



Project #21-048 Accessory Dwelling Units Land Development Code Amendment

REPORT SUMMARY...

<i>Project Name:</i>	Accessory Dwelling Units
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	August 12, 2021
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapter 17.37 of the Land Development Code.

BACKGROUND

This code amendment is in response to HB 82 (10-9a-530) requiring that local governments adopt standards permitting Accessory Dwelling Units in residential areas. The minimum standards established by HB 82 are as follows:

1. An accessory dwelling unit shall only be established in conjunction with a detached, owner occupied, single family residential dwelling. The residence shall be the owner's primary place of residence (Primary Dwelling).
2. An accessory dwelling unit shall only be established within the footprint of the primary dwelling at the time the accessory dwelling unit is created (Internal ADU) and shall not be rented for less than 30 consecutive days.
3. An accessory dwelling unit shall comply with all applicable building, health, and fire codes.
4. An accessory dwelling unit is prohibited in any other housing type (townhome, duplex, apartment, etc.).
5. An accessory dwelling unit is prohibited in non-owner occupied single family dwellings.
6. A municipality may not restrict the construction or use of an ADU based on the size of the internal ADU in relation to the size of the primary dwelling, the lot size, or the street frontage.
7. A municipality may prohibit the installation of a separate utility meter.
8. A municipality may prohibit the change in appearance of the primary dwelling.
9. A municipality may require one additional on-site parking space and may require the replacement of any parking spaces lost in a garage conversion to an ADU.
10. A municipality may prohibit the creation of an ADU in a mobile home.
11. A municipality may prohibit the creation of an ADU if served by failing septic system.
12. A municipality may prohibit the creation of an ADU on a lot smaller than 6,000 square feet in size.
13. A municipality may prohibit the rental of an ADU for a period of time less than 30 consecutive days.
14. A municipality may prohibit the rental of an ADU if the ADU is not located in a dwelling that is not occupied as the owner's primary residence.
15. A municipality may require that the owner obtain a business license (Landlord License) authorizing the creation of an ADU.

16. In a municipality with a main campus of a state or private university with a student population of 10,000 or more, the municipality may prohibit ADU's on 67% of the total land area zoned residential and limit ADU's to no more than 33% of the total residentially zoned land.

Accessory dwelling units are being viewed as a quick and easy fix for providing additional affordable housing in a very tight housing market. There is no question that the region needs an infusion of affordable housing into the housing market; however, the City's position has been that while ADU's may provide some additional affordable housing units short term, given the unique nature of Logan with Utah State University, any gain will be temporary and the bulk of these units will eventually become student housing that could lead to further degradation of residential neighborhoods surrounding the USU campus.

Most are familiar with the slow and steady decline in home ownership in the Adams, Hillcrest and Wilson neighborhoods as permanent residents near the university get tired of dealing with the problems that come with large numbers of students, namely over occupancy and a lack of parking. The owner occupancy of detached single family residential dwellings in the Adam's neighborhood is approximately 40% while in Hillcrest, the rate of owner occupancy is much higher averaging around 90%. Although in the older Hillcrest area immediately adjacent to USU, the rate of non-owner occupancy has steadily increased to just over 30%. The following graphic from the Hillcrest Neighborhood Plan shows the 10-year change (2004 – 2014) in ownership patterns.



The slow decline in owner occupancy is proportional to increases in campus enrollment and the resulting demand for student housing. Investors are seeing a demand in student housing and, over the last couple of years, have been picking up residential properties around the campus. As the ownership makeup changes from occupied owners to investor ownership, neighborhood priorities change. Maintained properties, mowed lawns and pride of ownership are giving way to higher rates of occupancy, nuisance complaints, parking complaints, weed complaints, and less overall pride in property ownership. Both the Adams and the Hillcrest neighborhood plans specify the need to maintain owner integrity in the residential areas using a variety of techniques

that have included zoning, grandfathering, enhanced enforcement and providing grants for property rehabilitation and down payment assistance.

When this topic was initially being discussed at the State during the 2021 legislative session, Logan City worked very closely with the Utah League of Cities and Towns (ULCT) and other university cities to inform the process of the unique housing pressures that a university town faces and push for local control and a local say in local land use policies. Logan was concerned about a single standard being developed for application in a variety of different urban areas could have significant negative impacts on our neighborhoods. The provisions requiring owner occupancy, detached single family residential dwellings, no short-term rentals, and limiting the scope of ADU's to just 33% of the residentially zoned acreage were directly related to efforts by Logan's residents and elected officials, as well as other university cities, working with the State legislators to find a more equitable compromise.

To mandate allowance of ADU's in all single-family neighborhoods would be detrimental to those neighborhoods nearest to the University. Over-occupancy and illegal parking are complaints we regularly receive, especially in Adams, Hillcrest and Wilson, and are the most difficult and time consuming to enforce. These complaints are a direct result of the incremental conversion of existing single family residential dwellings into multiple unit dwellings, both legally and illegally. The USU request put out 50 years ago that homeowners in the adjacent neighborhoods allow students to "live in their basement or their attics" and expressed again during the Planning Commissions 7/22/21 workshop, has led to many unintended consequences that many long-time homeowners are still trying to "undo."

Logan has responded to the need for more affordable and varied housing as well as concerns over neighborhood degradation through a number of measures and actions. Logan has actively "up-zoned" other areas near downtown or employment centers to encourage more dense development patterns and more affordable housing within a reasonable distance of employment. The Campus Residential zone was created on the west side of campus to encourage dense student housing adjacent to the university where students can live and walk to campus while helping alleviate the pressure on existing housing in single family areas. Many of the single family residential areas have been "down-zoned" to preserve the remaining single-family properties and slow the movement away from owner occupancy towards multi-family properties and investor ownership. Logan reclaimed the park strips that were turned into illegal parking necessary to support legal and illegally converted single family dwellings lacking adequate space to support their occupant loads. This has forced owners of these substandard units to find alternative parking locations or reduce the overall occupancy of their units. We have provided grant programs to encourage home ownership in the core neighborhoods while offering other grants to aid in the rehabilitation of existing structures. While the provision for ADU's seems like a good idea, it is contrary to many of the efforts undertaken over the last two decades to combat the same concept.

It is the City's belief that the unintended consequences associated with Accessory Dwelling Units citywide will far outweigh the perceived benefits of providing affordable housing. We believe it is more important to encourage the construction of affordable housing units in new projects rather than through property conversions in existing residential neighborhoods. For example, the new Homestead project located at 6th West and 2nd North will have 110 affordable units for seniors and another 164 affordable units available for families and individuals whose income does not exceed 60% of the valley's Adjusted Median Income (AMI). Nine (9) of these will be considered ADA units. By incorporating affordable units into a new project like the Homestead, the unintended impacts of SFR conversions, e.g., parking, neighborhood

degradation, loss of residential character, enforcement concerns, etc., can be eliminated and neighborhoods are strengthened.

Planning Commission Workshop – July 22, 2021

At the PC workshop, the Commission reviewed the State requirements and the local options for regulating ADU's available to each municipality. We discussed six (6) different approaches to locating ADU's in Logan based on a variety of criteria, e.g., citywide, proximity to employment, proximity to Main Street & USU, etc. We presented staff's concerns regarding the potential for further neighborhood degradation and the unintended expansion of student housing, especially in those residential areas immediately adjacent to the USU campus. Staff expressed concerns about impacts caused by insufficient parking, over-occupancy and a loss of residential character. The PC also discussed the potential benefits associated with ADU's including adding affordable housing options to a tight housing market, providing a choice of housing for a wide range of families, utilizing existing infrastructure to support additional housing, and placing affordable housing near employment, transit or educational opportunities.

The State rules included a provision that a municipality with a main campus of a state or private university with a student population of 10,000 or more may prohibit ADU's on 67% of the total land area zoned residential and limit ADU's to only 33% of the total residentially zoned land. Logan contains approximately 4,417 acres of residentially zoned acreage. At a minimum, the City has to permit ADU's on at least 1,357 acres of residentially zoned acres (33% of total land area zoned residential).

We presented six (6) different options for where ADU's should be permitted using the 1,357 acres as our baseline and combined that with the minimum requirements of ADU's including residentially zoning, owner occupied, detached single family residential, and a minimum lot size of 6,000 square feet.

The six (6) options for locating ADU's that were discussed include:

1. Option 1 – ADU's permitted Citywide on all residentially zoned properties (NR2 – CR) that are owner occupied, detached, single family residential dwellings on lot larger than 6,000 square feet. This option included approximately 5,216 individual properties over 4,417 acres (Map A); or
2. Option 2 – ADU's permitted Citywide on all residentially zoned properties except NR-6 that are owner occupied, detached, single family residential dwellings on lots larger than 6,000 square feet. This option included approximately 1,486 individual properties over 2,011 acres (Map B); or
3. Option 3 – This option drew an exclusionary circle around the Utah State University campus as far as possible until we met the minimum 1,500 acres of residentially zoned parcels. This options permits ADU's on all residentially zoned properties that are owner occupied, detached, single family residential dwellings on lots larger than 6,000 square feet. This option included approximately 1,156 individual properties on 1,512 acres as shown on Map C; or
4. Option 4 – This option permits ADU's based on proximity to primary employment centers or transit hubs such as Main Street and USU. This option permits ADU's within ¼ mile (approximate) of Main Street and USU that are zoned residential and contain owner occupied, detached, single family residential dwellings on lots larger than 6,000 square feet. This potion included approximately 2,206 properties on 1,509 acres (Map D); or
5. Option 5 - This option permits ADU's based on proximity to primary employment centers or transit hubs such as Main Street and excludes USU. This option permits ADU's within 2 blocks of Main Street that are zoned residential and contain owner occupied,

detached, single family residential dwellings on lots larger than 6,000 square feet. This option included approximately 951 properties on 1,588 acres (Map E); or

6. Option 6 – This option permits ADU's based on proximity to the USU campus. This option permits ADU's within ½ mile of USU that are zoned residential and contain owner occupied, detached, single family residential dwellings on lots larger than 6,000 square feet. This option included approximately 2,509 properties on 1,496 acres (Map F).

The consensus of the Planning Commission members present at the workshop was to narrow down the various options of ADU applicability to permitting ADU's citywide in all residential zones along with the following operational standards:

1. An accessory dwelling unit shall only be established within the footprint of a detached, owner occupied, single family residential dwelling. The residence shall be the owner's primary place of residence.
2. Detached ADU's are not permitted.
3. An ADU shall not be rented for less than 30 consecutive days.
4. An ADU shall comply with all applicable building, health, and fire codes.
5. An ADU is prohibited in any other housing type (townhome, duplex, apartment, etc.).
6. An ADU is prohibited in non-owner occupied single family dwellings.
7. Prohibit the installation of a separate utility meter.
8. Prohibit the change in appearance of the primary dwelling.
9. Require one additional on-site parking space and plus require the replacement of any parking spaces lost in a garage conversion to an ADU.
10. Prohibit the creation of an ADU in a mobile home.
11. Prohibit the creation of an ADU if served by failing septic system.
12. Require a minimum lot size of 6,000 square feet.
13. Require the owner obtain a business license (Landlord License) authorizing the creation of an ADU.

STAFF RECOMMENDATION AND SUMMARY

Staff recommends that the Planning Commission continue evaluating the direction of permitting ADU's citywide and consider recommending the initial use of ADU's be applied in a more limited geographic area, such as near downtown where employment and transit are readily available. It may be beneficial to permit ADU's initially in a more limited area, and then determine the actual demand for ADU's based on the levels of licensing and/or enforcement as well as quantify both the positive and the negative impacts. Based on this limited approach, the City could then reevaluate ADU's in 24 months to determine whether an expansion into broader areas of the City are warranted based on demand and impacts.

Regardless of which applicability option the PC recommends to the Municipal Council, staff recommends that the operational standards discussed above carry forward. The requirement that an ADU can only be internal to an existing, owner occupied, detached, single family residential dwelling along with licensing and permitting requirements will help to limit the actual numbers of ADU's and contain the overall negative impacts.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. Many of the underlying goals or premises behind permitting ADU's are competing values when viewed through the lens of the General Plan. Preserving and protecting residential neighborhoods, specifically single family residential neighborhoods, is a primary goal of the General Plan as many of the core neighborhoods have experienced decades of neglect. Zoning strategies that have been implemented since the Plan was adopted has reinforced this

goal. Adding ADU's, which can become de-facto "duplexes," into residential neighborhoods is contrary to maintaining the character and nature of single-family neighborhoods. Whereas providing additional affordable housing for a wide range of residents and incomes, which some ADU's will do, is also a goal of the General Plan. And permitting ADU's in traditional single-family areas may open up home ownership to a wider range of families as rental income can be used to support mortgage payments. As the Planning Commission works through this issue, they need to be aware of the competing values and goals.

PUBLIC COMMENTS

Public comments received prior to the preparation of this report will be included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 7/31/21, posted on the City's website and the Utah Public Meeting website on 8/2/21, and noticed in a quarter page ad on 7/24/21.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. Certain elements of the proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments to include Accessory Dwelling Units in residential areas is being mandated by the adoption of HB82 by the Utah State Legislature during the 2020 session.
5. The Planning Commission held a public workshop on July 22, 2021 to review Accessory Dwelling Units.
6. Public comment was offered during the 7/22/21 public workshop and again during the 8/12/21 public hearing.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



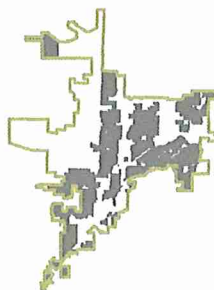
APPLICATION FOR PROJECT REVIEW

For Staff Only <input type="checkbox"/> Planning Commission		<input type="checkbox"/> Land Use Appeal Board		<input type="checkbox"/> Administrative Review
Date Received 7/6/21	Received By	Scheduled Meeting Date Aug. 12	Zone	Application Number PC 21-048
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input checked="" type="checkbox"/> XX Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other				
PROJECT NAME Land Development Code Amendments – 17.37				
PROJECT ADDRESS				COUNTY PLAT TAX ID #
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Mike DeSimone				PHONE # 435 716 9022
MAILING ADDRESS LOGAN CITY HALL 290 NORTH 100 WEST LOGAN UTAH 84321		CITY	STATE	ZIP
EMAIL ADDRESS MIKE.DESIMONE@LOGANUTAH.ORG				
PROPERTY OWNER OF RECORD				PHONE #
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed) AMEND CHAPTER 17.37 "ADDITIONAL DEVELOPMENT STANDARDS" TO INCLUDE PROVISIONS FOR ACCESSORY DWELLING UNITS.				Total Lot Size (acres) Size of Proposed New Building (square feet) Number of Proposed New Units/Lots
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permit on behalf of the property owner.		Signature of Property Owner's Authorized Project Representative		
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.		Signature of Property Owner		

City Council: WORKSHOP 9/7/21
HEARING - 9/21/21

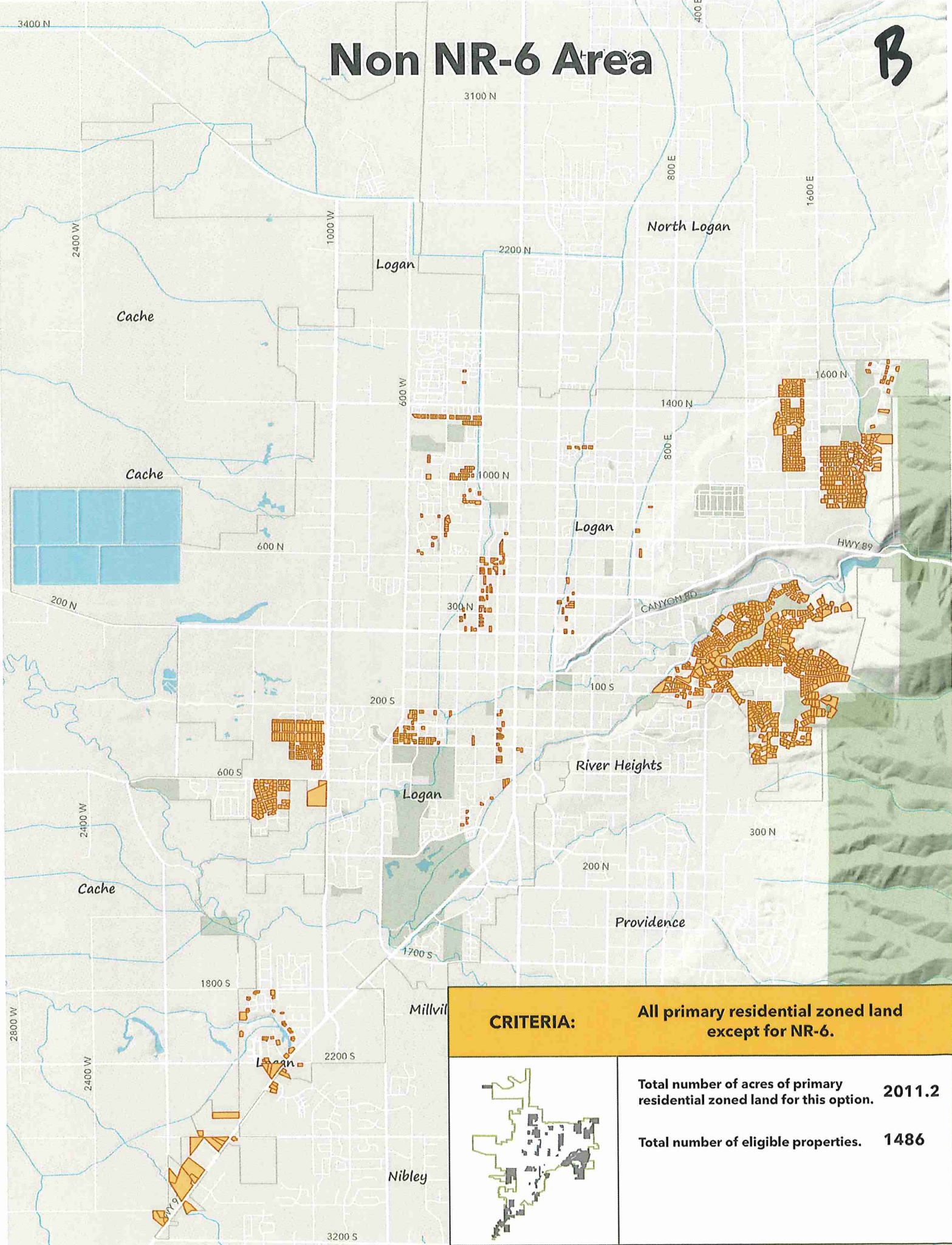
§17.37.070. Accessory Dwelling Units (Internal)

- A. The purpose of these requirements is to permit accessory dwelling units internal to a primary dwelling in certain areas while minimizing adverse impacts to surrounding properties.
- B. Applicability. An accessory dwelling unit shall only be permitted in the following areas:
 - 1. Option 1 - Citywide on all residentially zoned properties (Map A); or
 - 2. Option 2 - Citywide on all residentially zoned properties excluding those properties zoned NR-6 (Map B); or
 - 3. Option 3 - USU Exclusion Area (Map C); or
 - 4. Option 4 – Main Street/Transit/USU Centric: residentially zoned properties within 2 blocks of Main Street north of , Transit, USU (Map D); or
 - 5. Option 5 - Main Street Centric: residentially zoned properties within 2-3 blocks of Main (Map E); or
 - 6. Option 6 – USU Centric (Map F):
- C. An accessory dwelling unit shall only be established in conjunction with a detached, owner occupied, single family residential dwelling. The residence shall be the owner's primary place of residence (Primary Dwelling).
- D. An accessory dwelling unit shall only be established within the footprint of the primary dwelling at the time the accessory dwelling unit is created.
- E. An accessory dwelling unit is prohibited in any other housing type (townhome, duplex, apartment, etc.).
- F. An accessory dwelling unit is prohibited if the primary residential dwelling is not the property owners primary place of residence. Non-owner occupied single family dwellings are not eligible for an ADU.
- G. Detached accessory dwelling units are prohibited. Only accessory dwelling units internal to an existing detached single family residential dwelling are permitted.
- H. An accessory dwelling unit shall comply with all building, health, and fire codes. A Logan City Building Permit may be required for the creation of an accessory dwelling unit.
- I. An accessory dwelling unit shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family residence.
- J. In addition to meeting the minimum single family residential dwelling parking requirements of two parking stalls, at least one additional off-street parking stall consistent with the standards of Title 17 shall be provided for an accessory dwelling unit.
- K. Accessory dwelling units in mobile or manufactured homes are prohibited.
- L. The minimum lot size for the creation of an accessory dwelling unit shall be at least 6,000 square feet.
- M. An accessory dwelling unit shall not be rented or offered for rent for a period of less than 30 consecutive days. An accessory dwelling unit shall not be used as a vacation rental or for short term occupancy.
- N. A property owner shall obtain a Landlord License (Business License) from Logan City prior to creating the accessory dwelling unit.
- O. A property owner is prohibited from installing a separate utility meter for an accessory dwelling unit



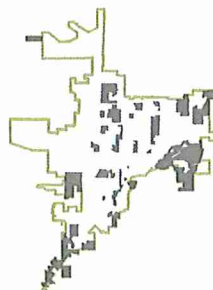
Non NR-6 Area

B



CRITERIA:

All primary residential zoned land except for NR-6.

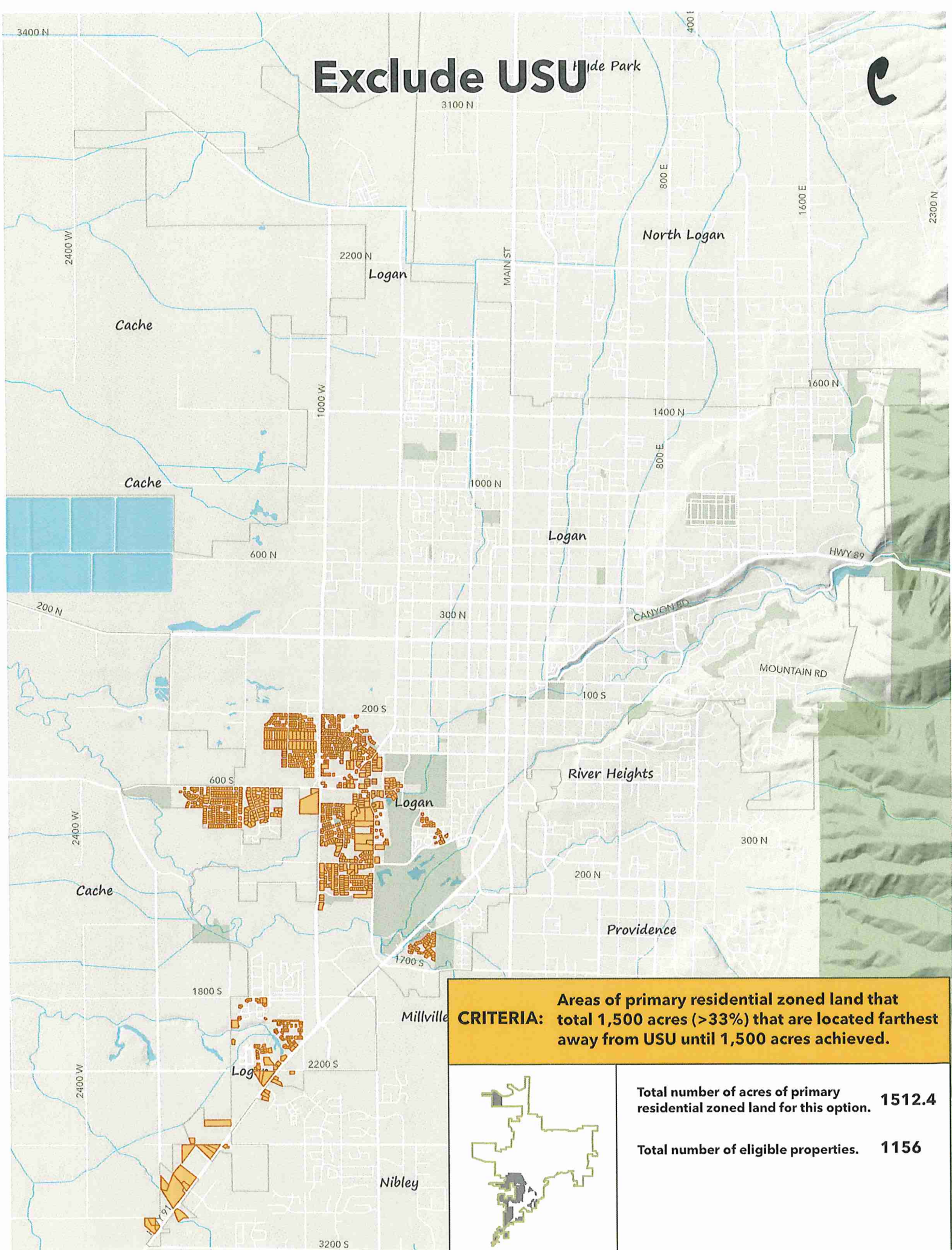


Total number of acres of primary residential zoned land for this option. **2011.2**

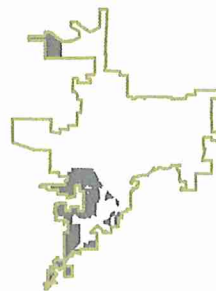
Total number of eligible properties. **1486**

Exclude USU

C



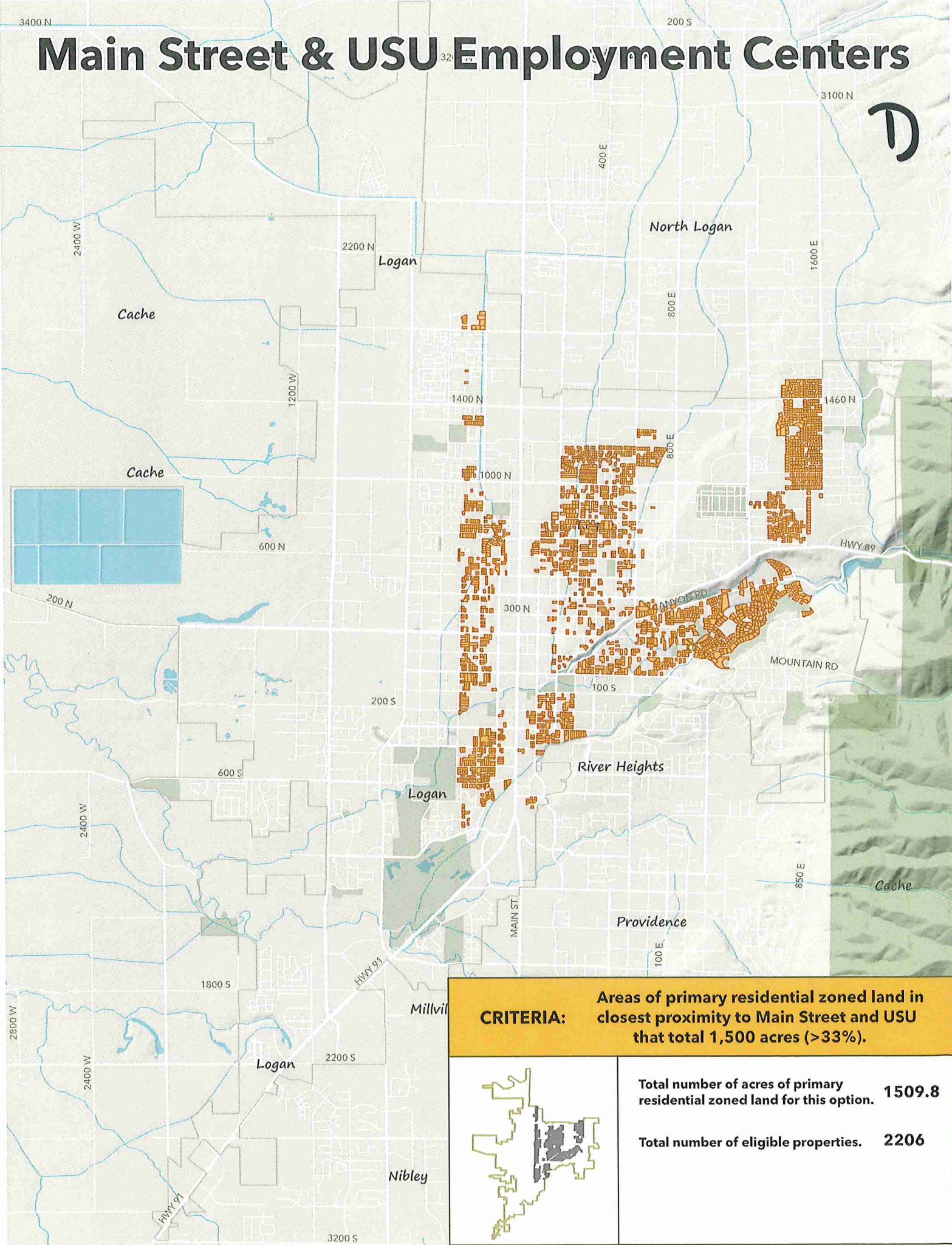
CRITERIA: Areas of primary residential zoned land that total 1,500 acres (>33%) that are located farthest away from USU until 1,500 acres achieved.




Total number of acres of primary residential zoned land for this option. **1512.4**

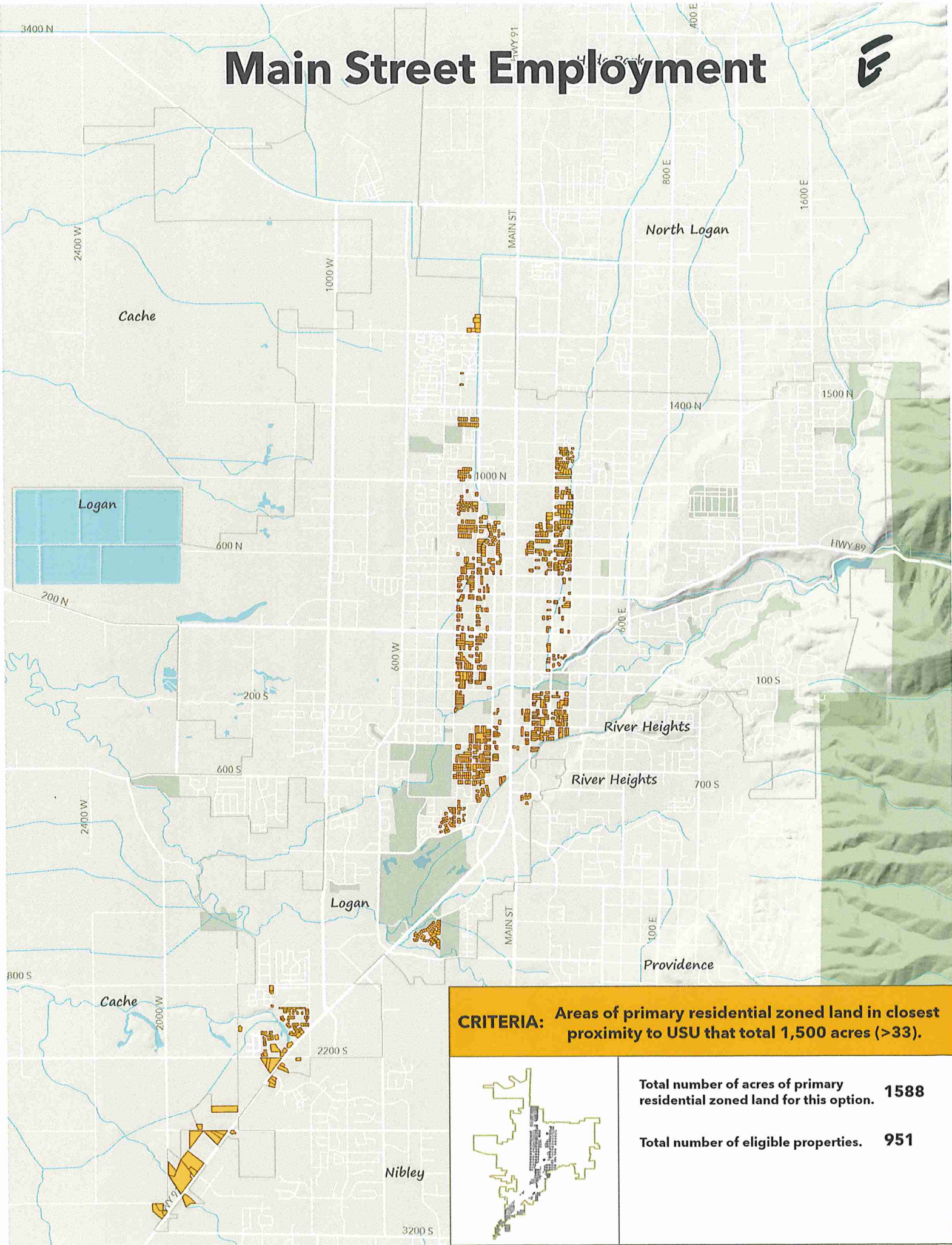
Total number of eligible properties. **1156**

Main Street & USU Employment Centers

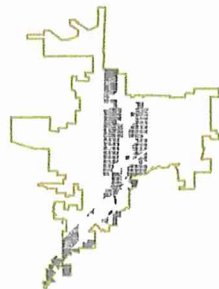


CRITERIA: Areas of primary residential zoned land in closest proximity to Main Street and USU that total 1,500 acres (>33%).	
	Total number of acres of primary residential zoned land for this option. 1509.8
	Total number of eligible properties. 2206

Main Street Employment



CRITERIA: Areas of primary residential zoned land in closest proximity to USO that total 1,500 acres (>33).

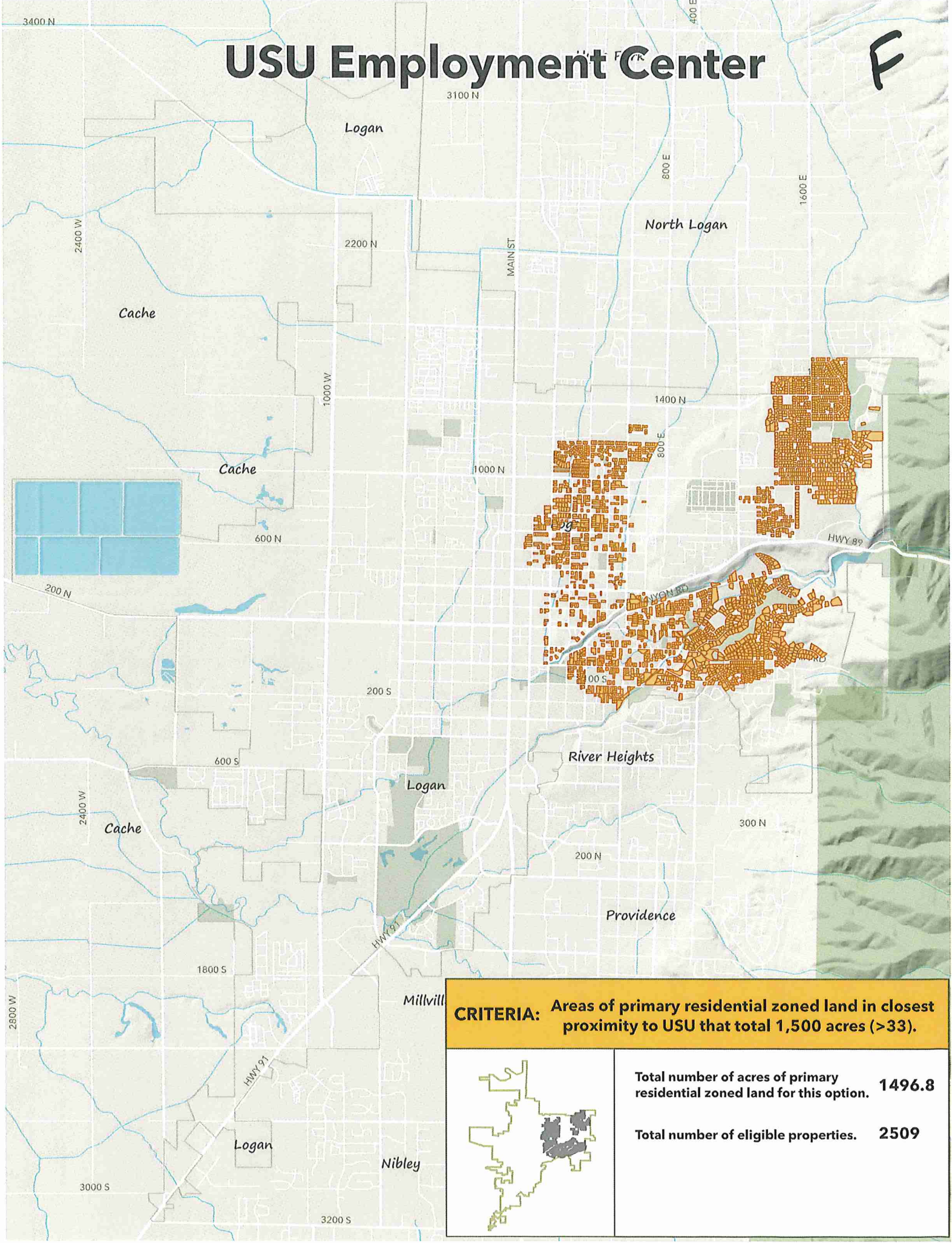


Total number of acres of primary residential zoned land for this option. **1588**

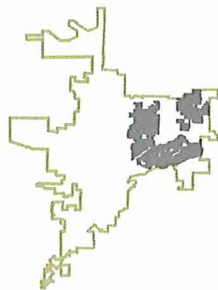
Total number of eligible properties. **951**

USU Employment Center

F



CRITERIA: Areas of primary residential zoned land in closest proximity to USU that total 1,500 acres (>33).



Total number of acres of primary residential zoned land for this option. **1496.8**

Total number of eligible properties. **2509**



Amanda Hovey <amanda.hovey@loganutah.org>

Fwd: Accessory Dwelling Units

Arthur Caplan <arthur.caplan@usu.edu>

Wed, Jul 28, 2021 at 10:50 AM

To: Holly Daines <holly.daines@loganutah.org>

Cc: Amanda Hovey <amanda.hovey@loganutah.org>, Amy Anderson <azadeikanderson@hotmail.com>, Ernesto Lopez <ernesto.lopez@loganutah.org>, Jeannie Simmonds <jfsimmonds@comcast.net>, Mark Anderson <mark.anderson@loganutah.org>, Tom Jensen <thomascarljensen@gmail.com>

Dear Amanda,

My public comment comes in the form of a simple question. As Mayor Daines readily admits, the allowance of ADU's - particularly in areas located adjacent to universities - is "a challenge to enforce" (i.e., effectively unenforceable). Therefore, isn't the ADU allowance a proverbial case of putting the cart before the horse? It would seem that enlightened public policy (which is what we continually strive for) necessitates having enforcement resources in place before the allowance is implemented, not after (or, sorry to be pessimistic, if ever).

Thank you,

Arthur Caplan
[670 North 400 East](#)

Department of Applied Economics
Utah State University
[4835 Old Main Hill](#)
Logan, Utah 84322-4835
tel: 435-797-0775
web: <http://sites.google.com/site/ajcaplan/>

From: Holly Daines <holly.daines@loganutah.org>**Sent:** Tuesday, July 27, 2021 4:58 PM**To:** Holly Daines <holly.daines@loganutah.org>**Cc:** Amanda Hovey <amanda.hovey@loganutah.org>; Amy Anderson <azadeikanderson@hotmail.com>; Ernesto Lopez <ernesto.lopez@loganutah.org>; Jeannie Simmonds <jfsimmonds@comcast.net>; Mark Anderson <mark.anderson@loganutah.org>; Tom Jensen <thomascarljensen@gmail.com>**Subject:** [EXT] Fwd: Accessory Dwelling Units

[Quoted text hidden]

CAUTION: This email originated from outside of USU. If this appears to be a USU employee, beware of impersonators. Do not click links, reply, download images, or open attachments unless you verify the sender's identity and know the content is safe.



Amanda Hovey <amanda.hovey@loganutah.org>

ADU's

1 message

barry henline <barryhenline@gmail.com>

Sun, Aug 1, 2021 at 8:47 PM

To: amanda.hovey@loganutah.org, holly.daines@loganutah.org

Hello Amanda,

I would like to take this chance to let you know my feelings as a resident who lives near the University at [537 E 1150 N](#) regarding zoning and ADUs.

Currently you have my neighborhood in a zone that requires parking permits to park on the street in an attempt to control student parking; however, as a resident, I find it to be a tremendous problem as we can't even have family gatherings without getting parking tickets on visitor's cars. If you are going to treat our neighborhood like a high density neighborhood, then change the zoning to a high density zone. If you are going to penalize us for living here, then allow those who wish to rent out a portion of their home and benefit from the ADU's. On paper and in statements the city claims that they want to maintain a family neighborhood, when in reality every other home in our neighborhood is filled with young single individuals living beyond the 3 unrelated persons requirements. And if you look at this realistically, it makes perfect sense. Your transit center is in this neighborhood. You continue to ask people to ride bikes and walk more. Why wouldn't you allow ADU's in a neighborhood that would benefit the most from transit, bikes and walking to work and school?

I find it interesting that the city only enforces their zoning codes when someone complains and turns in their neighbors. I think you will find that if you check your records, most complaints come from a small minority of very outspoken individuals. If most people don't care about the density issues, then change the zoning and help with the housing issues that hinder all of Utah and especially the areas in the heart of Logan.

As for ADU's. It makes no sense to disallow ADUs in the adams park and hospital neighborhoods. Look at any college town in Utah or anywhere in the nation, young singles, young married individuals and students live near campus! For every ADU that you allow near campus, you open up an ADU somewhere else for people to occupy. In Mrs Daines email, she mentions that she doesn't want ADUs near campus, this comes across as very discriminative against individuals who attend school or work on campus.

I have lived in this neighborhood since 2004. I knew the day that I purchased my home that I was moving into a campus neighborhood and I understood the challenges that may come with our home's location. I just want you to know that for every Frank, Burt and Bonnie who loudly speak out against changes to the campus neighborhoods, there are plenty of others that want changes that embrace higher density living, use of transit and bike lanes and opportunities that will come to our area.

Thanks

Barry

--

Barry Henline
Principle Broker
Eccles Henline Real Estate Services
435-713-5358
EcclesHenline.com



Amanda Hovey <amanda.hovey@loganutah.org>

Fwd: Accessory Dwelling Units

Amanda Hovey <amanda.hovey@loganutah.org>
Draft

Fri, Jul 30, 2021 at 8:37 AM

----- Forwarded message -----

From: **Ted Nyman** <tnyman22@gmail.com>
Date: Thu, Jul 29, 2021 at 9:41 PM
Subject: Re: Accessory Dwelling Units
To: Holly Daines <holly.daines@loganutah.org>

Input for the Aug. 12th Public Hearing on ADUs

Since the legislature passed a law mandating that cities allow ADUs, we recognize that Logan City has to allow ADUs in a certain percentage of the city. However, I fully support Mayor Holly Daines position that ADUs should be located in non-university areas.

One of the main purposes for allowing AUD is to try and provide more affordable housing, not more student housing. If AUDs are allowed in areas near the university, it is almost a guarantee they will become student housing units and be over-occupied. This just adds to the problem of not enough parking, overcrowding, noise, and deterioration of properties and property values.

My understanding is that ADUs must be owner-occupied. This is a critical issue and should be strictly enforced. Requiring ADU properties to be owner-occupied is in keeping with the intended purpose of allowing ADUs.

If there is going to be a law, ordinance or whatever, then it needs to be enforced. It is important to thoroughly investigate each case and not just ask a question or two.

I live in the Adams Neighborhood (near the university) and over-occupancy continues to be a major problem in this area. Violations are reported but enforcement seems to be lengthy and not very effective. Violators often do not accurately disclose how many or who is living there, and fines or penalties are insignificant and not really a deterrent.

A simple solution for non-owner-occupied ADUs and for over-occupancy in general would be to make the penalties to violators significant. Issue substantial fines and make penalties meaningful enough that it gets people's attention. If fines to violators are costly and on-going, landlords and tenants will be more likely to comply with the law and clean up the problem themselves.

Respectfully Submitted

Ted Nyman

|



Amanda Hovey <amanda.hovey@loganutah.org>

Please pass on to the Panning Commission members

Bronwyn O'Hara <bronwyn.ohara@gmail.com>
To: Amanda Hovey <amanda.hovey@loganutah.org>

Mon, Aug 2, 2021 at 8:53 AM

Dear Planning Commission members,

On Aug 12, 2021, there is an item on your agenda regarding Accessory Dwelling Units (ADUs) labeled PC 21-048. The summary of this, found in the Herald Journal, is "a request to amend chapter 17.37 'Additional Development Standards' to include provisions for accessory dwelling units."

I'm not sure what these provisions would entail but I know that the legislature has passed a recent law to allow for ADUs in the hopes of opening up more affordable housing for communities throughout our state.

For our city of Logan, there are already innumerable homes that rent out basements and upper story apartments. A number of new single-family home builds are also including basement apts in their construction plans. Is there a way to tell if we already have enough ?

ADUs can either be detached living quarters or attached living quarters (mother-in-law apt types or granny flats)

From my understanding, the parking requirement for ADUs is only one parking space. Are the parking requirements for multi-unit house rentals the same as ADUs ? If different, how are the parking requirements different for a single-family house that has been turned into multi-rental units ?

There has been some confusion about what this change might mean for Logan....and there are questions that have not been answered, such as:

1. Are the ADUs only big enough for one tenant or will there be room for several young people or a family to occupy ?
2. Will it be enforceable that the ADUs are only on a property that is owner-occupied (the owner lives on the same property as the ADU) ?
3. Could an ADU morph into a multi-rental where the owner leaves the property after a while and turns the main house into a multi-unit rental ?
4. Can a parked RV become an ADU ?
5. Will these units truly be 'affordable' for a person of lower income or will they just be added to the general Logan rentals that seem to be climbing in cost ?
6. What kind of enforcement of parking and occupied space can the citizens of Logan expect ?

I'm a little confused regarding the parking. I'm under the impression that, a few years ago, Logan had changed the requirements that all rentals had to have off-street parking rather than on-street parking. If that is true, then wouldn't an ADU have those same parking requirements? I know there are many who are nervous about this Land Code Amendment, having visions of the parking problems rampant in the Adams neighborhood that have recently been resolved (within the last 2-3 years). They don't want to go back to that parking nightmare.

I'm all for affordable housing and I don't mind people using accessory dwelling units to augment their income. I'm concerned about enforcement if this amendment gets passed. If a change is made, there should be robust enforcement to go along with it.

Thank you for listening to my concerns. I know this is a tough issue.

Sincerely,
Bronwyn O'Hara
Logan resident