

MEMO



To: Planning Commission

From: Jason Bond, Assistant City Manager

Date: November 17, 2022

Re: **Proposed Amendment Related to Detached Accessory Dwelling Units**

On November 8, 2022, the Planning Commission reviewed the proposed amendments to Santaquin City Code which would allow detached accessory dwelling units (ADU) in the R-10 zone. This happened based on direction given from the City Council to review things again with some specific concerns in mind. Specifically, the Council asked that the Planning Commission discuss whether two-story units should even be allowed. In other words, should detached ADUs be limited to one-story?

The current height restrictions for detached accessory dwelling units is as follows:

"The maximum height of a detached accessory dwelling unit shall not exceed the height of the primary dwelling unit or 24 feet, whichever is less." (SCC 10.16.080.C2)

To ensure that all concerns are acknowledged and clearly understood, the concerns from a resident (expressed to the Mayor and City Councilmembers in an email), is also being provided below:

Dear Mayor and City Council,

I don't often take the formal chance to voice concerns with city affairs, but since I've had the opportunity to sit in on probably all meetings concerning Detached Accessory Dwellings, and I know there was a public notice about possible restrictions on these types of dwellings, I want to bring up some growing concerns that I have had about them. I have talked to a few of you about them already.

I understand the pros concerning these types of dwellings, but I'm hoping you will consider and discuss some possible cons and put a few restrictions in place when allowing them in new and existing zones.

Concern #1—

Adding another dwelling on the property will obviously add more people, cars and noise for the neighborhood, but I am mainly concerned with how it will affect the privacy of neighbors. Privacy fences are put up to keep prying eyes out of backyards, but if a two-story dwelling is allowed eight feet from a property line, the fence will be inconsequential. Especially since the main view from the house will be the neighboring backyard and the back of the house, which will be quite easy to see into at night unless curtains are drawn.

I am very uncomfortable with the fact that children who usually play in fenced yards, will be the main view, from the two story dwelling, as well as backyard BBQ's etc. Since there will be nothing else to look at from the small house.

I hope you will consider not allowing the two story dwellings in small backyards, or in close proximity to fence lines. Allowing instead, only a one story with a basement for privacy purposes.

Concern #2

I know it is believed most builders will want family living in these dwellings, but since there are currently no restrictions about who they can rent them to; the reality is some builders will strictly see income potential. In which case, tenants could potentially change every six months, or even every night if they choose to use

them as vacation rentals. Making the need for keeping privacy in tact for neighboring houses even more important.

Concern #3

I am also courteous about another item. The code will state that the owner must live in one of the dwellings, but how will that be controlled, especially when the property sells? Will it need to be sold under that stipulation? How can that even be monitored? Or will there be potential for both properties to be rented out under new ownership? If that's the case, and because there will be little in place to ensure otherwise, dynamics of neighborhoods could change as owners decide they no longer are in need of these structures for family etc, and sell the property to investors. And we know investors are currently buying up all sorts of property.

Thank you for reading and considering these points of concern. As always thanks for serving our city and for being so wonderful to work with.

Staff Recommendation: It is recommended that the Planning Commission review the expressed concerns regarding the proposal to allow detached accessory dwelling units within the R-10 zone to determine if more language needs to added or changed. Then provide a recommendation to the City Council.