

PLNPCM2022-00475



# ADU AMENDMENTS

Briefing – January 17, 2023

# PROCESS

- February 9, 2022: Planning Commission votes to initiate a petition to remove the conditional use requirement for ADUs.
- March 8, 2022: Planning discusses ADUs with City Council during work session.
- March – May 2022: Planning staff researches best practices.
- May 18, 2022: 45-day early notification period begins. Community Council chairs are notified via email.
- May – September 2022: Project is posted to the Online Open House webpage.
- August 10, 2022: Planning Commission is briefed on proposed changes. Staff makes adjustments to the amendment before presenting it to the Commission at a hearing.
- September 14, 2022: Planning Commission hears the amendment and sends it to the City Council with a positive recommendation.
- December 2022: The amendment is transmitted to the City Council.

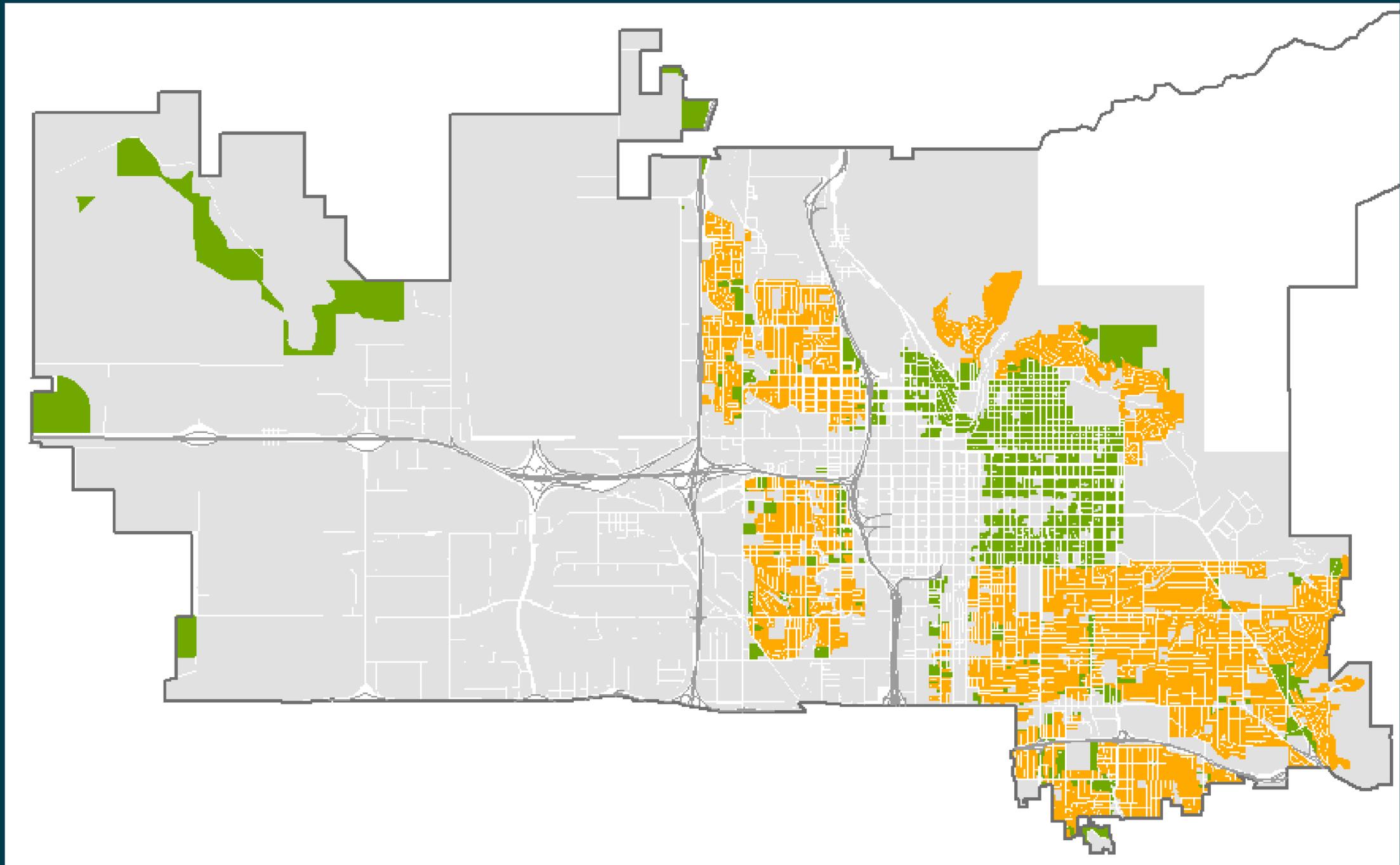
# SUMMARY OF AMENDMENT

## Proposed Changes

- Removing the conditional use requirement
- Expanding where ADUs can be built
- Adjusting Size, Bulk, and Yard Requirements
- Introducing Alley Activation Requirements
- Eliminating DDUs in FB-UN Districts
- Changing Requirements for Decks, Patios, and Outdoor Space
- Adjusting Parking Requirements
- Changing Window and Entrance Requirements
- Changing Maximum Size and Lot Coverage Requirements for Accessory Buildings
- Adding New Definitions to the Zoning Ordinance

# REMOVING CONDITIONAL USE

- Six zoning districts require conditional use approval for an ADU.
- HB-82 preempts City from requiring conditional use for internal ADU, still required for detached ADUs.
- Imposes time and financial cost on applicants.
- State requires approval if negative impacts reasonably mitigated.



**Legend**

- ADU Permitted (Detached or Internal)
- Detached ADU Requires Conditional Use
- ADU Not Permitted

**Zones Requiring Conditional Use**

Zoning District	Name
R-1/5000	Single-Family Res
R-1/7000	Single-Family Res
R-1/12000	Single-Family Res
FR-1	Foothills Res
FR-2	Foothills Res
FR-3	Foothills Res

# EXPANDING WHERE ADUS CAN BE BUILT

## **Current Ordinance**

Permitted or conditional in Residential and Special Purpose districts.

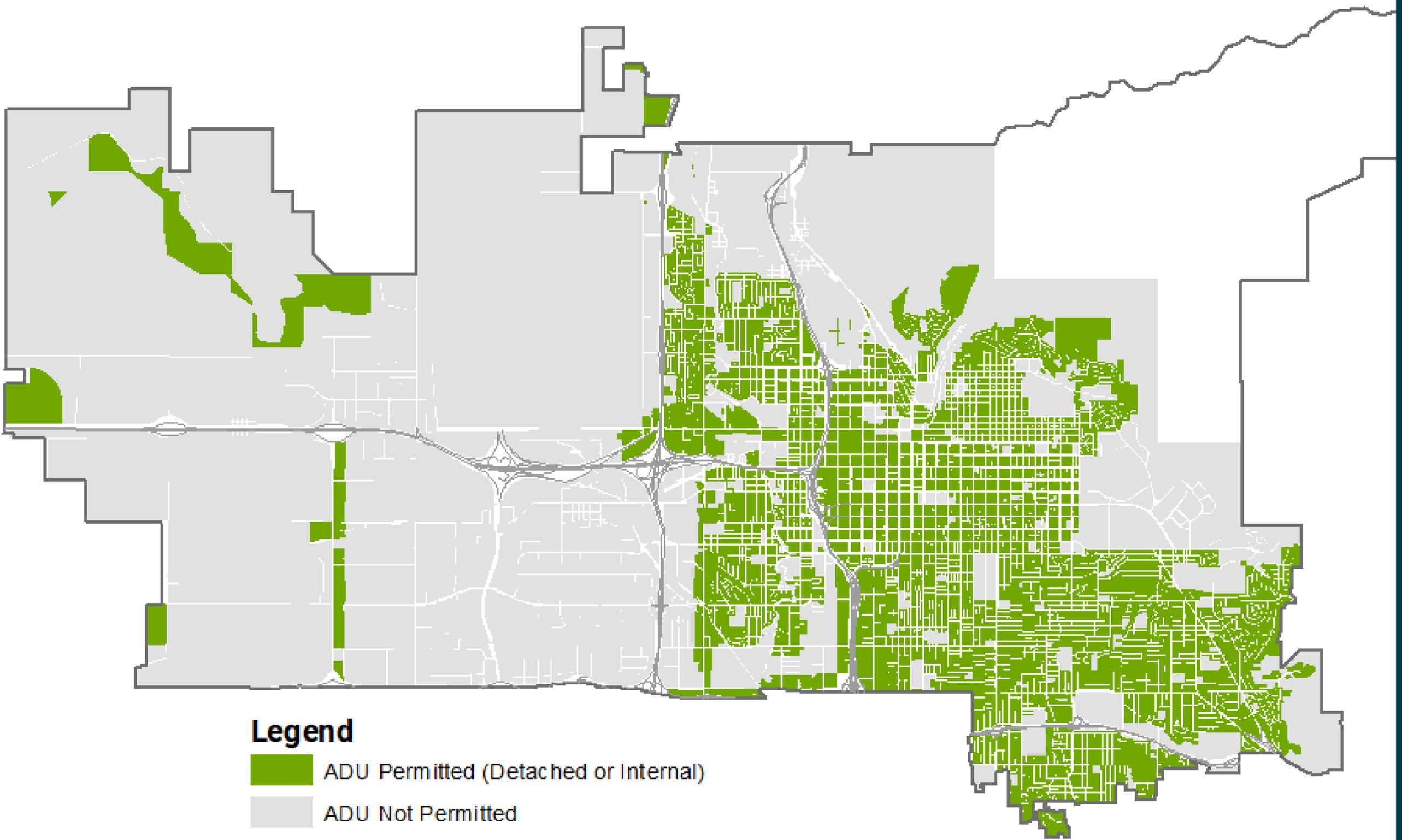
Only allowed on properties with single-family residential as primary use.

## **Proposed Ordinance**

Would expand availability to Downtown, Commercial, Form-Based, TSA, and Gateway districts.

- Would not be allowed in Manufacturing and some Special Purpose districts.

Also allowed on properties with duplex, multi-family, or non-residential principal use.



**Legend**

- ADU Permitted (Detached or Internal)
- ADU Not Permitted

# SIZE, BULK, AND YARD REQUIREMENTS

- Size, bulk, and yard requirements under the current ADU Ordinance are a significant barrier to ADU construction.
- Amendment would make standards more permissive.
- New requirements would still address negative impacts to neighboring properties.

# SIZE REQUIREMENTS

Internal ADUs		
Standard	Current Requirement	Proposed Requirement
Maximum Size	50% of gross square footage of principal structure.	No maximum. Aligns with HB82.

Detached ADUs		
Standard	Current Requirement	Proposed Requirement
Maximum Size	50% of footprint of principal structure or <b>650 square feet</b> , whichever is less.	In residential zoning districts: <b>1,000 square feet</b> maximum. Can be increased to <b>1,200 square feet</b> if lot is 12,000 square feet in size or larger or located in a non-residential zoning district.

# HEIGHT REQUIREMENTS

Detached ADUs		
Standard	Current Requirement	Proposed Requirement
Maximum Height	<p><b>17 feet</b>, not to exceed the height of the principal dwelling.</p> <p>If the principal structure is taller than 17 feet, the ADU can be the same height as the principal structure, up to 24 feet.</p>	<p><b>17 feet.</b></p> <p>Can be increased up to 24 feet with an increase in setback.</p>

# YARD REQUIREMENTS

Detached ADUs		
Standard	Current Requirement	Proposed Requirement
Minimum Setback	<p><b>New accessory buildings and additions to existing accessory buildings:</b> 4 feet from any side or rear lot line.</p> <p><b>Second story additions:</b> 10 feet from any side or rear lot line, unless abutting an alley, in which case setback can be reduced to 4 feet.</p> <p><b>If accessory building is taller than 17 feet,</b> setback must be increased to 10 feet, unless abutting an alley, in which case setback can be reduced to 4 feet.</p>	<p><b>3 feet</b> from interior side or rear lot lines.</p> <p><b>10 feet</b> from corner side lot line.</p> <p><b>If accessory building is taller than 17 feet,</b> setback must be increased by 1 foot for every additional foot in height above 17'.</p>

# ALLEY ACTIVATION REQUIREMENTS

ADUs within 15 feet of a public alley would be required to have:

1. An exterior light.
2. A 4-foot wide pedestrian path leading to the alley. If there is a fence between the ADU and the alley, a gate would be required.

“Paper alleys” would be exempt.

# PARKING REQUIREMENTS

One off-street parking stall is required for an ADU.

- Same requirement as current ordinance.
- Off-street parking for principal use cannot be reduced by more than the minimum required in 21A.44.

Exceptions to off-street parking requirement:

- Street parking is available in front of the property.
- The property is located within 1/4 mile of a transit stop.
- The property is in a zoning district with no minimum off-street parking requirement. **(NEW)**
- The property already contains at least one accessible stall above the minimum parking requirement. **(NEW)**
- The property is within 1/2 mile of a designated bicycle lane or path. **(NEW)**

# OWNER OCCUPANCY REQUIREMENTS

- Remains in place under proposed changes
- Planning Commission and Community Councils expressed desire for the requirement to remain

# CHANGE TO PROPOSED DEFINITION

## DWELLING, ACCESSORY UNIT (INTERNAL):

An accessory dwelling unit created:

1. within a primary dwelling;
2. within the footprint of a primary dwelling at the time the internal accessory dwelling unit is created; and
3. for the purpose of offering a long-term rental of 30 consecutive days or longer.



## DWELLING, ACCESSORY UNIT (INTERNAL):

An accessory dwelling unit created:

1. within a principal building; and
2. for the purpose of offering a long-term rental of 30 consecutive days or longer.

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