



NOTICE OF CITY COUNCIL PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a public hearing on **Thursday, October 24, 2024, as close to 6:00 P.M.** as possible, in the Holladay City Council Chambers, 4580 S 2300 E, Holladay UT

The purpose of the hearing is to modify the existing standards for Accessory Dwelling Units, specifically related to External Accessory Dwelling Units (EADUs), including reducing the minimum lot size required, setting standards for the conversion of existing accessory buildings to EADUs, and adding additional location, height, and design standards.

The proposed amendment is available for public inspection on the City's website www.holladayut.gov.

The public can watch the live video stream of the meeting remotely at https://holladayut.gov/government/agendas_and_minutes.php. To provide a public comment or comment on any public hearing, you can do so in the following ways:

- In-person attendance: at Holladay City Hall
- Email your comments by 5:00 pm on the date of the meeting to scarlson@holladayut.gov or 801-272-9450,

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.holladayut.gov, the Utah Public Notice website www.utah.gov/pm, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Friday, October 4, 2024 at 12:30 pm

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

1 **13.14.031: ACCESSORY DWELLING UNITS:**

2 Accessory Dwelling Units are meant to assist in the creation of new housing units; support a more
3 efficient use of existing housing stock and infrastructure; and provide housing that responds to changing
4 family needs, smaller households, and increasing housing costs within the City and not a response to
5 supplemental income or vacation rental opportunities.

6 Existing or new construction of Accessory Dwelling Units of any type may only be established on a
7 parcel with a single-family detached structure within all residential zones when the following standards
8 are met. In addition to applicable remedies for correction of non-compliance set forth in Chapter 13.94 of
9 this Title, pursuant to Utah Code Ann. § 10-9a-530(5), the City may hold a lien against any property in
10 violation of any provision of this Title relating to the creation and/or maintenance of an
11 Internal Accessory Dwelling Unit. The City shall follow the provisions of Utah Code Ann. §10-9a-530(5)
12 in the creation and filing of any lien.

13 A. Accessory Dwelling Unit as defined in section 13.04.040, shall:

14 1. Comply with applicable building, health, and fire codes.

15 2. Be subject to approval of a Building Permit (section 13.08.100) and issuance of a Certificate of
16 Occupancy (sections 13.04.050, 13.01.060).

17 3. If rented, be rented for a minimum of thirty (30) consecutive days. A rented ADU is subject to
18 annual approval of a License (section 5.68.020). The licensing fee can be found in the Consolidated Fee
19 Schedule.

20 4. Owner Occupied: No accessory dwelling unit shall be created, established, or occupied in a single-
21 family dwelling unless the owner of the property or an immediate family member, defined as the spouse,
22 parent, child, sibling, grandparent, or grandchild, occupies either a portion of the main dwelling or a
23 detached accessory unit on the same single-family lot. For the purpose of this section, the term "owner
24 occupied" shall be defined as full time residency within the home by the property owner(s) as shown on
25 the County tax assessment rolls. Owner occupancy requirement shall not apply to the accessory dwelling
26 unit when:

27 a. The owner cannot live in the dwelling due to a bona fide temporary absence of three years or
28 less (i.e: military, job assignment, sabbatical, or voluntary service);

29 b. The owner was living in the dwelling immediately prior to leaving for the temporary job
30 assignment, sabbatical, or voluntary service; and

31 c. The owner resumes primary occupancy of residence upon returning from the temporary
32 military, job assignment, sabbatical, or voluntary service absence;

33 d.: Dwelling unit Occupancy: The occupants of an accessory dwelling unit shall be limited to a
34 single family, defined as (in accordance with Utah Code §10-91-505.5):

35 i. One person living alone; or

36 ii. Any number of persons related by blood, marriage, adoption, or other legal
37 relationship living together as a single housekeeping unit; for purposes of this definition
38 of family, the term "related" shall mean a spouse, parent, child, stepchild, grandparent,
39 grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great-grandparent,

and great-grandchild. The term "related" does not include other, more distant relationships.

iii. Up to four (4) unrelated persons living as a single-family housekeeping unit.

5. Provide one additional onsite parking stall above the minimum required set forth in section 13.80.040; and replace any parking spaces displaced by the construction of an ADU from a garage or carport. If an accessory dwelling unit is being added outside of the existing footprint of the home, onsite parking must meet the minimums required in section 13.80.040, determined by the number of bedrooms in the accessory dwelling unit. Parking reduction provisions according to 13.80.040.B.

6. Maintain the same address as the primary dwelling with the addition of "Unit B"

7. Not operate on separate utility meters from the primary dwelling. The ADU tenant shall have unobstructed access to utility connections, i.e. water and gas shutoff, electrical panel and HVAC equipment, etc.

8. ADU shall not be permitted on a property with a failing septic tank.

B. Internal Accessory Dwelling Unit as defined in section 13.04.040, shall:

1. Comply with all provisions set forth in section 13.14.031 A of this chapter.

2. Provide egress window(s) for existing and new construction which meet minimum size standards as per Chapter 15.08 Building Codes.

C. External Accessory Dwelling Unit, as defined in section 13.04.040, shall:

1. Comply with all provisions set forth in section 13.14.031 A of this chapter.

2. Provide a footprint size of a minimum of two hundred (200) square feet and maximum footprint as per Chart 13.14.101.

3. Structures shall comply with setbacks for external ADUS as per section 13.14.110, chart 13.14.101. Setbacks may be reduced according to the setback reduction chart, not to exceed the "no closer than (Feet)" distance required for accessory buildings. The property owner of the proposed setback reduction shall file a signed agreement detailing the context/treatment applied and the resulting setback distance with the Community and Economic Development department.

Chart 13.14.032

Context/Treatment	Setback reduction
No lights on sides abutting residential properties	10%
Fencing	
1. 8' fence height agreement or 6' masonry wall	1. 30%
2. 8' masonry wall	2. 50%
Single floor structure with maximum 10' wall height	50%
Immediately adjacent to an existing accessory building on a neighboring property	80%
Below grade living space only	100%
Additional/upgraded certified energy efficient material/construction designed to reduce sound	100%

Coordination with abutting property owner to build adjacent ADUs	100%
Immediately adjacent to a non-residential land use	100%
Other proposed buffering treatment (additional vegetation, screening/acoustic walls, window treatments, architectural feature, color choice, biophilic elements etc.)	10% per item

4. Height does not exceed twenty-five feet (25') in height above existing grade.

5. The height of accessory buildings containing a dwelling unit shall comply with graduated height standards as per 13.14.070.2

6. Comply with Lot Coverage maximums as per section 13.14.080.

7. Design standards of any EADU shall include the following. These standards are intended to increase privacy and minimize impact to neighboring residents.

a. Security and/or building lighting shall be "dark sky" compliant, to include the following:

- i. Only LED, incandescent light sources in the spectrum of white or off white (light yellow tones in the kelvin scale of 5,000k or lower, i.e. warmer).
- ii. Fixtures shall feature a "full cut-off" type hood and mounted in such a manner that the cone of light does not cross any property line of the site.
- iii. Lighting installations shall include timers, dimmers and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.

b. Primary and secondary access points including but not limited to doors, windows, patios, garage doors, etc. shall not open into a required setback.

c. Required setbacks shall be maintained with landscaping which provides a buffer to neighboring properties.

8. Conversion of existing accessory buildings, including non-conforming structures, to EADUS is allowed with standards.

a. Shall meet all design standards within 13.14.031.C6.

b. Structures that do not conform to the building footprint sizes shown in Chart 13.14.101 must apply for a conditional use permit for a footprint that exceeds the allowed size.

c. Structures that do not conform to setbacks in Chart 13.14.101 shall select from appropriate setback reduction measures as shown in chart 13.14.032.

d. A second level above 12 feet may not be added or converted to living space when the accessory structure does not meet the required accessory structure setbacks per section 13.14.110, chart 13.14.101.

e. Any in-line addition over 50% of the linear measurement of a non-conforming setback shall comply with all applicable setback and height requirements.

Chart 13.14.101

Lot Size In Square Feet	Total Footprint (Permitted Use)	No Closer Than (Feet)
Less than 8,000	800	3
8,001 to 14,600	850	4
14,601 to 21,200	900	5
21,201 to 27,800	950	6
27,801 to 34,400	1,000	7
34,401 to 41,000	1,050	8
41,001 to 47,600	1,100	9
47,601 to 54,200	1,150	10
54,201 to 60,800	1,200	11
60,801 to 67,400	1,250	12
67,401 to 74,000	1,300	13
74,001 to 80,600	1,350	14
Over 80,600	1,400	15

13.100.010: TABLE OF ALLOWED USES:

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-2 1, R-1-4 3, R-1-8 7	R-2-8/ R-2-10	R-M	PO	HC R	O-R-D	P	R O	NC	C-1	C-2	H V	R/M-U	L U
Accessory Uses*																
External accessory dwelling unit	P ¹⁹	P ¹⁹	P ¹⁹													
Internal accessory dwelling unit	P ¹⁹	P ¹⁹	P ¹⁹													
Accessory dwelling unit	P ²³	P ²³	P ²³	P ²³	P ²³											

NOTE: 23. When accessory to a detached single-family dwelling.