

Coffey, Cheri

From: Warren Lloyd [warren@lloyd-arch.com]
Sent: Saturday, January 02, 2010 10:03 AM
To: Coffey, Cheri
Cc: Yalecrest CC Chair; Hunter Esther; Oliver Anne; Schwemmer AIA Annie; Huffaker Kirk; Love, Jill; Garrott, Luke; Martin, JT; Simonsen Soren
Subject: ADU Zoning

Cheri:

Thanks for your work on the Sustainability Code Project.

I am responding (in red) to the General questions with some brief comments with a cc to several neighborhood advocates for their thoughts.

Happy New Year!

Warren

General Concepts

Regulations to ensure mitigation of negative impacts

1. Limit Size of Unit: Proposal is to limit the size of Accessory Dwelling Unit to ensure it is subordinate of the principal structure.
2. Owner Occupancy: Require either the principal unit or the ADU to be occupied by the owner of the lot.

General Questions

1. Parking Requirement: Should an Accessory Dwelling Unit have to include on-site parking?

In general I would be opposed to additional on-site parking requirements for the ADU but would suggest a tool that would give planning staff ability to respond to specific conditions where on-street parking problems have been documented.

2. Where to Allow: In what zoning districts should Accessory Dwelling Units be allowed?

I would consider it in ALL residential zones

3. Should the size of the structure conform to the regulations of Principal Structures or Accessory Structures?

I would use the Accessory Structure standards

4. Should these regulations take precedence over other existing regulations if there is a conflict (such as those relating to compatible infill or historic preservation regulations?)

No, but they should be a criteria for approving a special exception or variance.

In H overlay districts, the ADU could be noted in a staff report as mitigating or supporting condition to an application

Is there a way to confirm the intent of an applicant to provide additional housing?

Have we now come full circle from requiring homeowners to verify that the accessory structure (ADU) WON'T be used for housing to requiring that it WILL be housing?

5. Should there be design guidelines for these types of structures (where they are detached?)

Yes, There should be a Design guideline for detached ADU's

They could be developed from the patterns established in the Compatible Infill Overlay and the Residential Design Guidelines from the H Overlay.

6. Should home occupations be allowed in Accessory Dwelling Units?

Yes

7. Other

Coffey, Cheri

From: Owen & Deanna Lunt [odlunt@juno.com]
Sent: Monday, December 28, 2009 4:52 PM
To: Coffey, Cheri
Subject: Accessory Dwelling Units

I belong to the Valecrest Community Council, and I oppose the "Accessory Dwelling Units" proposal by SLC.

Deanna Lunt
1870 Harvard Ave.
Salt Lake City, Ut 84108

Criminal Lawyer

Criminal Lawyers - Click here.

[http://thirdpartyoffers.juno.com/TGL2131/c?cp=3WlSwGVJ-](http://thirdpartyoffers.juno.com/TGL2131/c?cp=3WlSwGVJ-yHzEg9nABsd8QAAJz1Gjldoot8yPQSjfQOF0tsYAAYAAAAAAAAAAAAAAAAADNAAAAAAAAAAAAAAAAAIFgAAAAA=)

[yHzEg9nABsd8QAAJz1Gjldoot8yPQSjfQOF0tsYAAYAAAAAAAAAAAAAAAAADNAAAAAAAAAAAAAAAAAIFgAAAAA=](http://thirdpartyoffers.juno.com/TGL2131/c?cp=3WlSwGVJ-yHzEg9nABsd8QAAJz1Gjldoot8yPQSjfQOF0tsYAAYAAAAAAAAAAAAAAAAADNAAAAAAAAAAAAAAAAAIFgAAAAA=)

Coffey, Cheri

From: vankays5@aol.com
Sent: Thursday, December 24, 2009 10:39 AM
To: Coffey, Cheri
Subject: ADU'S

As a resident of the Yalecrest community (residing at 1234 So. 1800 E.) I encourage making ADU's a viable option to our neighborhood. I think the economic advantages would make living in this area accessible to more people, and might make it possible for my wife and I to stay here.

Neil vanKeizerswaard

Coffey, Cheri

From: Tom A. Lund [talund@tannerco.com]
Sent: Wednesday, December 23, 2009 10:08 AM
To: Coffey, Cheri
Cc: Gretchen Lund
Subject: "Accessory Dwelling Units" proposal

Cheri,

My wife, Gretchen, and I have lived in the Harvard/Yale area for almost 20 years. Even though most of the lots and houses are small, it's been a wonderful place to raise our children.

We recently learned that the Salt Lake City Planning Division is considering an ordinance allowing "Accessory Dwelling Units", and we wanted to give you our input:

We are against such an ordinance because we feel that our neighborhood already has a high density, old quaint density but density nevertheless. Simply put, one would be hard pressed to find another historical neighborhood, other than the avenues and central city, with the density that exists in the Harvard/Yale area. This proposed ordinance would create additional traffic and "new rental density" that would detract from, not add to, the quality of life in our area. The small lots in our area already don't have very much open space. At a time when we are hearing more and more about "open space", it is hard for us to understand why a proposed ordinance like this is even being considered!

Thank you for taking our input. Please share our input with the SLC Planning Division. Please feel free to call us as well!

Thank you.

Tom & Gretchen Lund
1553 Laird Avenue
Salt Lake City, Utah 84105
C-(801) 856-2005

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Coffey, Cheri

From: Coffey, Cheri
Sent: Tuesday, December 22, 2009 4:23 PM
To: Coffey, Cheri
Subject: ADU Public Comment

Received a voice mail message today from Wayne Cannon at 1373 East Harvard Avenue. He is supportive of Accessory Dwelling Units if they require on-site parking (and they don't generate a parking problem) and they are built in a way that is compatible with the neighborhood (no garage mahals). He is not sure how regulations can address that but if they can he supports them.

12/22/09

Coffey, Cheri

From: LYNN Pershing [lkpershing@gmail.com]
Sent: Tuesday, December 22, 2009 2:39 PM
To: Coffey, Cheri; dmigib@mission.com
Subject: accessory dwelling units

Dear Ms Coffey

I implore you to stop the madness and continuous, aggressive destruction of one of SLC most charming neighborhoods (YaleCrest).

I have read the accessory dwelling units and sustainability code revisions and have concluded it allows for rental additions to existing family dwellings. Provisions for consistency with existing architecture, etc are always "good speak" but have "no teeth to defend or protect" these provisions.

Homes in Yalecrest neighborhood are small-medium sized single family dwelling units and a fair number of already existing rental duplexes. We don't need nor want to become rental units. It is important to the city that this neighborhood retains its property values. Rental additions will only decrease home values. Previous city approval of 'megamansions' and new commercial business has surely been beneficial to the city's tax base, but is destroying the very charming fiber of this historic neighborhood that has been critical to its high real estate demand, excellent property values and high quality of life (walkability) which benefits the city's tax base.

The City speaks of 'improving our city neighborhoods' but doesn't interact with residents to identify how that might be best accomplished.

Stop the Madness, the Greed and the Destruction of what is inherently good. Protect what is precious and so easily lost to good intentions. Go change something that is NOT working--the DOWNTOWN. Get the massive downtown projects completed, give free parking for year to re-establish downtown shopping behavior and get commerce rolling there again. Leave us alone--we're already a great neighborhood and doing our part to insure a "better Downtown living experience".

DO NOT implement this proposed city ordinance/zoning change. It will DESTROY the YaleCrest neighborhood, its charm, congeniality and high quality of life.

Respectfully,
Lynn K. Pershing, Ph.D.
Consultant
Dermatopharmaceutics
tel: 801/971-4959
email: lkpershing@gmail.com

Coffey, Cheri

From: Sally M Patrick [Sally.Patrick@utah.edu]
Sent: Tuesday, December 22, 2009 9:01 AM
To: Yalecrest CC Chair; Coffey, Cheri
Cc: Sally M Patrick
Subject: RE: Accessory Dwelling Units Comments

Cheri-

Lisette did a great job of expanding on my initial comments to you-I second these 100% on behalf of Yalecrest.

Sally M. Patrick
1413 Laird Circle
YCC Secretary/Treasurer

From: dmgib@xmission.com [dmgib@xmission.com]
Sent: Monday, December 21, 2009 2:50 PM
To: Coffey, Cheri
Cc: dmgib@xmission.com
Subject: Accessory Dwelling Units Comments

Cheri,

Here are my comments to the Accessory Dwelling Unit section that was included with the Sustainability Code Revision Project.

I feel that the Accessory Dwelling Unit section language should be removed from the Sustainability Project. It needs to stand alone as a separate ordinance as this is a huge issue that would have tremendous impacts on our neighborhoods.

These units would not work in the Yalecrest neighborhood.
Yalecrest is an entirely single-family residential neighborhood (R-1-5000 and R-1-7000) with the exception of two businesses (zoned CN).
Allowing accessory dwelling units would essentially change the underlying zoning from single family to multi-family. Allowing these dwellings would eliminate the predictability of living (or moving into) a quiet single family neighborhood. We already have the problem of "lack of privacy" when oversized new and existing garages and home additions loom over neighboring yards. These units should not be allowed in R-1 zoned areas.

Character - Yalecrest already has a huge problem in maintaining the character of our historic neighborhood due to historically insensitive new construction and additions. Encouraging this type of development would only add to the problem.

Don't apply this City-Wide. If it appears to be appropriate for a particular area of SLC (and you have the public support), try it out and see how it goes. This idea might work in some areas of SLC (possibly along existing public transit lines).

UTA has eliminated a tremendous amount of public transportation in the Yalecrest area over the years and there are no nearby businesses to easily walk to (#7 and #8).

Lot coverage - how would allowing these dwellings impact lot coverage requirements? The lot coverage percentage was reduced in 2005 with the city-wide compatible infill zoning.

Units - would there be a cap on units per lot and what about the rule of "no more than three unrelated adults living together"?

Parking - As I mentioned, large out of scale garages are a huge issue for the Valecrest area. And who would want to see parking pads added to our lots (and is getting rid of green space for asphalt or concrete parking pads sustainable)? I don't see how the parking could work. Most lots and garages in our area are small and a lot of residents already park one car on the street.

This should NOT take precedence over other existing regulations. This section should NOT be rushed through.

I am in favor of the other sustainable measures.

Thank you,

Lisette Gibson
Valecrest Neighborhood Council Chair
Valecrest Compatible Infill Ordinance Committee

Coffey, Cheri

From: k moncla [kmonc2003@yahoo.com]
Sent: Tuesday, December 22, 2009 8:49 AM
To: Coffey, Cheri

I am opposed to this, It seems that it would just increase rental units in our older neighborhoods, to which we have to many already. It would increase traffic and congestion and it is a terrible idea.

Coffey, Cheri

From: Michael F. Jones [mjones@mfjlaw.com]
Sent: Tuesday, December 22, 2009 7:44 AM
To: Coffey, Cheri
Cc: DeLaMare-Schaefer, Mary; Yalecrest CC Chair
Subject: FW: Yalecrest Notice - Accessory Dwelling Units proposed by SLC
Attachments: Accessory Dwelling Units Purpose and Background.pdf

Cheri,

You may recall that I was a member of the Board of Adjustment for 15 years starting in 1993, and Chair of the Board from 2001 to the end of my service in 2008.

I noted this morning that you're the staff contact for this ADU idea, so I'm sending you my comment to Mary next below.

In order not to be selfish and to look at this not just from the perspective of my own Yalecrest neighborhood but also the rest of the City, I must say that this is a terrible idea for much if not all of the City. It would change the scale and appearance of any neighborhood where it was permitted – destroying Federal Heights, the Avenues, Sugarhouse, and so on. The owner-occupancy aspect would be impossible to enforce.

Please stop this terrible idea before it gains any traction at all.

Respectfully,
Mike

Michael F. Jones | Michael F. Jones, P.C. | Wells Fargo Center | 299 South Main Street, Suite 1300, Salt Lake City, Utah 84111
T 801.582.2400 | F 801.582.4353 | mjones@mfjlaw.com | www.mfjlaw.com

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From: Michael F. Jones [mailto:mjones@mfjlaw.com]
Sent: Monday, December 21, 2009 17:22
To: 'De La Mare-Schaefer, Mary'
Cc: 'dmgib@xmission.com'
Subject: FW: Yalecrest Notice - Accessory Dwelling Units proposed by SLC

Hi Mary,

This ADU idea is simply a terrible one as it relates to my Yalecrest neighborhood. Without doubt, it would result in even larger garages, and even more of a scale problem than my neighborhood already has, not to mention tearing asunder the historical fabric of the neighborhood once and for all.

Respectfully,
Mike

Michael F. Jones | Michael F. Jones, P.C. | Wells Fargo Center | 299 South Main Street, Suite 1300, Salt Lake City, Utah 84111
T 801.582.2400 | F 801.582.4353 | mjones@mfjlaw.com | www.mfjlaw.com

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communication from any computer or network system. This e-mail does not create an attorney-client relationship with you if you are not already a client of this law firm.

From: dm gib@xmission.com [mailto:dm gib@xmission.com]
Sent: Monday, December 21, 2009 11:38
To: dm gib@xmission.com
Subject: Yalecrest Notice - Accessory Dwelling Units proposed by SLC

Neighbors,

The Salt Lake City Planning Division is currently looking at creating an ordinance that, if approved, could greatly impact our neighborhood. The City is moving forward with a Sustainability Code Revision Project that includes, among other items, Allowing "Accessory Dwelling Units".

I encourage you to read the attached document and send your comments to the staff contact, Cheri Coffey, 801.535.6188, or (cheri.coffey@slcgov.com). The proposed ordinance is in the early stages and the City is eager to receive comments.

You can sign up for SLC Planning notices at:
<http://www.slcgov.com/CED/planning/pages/projects.htm>

Reminder - NO Jan. 6 Yalecrest Meeting

Happy Holidays!
Lisette Gibson
Yalecrest Neighborhood Council Chair
day 801-583-9316

Accessory Dwelling Unit (definition):

A residential unit that is located on the same lot as a single-family 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, kitchen, sleeping area, closet space, and bathroom facilities.

Public Open House Notification

Sustainability Code Revision Project. The Planning Division is currently working with Clarion Associates to develop various amendments to the City's Zoning, Site Development and Subdivision Ordinances relating to sustainability regulations.

The proposed changes include allowance for **ACCESSORY DWELLING**

UNITS, Alternative Energy Systems (Solar Oriented Subdivisions, Small Wind Energy Systems, Solar Arrays, Solar Collection Systems); Urban Agriculture (Community Gardens, Seasonal Farm Stands, Community Supported Agriculture, hoopouses, greenhouses and coldframes) and Street and Pedestrian Connectivity Standards for new development (Staff contact: Cheri Coffey at 801.535.6188 or cheri.coffey@slcgov.com).

Coffey, Cheri

From: dmgib@xmission.com
Sent: Monday, December 21, 2009 2:51 PM
To: Coffey, Cheri
Cc: Yalecrest CC Chair
Subject: Accessory Dwelling Units Comments
Attachments: Plaintext Version of Message; HTML Version of Message

Cheri,

Here are my comments to the Accessory Dwelling Unit section that was included with the Sustainability Code Revision Project.

I feel that the Accessory Dwelling Unit section language should be removed from the Sustainability Project. It needs to stand alone as a separate ordinance as this is a huge issue that would have tremendous impacts on our neighborhoods.

These units would not work in the Yalecrest neighborhood. Yalecrest is an entirely single-family residential neighborhood (R-1-5000 and R-1-7000) with the exception of two businesses (zoned CN).

Allowing accessory dwelling units would essentially change the underlying zoning from single family to multi-family. Allowing these dwellings would eliminate the predictability of living (or moving into) a quiet single family neighborhood. We already have the problem of "lack of privacy" when oversized new and existing garages and home additions loom over neighboring yards. These units should not be allowed in R-1 zoned areas.

Character - Yalecrest already has a huge problem in maintaining the character of our historic neighborhood due to historically insensitive new construction and additions. Encouraging this type of development would only add to the problem.

Don't apply this City-Wide. If it appears to be appropriate for a particular area of SLC (and you have the public support), try it out and see how it goes. This idea might work in some areas of SLC (possibly along existing public transit lines).

UTA has eliminated a tremendous amount of public transportation in the Yalecrest area over the years and there are no nearby businesses to easily walk to (#7 and #8).

Lot coverage - how would allowing these dwellings impact lot coverage requirements? The lot coverage percentage was reduced in 2005 with the city-wide compatible infill zoning.

Units - would there be a cap on units per lot and what about the rule of "no more than three unrelated adults living together"?

Parking - As I mentioned, large out of scale garages are a huge issue for the Yalecrest area. And who would want to see parking pads added

to our lots (and is getting rid of green space for asphalt or concrete parking pads sustainable)? I don't see how the parking could work. Most lots and garages in our area are small and a lot of residents already park one car on the street.

This should NOT take precedence over other existing regulations. This section should NOT be rushed through.

I am in favor of the other sustainable measures.

Thank you,

Lisette Gibson
Yalecrest Neighborhood Council Chair
Yalecrest Compatible Infill Ordinance Committee

Coffey, Cheri

From: GEORGE CATHY KELNER [kelnergeo@msn.com]
Sent: Monday, December 21, 2009 1:38 PM
To: Coffey, Cheri
Subject: accessory dwelling unit proposal

Dear Ms. Coffey,

We have taken the opportunity to review the information you sent out regarding the possibility of creating regulations that would allow accessory dwelling units in existing residential neighborhoods. We live in the Yalecrest neighborhood and have been working to have it designated as a local historic district. While we appreciate the city's efforts to develop sustainable green policies, we absolutely and wholeheartedly oppose opening up the Yalecrest neighborhood or other city neighborhoods that are historically significant to the character of our city to accessory dwelling units. The character of our Yalecrest neighborhood has eroded significantly with teardowns and oversized out of character additions. The privacy of neighbors has been encroached upon, traffic has increased, parking problems have grown, property values have suffered and ill will has replaced neighborhood cohesion. We strongly believe that these problems would grow exponentially if our beautiful old neighborhoods would be subjected to accessory dwelling units. We urge the city to drop this proposal.

George and Cathy Kelner
1000 Military Drive

From: Virginia Hylton [virginiahylton@gmail.com]
Sent: Thursday, December 17, 2009 5:11 PM
To: Coffey, Cheri; GEORGE CATHY KELNER; Sally M Patrick; Yalecrest CC Chair
Subject: Proposed Accessory Dwelling Unit Ordinance

Ms. Coffey;

While I completely support sustainability, I do not feel that wholesale zoning for accessory dwelling units throughout Salt Lake's residential neighborhoods is in the best interest of Salt Lake's residents. There are many neighborhoods that have a well recognized development pattern and sense of place. My Yalecrest neighborhood is one example. We would like to be recognized for our architectural and historic contribution to Salt Lake City, as well as our quality of life. Allowing additions, remodels and construction of new detached structures to accomodate a second residential unit in a single-family neighborhood and the concomitant increase in traffic and parking pressure on our residential streets is contrary to our goals.

Respectfully,
Virginia Hylton

From: Sally M Patrick [Sally.Patrick@utah.edu]
Sent: Thursday, December 17, 2009 3:18 PM
To: Coffey, Cheri
Cc: GEORGE CATHY KELNER; Jon Dewey; Virginia Hylton home; Yalecrest CC Chair
Subject: Accessory Dwelling Units Comment

Hello Cheri-

As Secretary/Treasurer of the Yalecrest Community Council, Lisette Gibson forwarded to several of us the Accessory Dwelling Units Info on the agenda for the open house tonight. Here are my comments back to Lisette which I am also sending to you for tonight's discussion. I strongly support our YCC letter to the City Council requesting consideration for Historic District designation and expect those considerations to take precedence over other Accessory Dwelling Unit considerations.

This is indeed an important issue and could indeed be a Trojan horse
 > as a way to supersede the Historic District issues of compatible
 > design and size we are pushing. While I support the "green" and
 > aging population issues, I would not want allowances made to our
 > direction in order to allow for encroachment for accessory
 > structures-I've got one right next door!

Sally Patrick
 1413 Laird Circle
 (1210 South 1410 East)

From: dmigib@xmission.com [mailto:dmigib@xmission.com]
Sent: Thursday, December 17, 2009 3:04 PM
To: Sally M Patrick
Cc: Virginia Hylton home; GEORGE CATHY KELNER; Jon Dewey; sally.patrick@gmail.com
Subject: RE: RE: Accessory Dwelling Units Info

Good comments Sally!

All, we need to get on this NOW! Everyone, please send your comments to Cheri Coffey.

What do you think of me emailing it out to our distribution list?

Thanks, Lisette

Quoting Sally M Patrick <Sally.Patrick@utah.edu>:

> Hi Lisette-
 > This is indeed an important issue and could indeed be a Trojan horse
 > as a way to supersede the Historic District issues of compatible
 > design and size we are pushing. While I support the "green" and
 > aging population issues, I would not want allowances made to our
 > direction in order to allow for encroachment for accessory
 > structures-I've got one right next door!
 >
 > My 2 cents
 > Sally
 >
 > PS all-please note new personal e-mail. sally.patrick@gmail.com

>
 >
 > From: dmgib@xmission.com [<mailto:dmgib@xmission.com>]
 > Sent: Thursday, December 17, 2009 1:08 PM
 > To: Virginia Hylton home; GEORGE CATHY KELNER; Jon Dewey;
 > sally.patrick@gmail.com; dmgib@xmission.com
 > Subject: Fwd: RE: Accessory Dwelling Units Info
 >
 > See attached from Cheri Coffey. Accessory Dwelling Units are just
 > one item that will be presented at the SLC Planning Open House
 > tonight that is included with other "Sustainability Code
 > Revisions".
 >
 > Here is the Open House info and Cheri's contact info. I will try to
 > attend the open house tonight. I think this one is very important
 > and we should all send comments! What do you all think?
 >
 > Thanks, Lisette
 >
 > Sustainability Code Revision Project?The Planning Division is
 > currently working with Clarion Associates to develop various
 > amendments to the City's Zoning, Site Development and Subdivision
 > Ordinances relating to sustainability regulations. The proposed
 > changes include allowance for Accessory Dwelling Units, Alternative
 > Energy Systems (Solar Oriented Subdivisions, Small Wind Energy
 > Systems, Solar Arrays, Solar Collection Systems); Urban Agriculture
 > (Community Gardens, Seasonal Farm Stands, Community Supported
 > Agriculture, hoophouses, greenhouses and coldframes) and Street and
 > Pedestrian Connectivity Standards for new development (Staff contact:
 > Cheri Coffey at 801.535.6188 or cheri.coffey@slcgov.com).
 >
 > Thursday December 17, 2009
 > From 4:30 to 6:00 P.M.
 > FIRST FLOOR HALLWAY
 > SALT LAKE CITY AND COUNTY BUILDING
 >
 >
 > ----- Forwarded message from Cheri.Coffey@slcgov.com -----
 > Date: Thu, 17 Dec 2009 12:36:32 -0700
 > From: "Coffey, Cheri" <Cheri.Coffey@slcgov.com>
 > Reply-To: "Coffey, Cheri" <Cheri.Coffey@slcgov.com>
 > Subject: RE: Accessory Dwelling Units Info
 > To: Yalecrest CC Chair <dmgib@xmission.com>
 >
 > Lisette,
 >
 > I have attached the open house materials. We don't have a finalized
 > version of the ordinance. We are taking the opportunity at
 > tonight's meeting to pose general questions to the public on the
 > issues to get a better understanding of what issues you may have.
 >

> Please send me your comments. We will use them to help us
 > finalize the draft ordinance. Once we get a draft ordinance, we
 > will send it back out for the public to comment on as and hold
 > meetings to receive public input.
 >
 > Thanks for your interest. (Please forward to anyone who may be
 > interested.)
 >
 > Cheri
 >
 > From: dmgib@xmission.com [<mailto:dmgib@xmission.com>]
 > Sent: Thursday, December 17, 2009 12:24 PM
 > To: Coffey, Cheri
 > Subject: Accessory Dwelling Units Info
 >
 > Hi Cheri,
 > I would like to know if there is any information you could email to
 > me on the Accessory Dwelling Units that will be presented at today's
 > Open House. I don't know if I will be able to attend the open
 > house.
 >
 > Are you looking at proposing the Dwellings Units for all parts of the
 > City and in all residential areas (like the Yalecrest area)?
 >
 > Any information would be appreciated.
 >
 > Thanks!
 > Lisette Gibson
 > Yalecrest Neighborhood Council Chair
 >
 > ----- End forwarded message -----
 >

Comments to Historic Landmarks Commission
Re draft Sustainability ordinances
12/2/09

Speaking about the 4 draft ordinances in the sustainability initiative:

These proposals are being fast-tracked and because of their potential impact on historic preservation are worth your attention. The draft ordinances address connectivity, urban agriculture, alternative energy, and accessory dwelling units. They were developed for other communities, in different economic times...communities that must not have the historic resources that ours does.

A problem that a member of the ZAP group identified is the trumping of ALL other zoning regulations. So if there's a conflict between historic preservation and the provisions of the urban agriculture ordinance, urban agriculture prevails.

My greatest disappointment is the proposed ordinance for accessory dwelling units. More on that shortly. Here are some scenarios that could happen and could have a negative impact on historical resources.

- private vegetable gardens in our historic parks with the associated maintenance issues,
- connectivity requirements that disrupt the historical development pattern of our blocks,
- the absence of any provisions for solar in multiple family or mixed use projects--and the failure to protect solar access in those parts of the City.

The focus on single- and two-family dwellings reflects how disconnected the proposed ordinance is with Salt Lake and with our economic times. When do you expect to see a new subdivision with more than 25 single-family and twin-family dwellings on the Planning Commission's agenda?

My greatest disappointment is the proposal to restrict accessory dwelling units to owner-occupied single family dwellings. The huge irony is that accessory dwelling units won't be allowed at all in the very parts of the City that retain most of the historic carriage houses. I had viewed accessory dwelling units as a possible incentive for historic preservation. The path that the consultant has chosen offers nothing for property owners in historic districts. In fact, accessory dwellings under this proposed ordinance offer nothing for me on any of my properties.

There is a significant opportunity for historic preservation here that is being lost as these proposals ignore structures that already have a history of being sustainable.

Cindy Cromer

ADU Focus Group

July 14, 2010

Present:

Cindy Cromer-Property Owner/ Landlord

Roger Borgenicht- Assist

Phil Carlson- Sugar House Community Council Chair

Gordon Storrs- Fairpark Community Council Chair

Phil Carroll- Community Housing Services and Avenues Community Council member

Bob Lund- NeighborWorks

Sonya Martinez-Community Action Program

Francisca Blanc- Utah Housing Corporation

Justin Allen- Salt Lake Board of Realty

Paul Smith- Utah Apartment Association

Annalisa Steggell Holcombe- Westminster College

Michael Michaffey- Contractor

Arla Funk- Landlord and East Central Community Council member

Richard Welch- Garbett Homes

Staff

Cheri Coffey- Planning Staff

Joyce Algiers- Clarion Associates

Chris Duerkson-Clarion Associates

Questions and Comments

Richard Welch. The Accessory Structure with Dwelling Unit on Capitol Hill that was built by Bryson Garbett is much bigger than proposal would allow. It is basically a carriage house for the Wolfe Mansion. The regulation should allow the ADU to be larger if lot and structure can handle it. Requirement for a

setback of a garage versus a setback for a residential setback is conflicting. The setback for the garage is too much (has to be within 5 feet of rear yard setback).

Cheri Coffey- Should we only require a duplex to have a minimum of 6,000 square feet like we used to have, rather than the minimum lot size of 8,000 square feet that was put in place with the 1995 Zoning Rewrite Project?

Phil Carlson- SHMP policy supports ADUs. The requirement for owner occupancy is important. Many ADUs already exist.

Roger Borgenicht- The owner occupancy regulation is good to help manage problems but what if owner moves. Parking is not an issue. Do not pave more of the lot. Just allow them to park on street. Benefit of ADUs is that it provides more eyes in the neighborhood. Privacy in backyard may be an issue. Require them to be built so they don't overlook the neighbor's. (Regulate where windows can be, etc.)

Michael Michaffey- Parking is an issue in Avenues and Sugar House. Should allow parking in front of the front wall of the house. Current regulations require the parking to be located behind the front wall of the house.

Analissa Steggell Holcombe. It is good to have more housing options near the college. Young professionals (staff, faculty of college, etc) like to live near the college. An ADU would minimize the price of housing and allow them to reduce their commute times. Owner occupied-The regulation may not work well. Good landlords can result in the same benefit that an owner occupied rental would have (solving problems quickly).

Arla Funk- The timing of the proposal is inappropriate. There currently are a lot of vacant apartments. Don't believe that everyone in an R-1 zone should be able to have an ADU. If you want to have two family, just rezone to R-2 and call them duplexes. Allowing a two story garage with ADU for a single-story home is conflicting. Don't allow Conditional Home Occupations where someone can come to the home. That would only increase the disturbance in the neighborhood. Don't allow someone to convert more than 650 square feet to an ADU. You need to specify a minimum size. You need to be very specific because enforcement doesn't work. Being able to address problems will be very difficult.

Gordon Storrs- There are many benefits to ADUs: they increase housing options, keep people in the neighborhood, allows elderly to stay in the neighborhood. Allow younger married kids to get help when they are just starting out (help from parents); strengthens families and increases owner occupancy. How do you maintain an ADU if the owner sells the property (what happens to the tenant? Increases permanent housing in the City. Allow ADUs to be built within one foot of rear yards. The size should be geared to the size of the lot. Some lots are really deep. Allowing a use like this would help clean up rear yards that now are so deep, they just are unkempt.

Paul Smith- Agrees with the requirement for owner occupancy. Landlords want to be good neighbors. One bedroom units are hard to rent. May have a saturated market of one bedroom units. If they have more than one bedroom, you should require more parking. ADUs should be licensed.

Justin Allen- The requirement for owner occupancy will be difficult because the owner may need to sell the property. Encourage them to be located near transit / streetcar. Good landlord program is a good idea. It may help with enforcement.

Francisca Blanc. We support ADUs as an affordable housing type in single family neighborhoods. Utah Housing Corporation focuses more on multi-family. ADUs should be licensed to protect tenants. Perhaps you could have a pilot program relating to parking. If they are located near TRAX they aren't required to have parking. If not located near TRAX, they would need to meet a parking requirement.

Sonya Martinez. CAP's focus is on low income population. They support more choices for affordable housing. They support requiring a license for the units. They want to ensure they are inspected. They support allowing the owner to live in the ADU with the rental unit being the primary unit. They believe there needs to be some type of tenant protection. Allow the lease to transfer with the property if it is sold. What happens if the property goes in to foreclosure?

Bob Lund- Large lots present a good opportunity for ADUs. Must address issues with how the ADU is placed on the lot to address privacy, egress windows etc. Must ensure they meet some type of health, safety code.

Cindy Cromer- ADUs should be allowed where they are served by fixed mass transit. Requiring a license for single family and two family dwellings is being reviewed. The City is bad at enforcement. Allow more units when they are zoned multi-family but are on small lots that wouldn't otherwise allow for an additional unit. How does this relate to the Unit legalization process? How does it relate to compatible infill regulations? How do you enforce on ADUs if the criteria is not met? Need to allow these incrementally. Create a pilot program to see how it works. Try it in areas where the master plan supports it, near transit, and historic districts (as an incentive). ADUs will compete with landlords who are trying to rent small units in multi-family buildings.

Phil Carroll- All rental units, including ADUs should be licensed. They should all meet minimum standards for health and safety. All ADUs should be accessible. Allow the person who develops these to determine how big they should be. Some larger units you can't rent. A two bedroom, two bath unit is usually 1100 square foot minimum. Need to overcome issues / problems with rental houses.