



## **MEMORANDUM: Proposed Amendments to County Code Chapter 19.15 (Accessory Dwelling Units)**

**Summary:** On March 12<sup>th</sup>, 2024, the County Council gave MSD Planning Staff authorization to proceed with presenting revisions to County Code 19.15 (Accessory Dwelling Units) to the Salt Lake County Planning Commission and the Mountainous Planning District Commission. The Planning Commissions reviewed the proposed ordinance amendments at public hearings in April 2024. Both Commissions recommended that the Council adopt the proposed amendments to County Code Chapter 19.15, with revision. A public hearing in front of the Council is scheduled for May 21<sup>st</sup>, 2024. Following the public hearing, the Council may adopt, adopt with revisions, or not adopt the amendments as drafted.

**Background:** The amendments to Chapter 19.15 are being proposed as part of the County's implementation of Strategy E of the Moderate Income Housing Plan, "create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones". Planning Staff drafted the proposed ordinance amendments based on GIS analysis of Unincorporated County lot sizes, results of the 2023 ADU survey, literature review of barriers to and best practices for ADU development, and past experience processing ADU applications.

**Recommended Amendments (19.15):** Drafted amendments include:

- Reducing the minimum lot size for detached ADUs from 12,000 to 7,000 square feet;
- Reducing required setbacks for detached ADUs located in accessory structures legally existing prior to the adoption of the ordinance amendments;
- Reducing the required on-site parking spaces for detached ADUs from two to one;
- Creating height limits for detached ADUs that are based on rear and side yard setbacks;
- Clarifying that ADU applicants must provide evidence of water and sewer availability;
- Allowing ADUs within the front yard on large lots with large front yards; and
- Ensuring compliance with state code and providing general clean-up of existing language.

**Response:** It is important to note that the recommended amendments being presented to Council differ slightly from those that were recommended by the Planning Commissions. Both Planning Commissions recommended a revision to the setback language which would require rear and yard setbacks to be consistent with those of the primary dwelling. If that revision were to be adopted, the new setback would be more restrictive than the existing standard (15' vs 10'). This directly contradicts the intent of the amendments which is to reduce barriers to ADU development, in keeping with the adopted Moderate Income Housing Plan. The draft ordinance in the Council's packet reflects Planning staff's recommendation on this issue, which is to retain the setbacks from

the existing ordinance for newly constructed detached ADUs. Planning staff and the planning commissions are in agreement with all other provisions in the proposed amended ordinance.