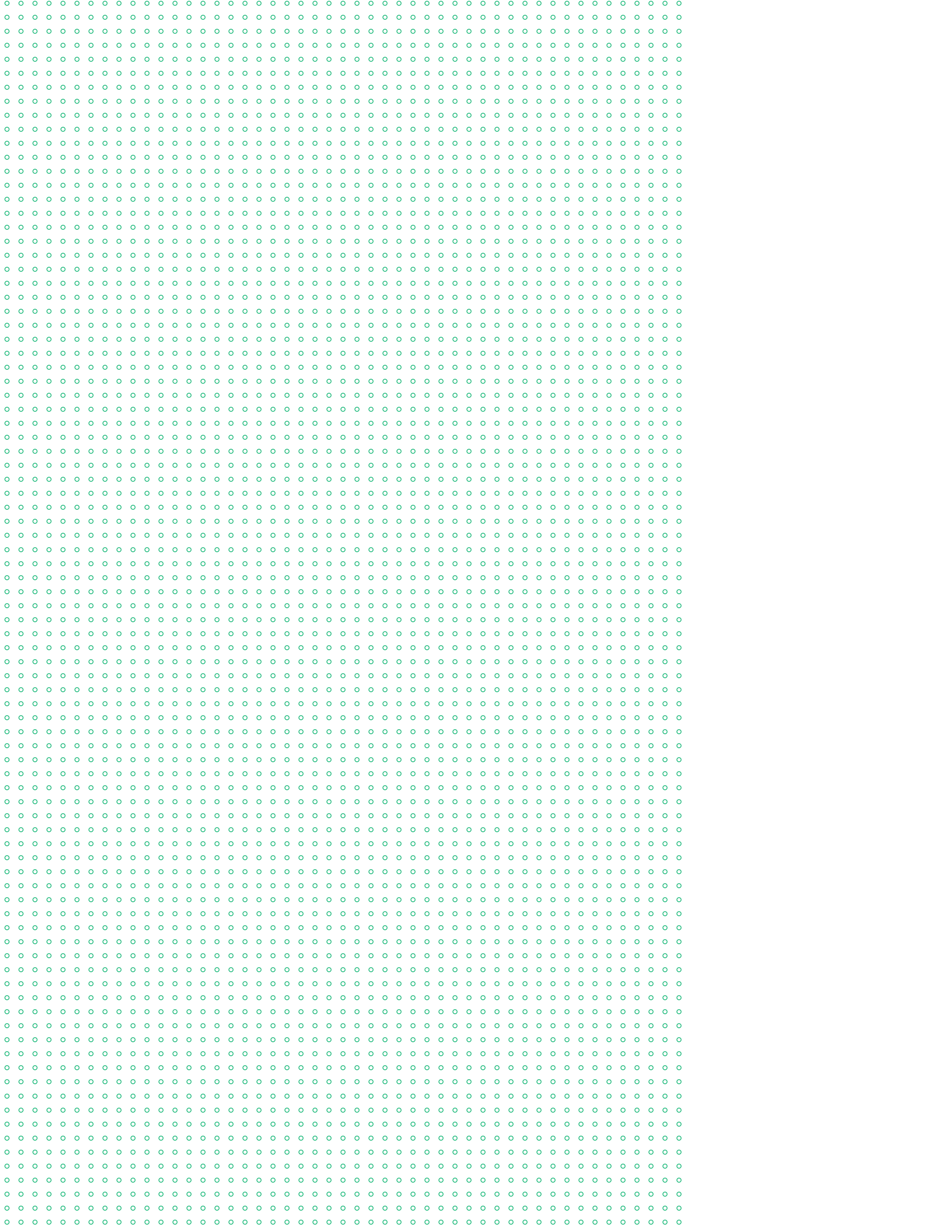


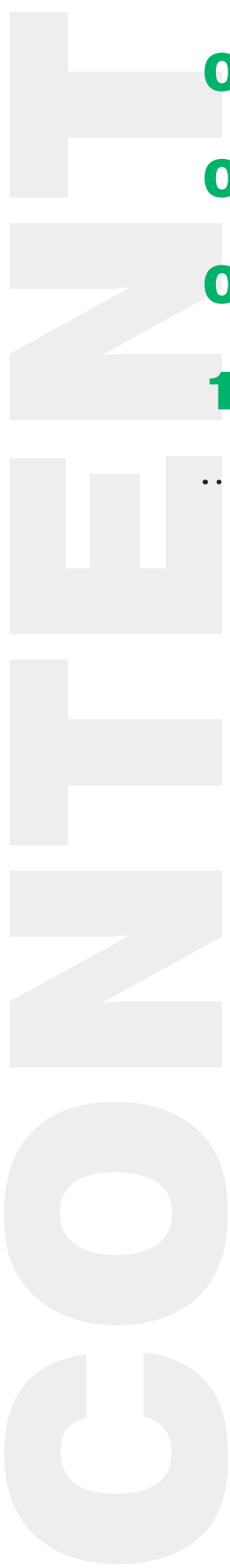
# ADUS ANNUAL REPORT

# 2019



SALT LAKE CITY  
**PLANNING**





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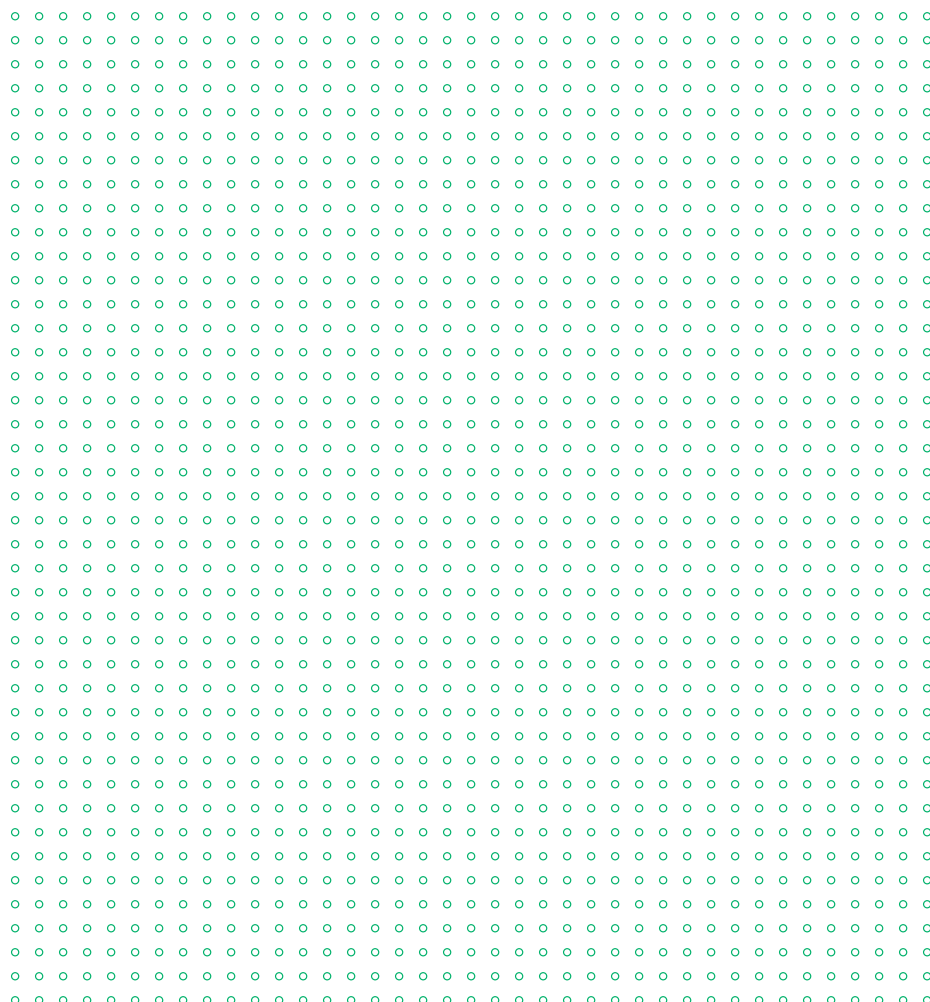
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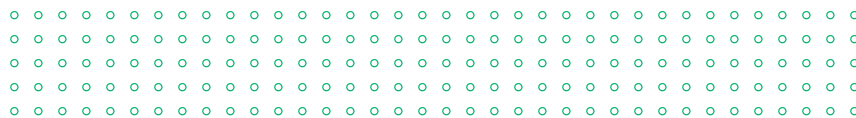
# REPORT 2019

The Salt Lake City Council adopted an updated Accessory Dwelling Unit ordinance in October 2018. That ordinance requires the Planning Division to produce an annual ADU report. The report includes the following information:

- **The number of applications received.**
- **The address of each application for an ADU.**
- **A map showing the locations of approved ADUs.**
- **An explanation of the reasons an application may have been denied.**

The Planning Division has added information to this report regarding barriers to ADUs, issues raised during the process, and issues associated with administering the ordinance. This report does not suggest making changes to the ADU ordinance at this point in time due to the limited number of ADUs that have been completed under the 2018 ADU ordinance.

**This report covers the time period from the adoption of the ordinance in October 2018 to December 31, 2019. The report is required by ordinance to be transmitted to the City Council by February 15, 2020.**



# ABOUT ADUS

## WHAT IS AN ADU?

An accessory Dwelling Unit is a complete, secondary residential unit that can be added to a single family residential lot. ADUs can be attached to or part of the primary residence or be detached as a separate building in the backyard. ADUs are often referred to as mother-in-law apartments, backyard cottages, granny flats, and alley way cottages, detached dwelling units, and many other similar terms.

## WHERE CAN THEY BE LOCATED IN SLC?

An ADU may be located on any property that is zoned for single family dwellings and where a single family home is on the same property. An ADU is not allowed when the property already contains a duplex, triplex, or an apartment building.

## HOW MANY APPLICATIONS HAVE BEEN SUBMITTED?

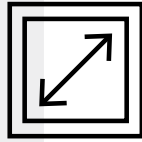
ADUs can be approved in the City through two different ways. First, if the property is in a zoning district that already allows multiple units on a single lot, an ADU can be built as a permitted use. A permitted use does not require any special approval process and can be built after a building permit is issued. Second, if the property is in a single family zoning district, an ADU can be approved as a conditional use. A conditional use requires a public process that includes a 45 day public comment period followed by a public hearing with the Planning Commission.

# NUMBERS

<b>TOTAL APPLICATIONS</b>	<b>41</b>
<b>PERMITTED</b>	<b>9</b>
<b>CONDITIONAL USE</b>	<b>24</b>
Approved	8
Pending	14
Denied	0
<b>WITHDRAWN</b>	<b>8</b>

<b>BUILDING PERMITS</b>	<b>9</b>
<b>COMPLETED</b>	<b>3</b>
<b>UNDER CONSTRUCTION</b>	<b>1</b>
<b>IN BUILDING REVIEW</b>	<b>5</b>

## ADU CHARACTERISTICS



AVERAGE SIZE  
**566**  
SQUARED FT.

### DETACHED ADU SIZE

**40%**  
*% of size of principal structure*



AVERAGE HEIGHT  
**14 FT. 10 IN.**



ONE BEDROOM  
**31**

TWO BEDROOMS  
**3**

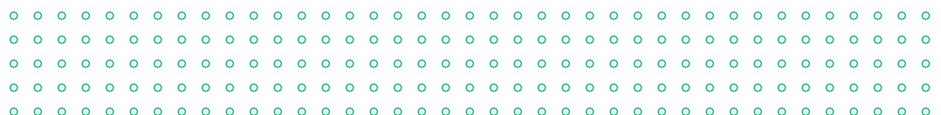
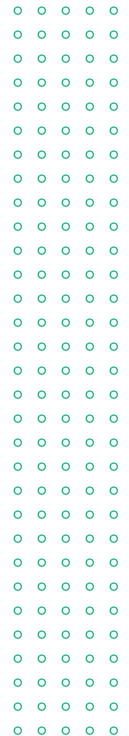
## PARKING LOCATION



ON SITE  
**74%**

ON STREET  
**23%**

NONE  
**3%**  
*near transit*



## PERMITTED USE ADUS

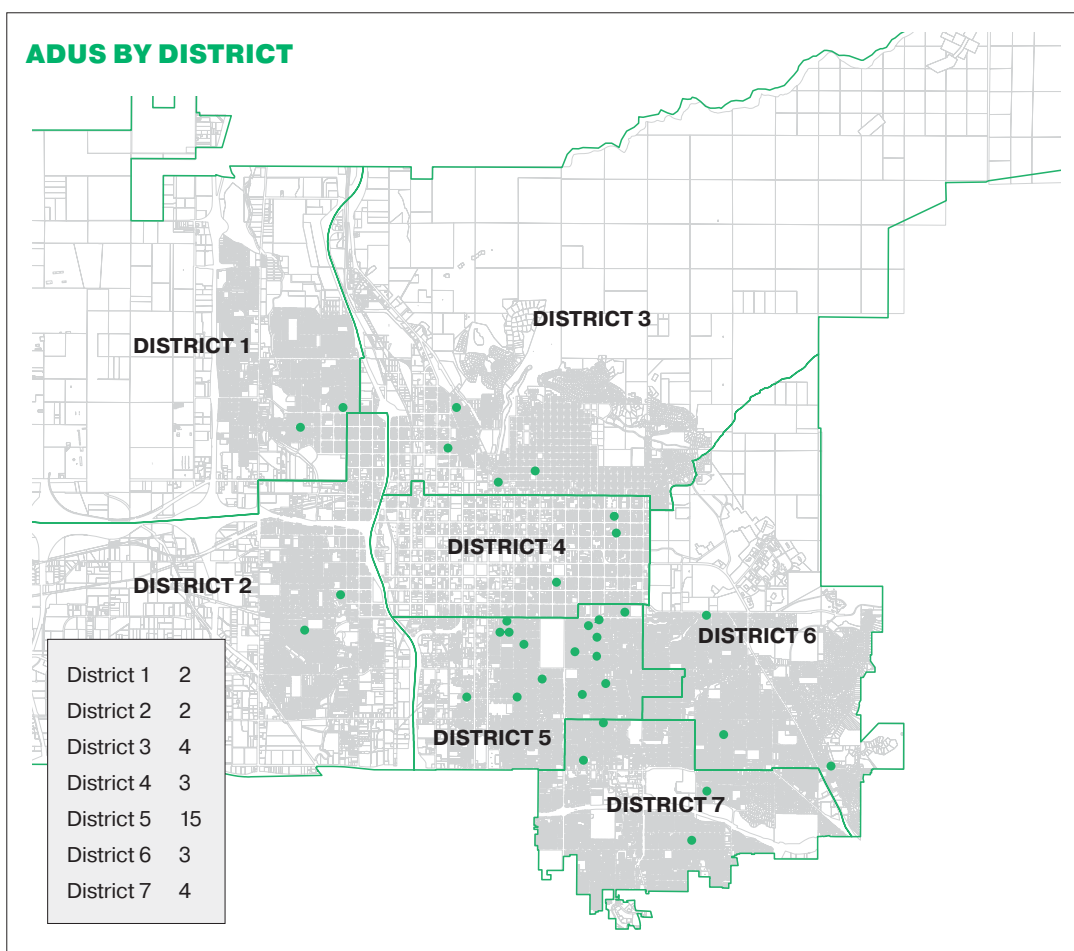
An ADU is considered a permitted use in zoning districts that allow housing types that include at least a duplex, but may include triplexes and apartments as well. This includes the SR-1A, SR-3, R2, RMF, RMU, and MU zoning districts. The review process of permitted ADUs start with submitting a building permit.

## CONDITIONAL USE ADUS

Twenty four conditional use applications have been submitted for ADUs. The Planning Commission has approved 10 applications for ADUs. Of those approved applications, one is under construction and four are in the building permit review process. The six remaining approved ADUs have not submitted a building permit. The other 14 conditional use ADU applications are either scheduled for an upcoming planning commission agenda or are waiting for the applicant to submit additional information in order to continue to be processed. The Planning Commission has not denied any conditional use applications for an ADU.

## WHERE ARE THE ADUS LOCATED?

The ADUs are located throughout the City. **The map below shows the location of each ADU application.**



## ADU APPLICATIONS SUBMITTED

This table includes the addresses of each ADU application that has been submitted.

ADDRESS	TYPE OF ADU	PERMITTED / CONDITIONAL USE	COUNCIL DISTRICT
1365 W 500 N	Attached	Conditional Use	1
1039 W Briarcliff	Detached	Conditional Use	1
726 S Goshen	Detached	Conditional Use	2
1017 S Navajo	Attached	Conditional Use	2
128 E 2nd Ave	Detached	Permitted	3
375 E 3rd Ave	Detached	Permitted	3
170 W 600 N	Detached	Permitted (HLC)	3
333 N 200 W	Detached	Permitted	3
633 S 600 E	Detached	Permitted (HLC)	4
264 S 1100 E	Detached	Permitted	4
155 S McClelland	Attached	Permitted	4
1503 S 300 E	Attached	Permitted	5
1371 S 500 E	Detached	Conditional Use	5
942 S 900 E	Detached	Conditional Use	5
1405 S 1000 E	Detached	Conditional Use	5
64 W Andrew	Detached	Conditional Use	5
1083 S Blair	Detached	Conditional Use	5
815 E Emerson	Detached	Conditional Use	5
235 E Hubbard	Detached	Conditional Use	5
1143 S Lake	Detached	Conditional Use	5
926 S Lincoln	Detached	Conditional Use	5
1020 S Lincoln	Detached	Conditional Use	5
932 E Princeton	Detached	Conditional Use	5
1136 E Sunnyside	Detached	Permitted	5
225 E Williams	Detached	Conditional Use	5
233 E Williams	Detached	Conditional Use	5
1781 E 900 S	Detached	Conditional Use	6
1807 S 1900 E	Detached	Conditional Use	6
2721 E 2100 S	Detached	Conditional Use	6
1712 S 1000 E	Detached	Conditional Use	7
2250 S 1800 E	Detached	Conditional Use	7
2651 S Imperial	Detached	Conditional Use	7
1978 S Windsor	Detached	Conditional Use	7







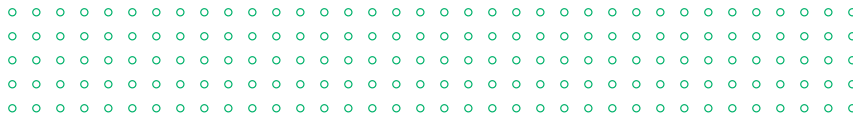
# BARRIERS

## WHAT BARRIERS STILL EXIST TO CREATING AN ADU?

There are a number of barriers that applicants and perspective builders of ADUs have encountered. There are some barriers that the city cannot address, such as barriers created by the building code and fire code. There are others that are not regulatory in nature, such as financing. These barriers are identified for the purpose of recognizing that the barriers exist and impact the construction of ADUs. These barriers were identified by applicants as reasons for withdrawing or deciding not to submit an application to build an ADU. The primary reasons stated was that the cost to comply with regulations was too high. Utility connection costs, separate mechanical systems for each unit, and the cost of fire separation are common reasons stated by applicants.

## HOW ARE THE ADU REGULATIONS WORKING?

Understanding how the regulations and process work and don't work are necessary if ADUs are going to help address the housing crisis facing Salt Lake City. This analysis is based on input from the community and Planning Commission, feedback from applicants, the level of interpretation needed to administer the rules, and the overall impact that the process has to workloads. The purpose of including the issues identified is informational only at this point. The Planning Division does not plan on proposing changes to the ADU ordinance until there is a sufficient number of completed and occupied ADUs in the city to analyze the impacts.



# ISSUES FROM THE COMMUNITY

Community input is gathered during the public process required when an ADU requires conditional use approval. These concerns echo what was said when the ordinance was being considered for adoption. The input is summarized below:

- **Impact to property values**
- **Parking impacts**
- **Privacy**
- **Impact to neighborhood character**
- **Access to ADUs**
- **Concentration of ADUs**

*Data does not exist to analyze each of these issues. However, data based on site plans does provide insight.*

**PARKING** // Parking is one of the most common concerns about ADUs.

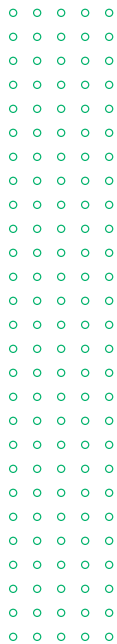
The applications submitted in 2019 indicate that 74% of the ADU applications indicate that the parking will be provided on site. Even when parking is provided on site, public sentiment is that one stall is not enough or that neighbors guests will not be able to find convenient parking nearby.

**LOCATION** // The location and potential concentration of ADUs is also known. City Council District 5 accounts for 47% of all of the ADU applications submitted to the City, with 17% located in District 7. Whether or not each ADU is actually built will determine the extent of the concentration. Five ADUs that have received conditional use approval have followed through with submitting a building permit.

Fourteen of the ADUs are located within ½ mile of Liberty Park. Within this area, only one block face has two ADUs on it, the 200 Block of Williams Ave (approximately 1000 South). No other block contains more than one ADU, although there are three ADUs within about five hundred feet of the intersection of Lincoln and Belmont Streets, in the Ninth and Ninth neighborhood. It is anticipated that ADUs will be clustered near amenities, such as major parks or business districts.

**ACCESS** // Access to ADUs is not specifically listed as a requirement in the ADU section. One of the conditional use standards relates to pedestrian access on a property. Even though this issue has been brought up, and echoed by the Planning Commission, they have not included conditions of approval to require a walkway when one has not been shown. This could be addressed by the planning staff adding it as a recommended condition of approval when it is not already clear on a site plan.

The other common issues are often cited but no evidence is presented to demonstrate that there is a detrimental impact related to the claim. One of the challenges with conditional uses is that the planning commission is required to approve them if a detrimental impact can be reduced. This assumes that a detrimental impact has to be proven and cannot be just an opinion. For example, property values is often cited as an impact, but property values are not listed as a detrimental impact and a negative impact to property values is difficult to prove.





## ISSUES IDENTIFIED BY THE PLANNING COMMISSION

The primary issued raised by the Planning Commission is the design of the ADUs. The Commission has indicated that they would prefer the ability to address design and do not think that the current conditional use standards provide them with that ability. However, the commission also acknowledges it is difficult to regulate the design of the ADU when the principal structure is not subject to design review and the ADU is often not very visible from the street.

The Planning Commission has raised some additional concerns, including the location of parking, access to the ADU, and the impact to workload and meeting length. The ADU regulations do not provide the commission with discretion on parking and it has been indicated that not requiring a parking space when there is on street parking in front of the property could alleviate the concerns that the public has with ADUs.

During the January 8, 2020 commission field trip to a potential ADU site, the question was asked if all ADUs should be a permitted use (not require planning commission approval) given the fact that every application the commission has reviewed has been approved and the conditional use process does not provide much flexibility. Although there was not a majority of the commission present, it was discussed if a consent agenda could be used for items where there is no one in attendance or if there are no identified issued prior to the hearing. This is an option to help reduce the length of the commission meetings.



# ISSUES WITH ADMINISTERING THE ADU REGULATIONS

Over the past year, the Planning Division has identified a number of regulations that are confusing and resulting in staff time interpreting the ordinance. These include:

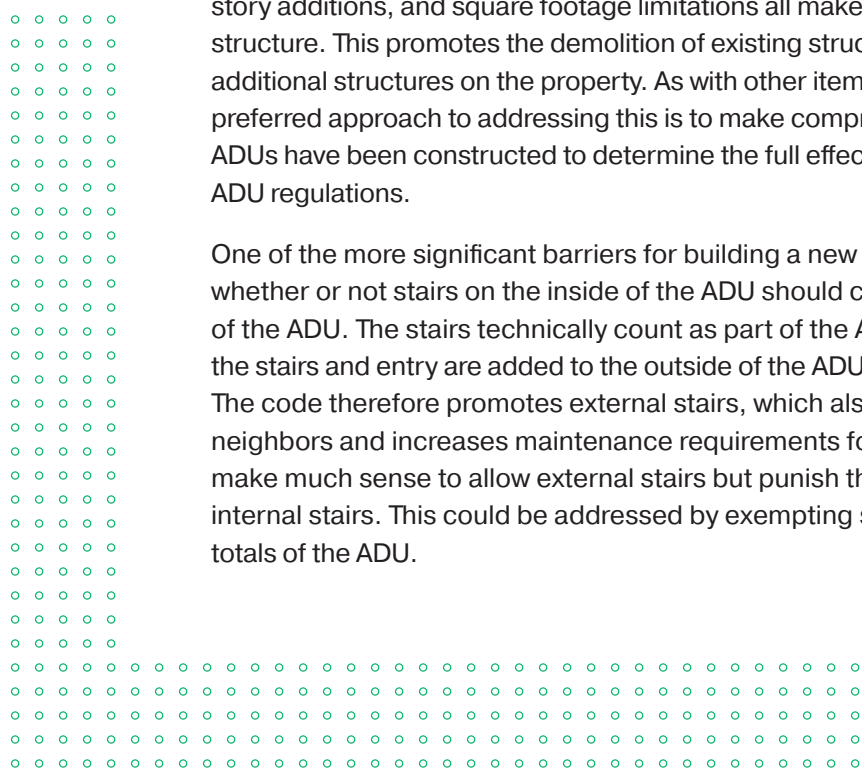
- **Owner occupancy requirements are difficult to enforce and could result in city mandated evictions at no fault of or without any real cause by a renter residing on the property.**
- **Unclear regulations when converting existing structures.**
- **Window regulations.**
- **Yard and lot coverage.**
- **Footprint definitions and applications with existing accessory structures.**
- **Additions to and converting existing accessory structures to an ADU.**

## CONVERTING EXISTING STRUCTURES

The ADU regulations primarily are geared towards new construction. There are some standards that apply to existing structures and converting them to an ADU. When the ADU is internal to a single family dwelling, the same standards apply to the ADU that apply to the principal dwelling, with the exception of any external stairs. These generally do not have zoning issues.

When converting an accessory building, such as an existing garage, there are numerous issues with the ADU regulations. The locations of windows, setbacks, second story additions, and square footage limitations all make it difficult to convert an existing structure. This promotes the demolition of existing structures or the construction of additional structures on the property. As with other items identified in this report, the preferred approach to addressing this is to make comprehensive changes after enough ADUs have been constructed to determine the full effectiveness or deficiency of the ADU regulations.

One of the more significant barriers for building a new ADU in a detached structure is whether or not stairs on the inside of the ADU should count towards the square footage of the ADU. The stairs technically count as part of the ADU square footage. As a result, the stairs and entry are added to the outside of the ADU and become external to the ADU. The code therefore promotes external stairs, which also creates privacy issues for the neighbors and increases maintenance requirements for the property owner. It doesn't make much sense to allow external stairs but punish the property owner for including internal stairs. This could be addressed by exempting stairs from the square footage totals of the ADU.



## OTHER ZONING BARRIERS

There are some zoning regulations that apply to all properties that are impacting the construction of ADUs. These barriers include:

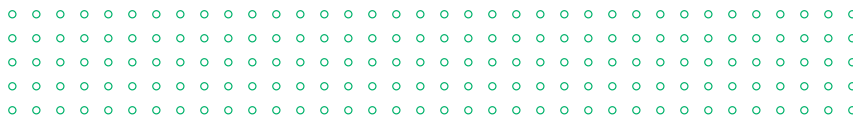
- **The zoning ordinance requiring all dwelling units to be on a concrete foundation that skirts the entire footprint of the structure even though the building code allows other types of foundations for residential buildings.**
- **Limitations on accessory building size and height for converting existing structures to an ADU.**

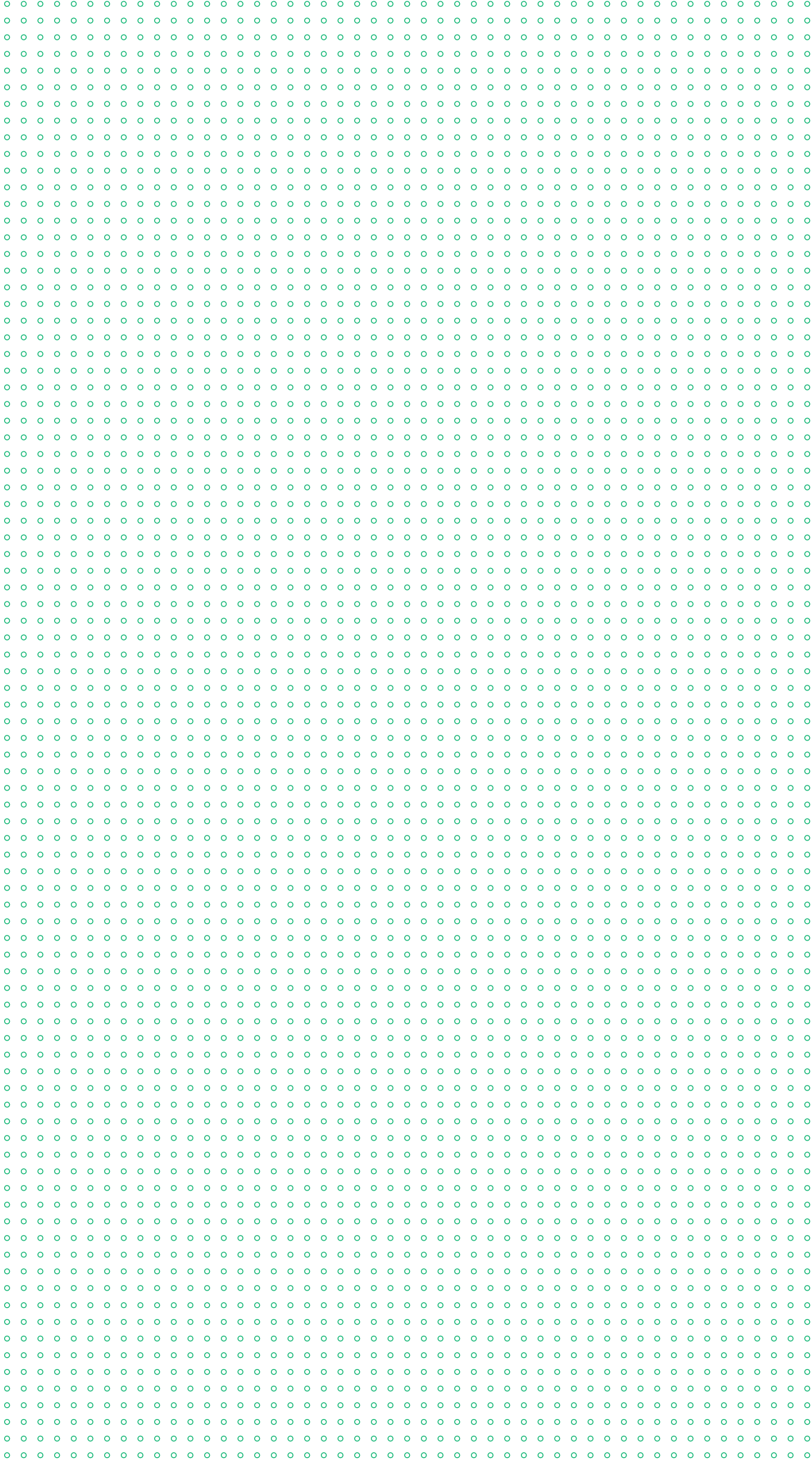
*It is anticipated that more zoning barriers will be identified as more applications are submitted and more unique situations are identified.*

## OTHER BARRIERS

Applicants have identified additional barriers that are outside of the Planning Division's typical function within the structure of the city. These barriers are identified below:

- **Fees, including application fees, impact fees, and building permit related fees.**
- **The cost of complying with building code requirements, specifically fire code separation for accessory unit built within the existing home.**
- **Fire code requirements prohibiting ADUs when they are too far from the street.**
- **Financing ADUs and the inability to find comparable properties.**





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