

**CITY COUNCIL  
MAY 17, 2021 STAFF REPORT**

**SUBJECT:** File No. 20-032 DCA HB2001 Code Amendments

**AGENDA DATE:** May 17, 2021

**TO:** City Council

**FROM:** Emily Meharg, Senior Planner

**I. SUMMARY**

File No. 20-032 DCA amends Chapters 17.10, 17.30, 17.34, 17.46, 17.54, 17.74, 17.82, 17.86, 17.98, and 17.100 of the Development Code, which contain definitions, zoning districts, single-family residential (SFR), village commercial (C-3), specific area plan overlay, accessory development, transit streets, parkland & open space, parking, and land division, respectively. The primary goal of the amendments is to amend the Development Code in compliance with House Bill (HB) 2001. HB 2001 requires medium-sized cities to allow attached duplexes anywhere a detached single-family residence is allowed and prevents cities from applying more restrictive development standards to duplexes than what is applied to single-family residences. This includes among other things design standards, parking requirements, and density thresholds. HB 2001 also prevents cities from applying minimum parking standards and owner occupancy requirements to ADUs.

At the April 19, 2021 City Council hearing, Council voted on the following items:

- TOPIC #1: Allow duplexes and ADUs on the same lot - No (6:1).
- TOPIC #2: Allow detached duplexes in the SFR zoning district - Yes (5:2); Allow other middle housing options - No (7:0).
- TOPIC #3: Allow tandem parking - No (7:0).
- TOPIC #4: Allow an increase to the square footage of ADUs to 720 sq. ft. - Yes (7:0).
- TOPIC #5: Allow exemptions to flag lots on transit streets for single family homes and duplexes - Yes (7:0).
- TOPIC #6: Do not include Chapter 17.60 in the HB 2001 considerations - Yes (7:0).
- TOPIC #7: Calculate parkland dedication at a reduced ratio - No (7:0). *NOTE: Modify table to define that duplexes are charged the same amount as single family homes.*

Staff revised the proposed code amendments according to Council's decisions. Below is a summary of the proposed code amendments for each chapter.

**Chapter 17.10 Definitions**

- **Discretionary item:** Clarified the definition of "accessory dwelling unit" to only allow an ADU on a lot with a single-family residence.

**Chapter 17.30 Zoning Districts**

- **Legislatively required:** Added a clause stating that duplexes shall be counted the same as a single-family residence for the purpose of calculating density.

#### Chapter 17.34 Single-family Residential (SFR)

- **Legislatively required:** Added “duplex” as a primary use permitted outright.
- **Legislatively required:** Removed “duplex” as a minor conditional use.
- **Legislatively required:** Amended references to “single detached dwelling” for minimum lot area and minimum average lot width to read “single detached dwelling or duplex.”

#### Chapter 17.46 Village Commercial (C-3)

- **Legislatively required:** Revised residential primary uses permitted outright to include duplexes above, beside or behind a commercial business.

#### Chapter 17.54 Specific Area Plan Overlay

- **Legislatively required:** Updated the table in Section 17.54.80 so that duplexes have the same standards as single family residential.
- **Administrative change:** Added duplexes to the single-family residential design standards in Section 17.54.110 and referenced Chapter 17.90 for design standard calculation for single-family residences and duplexes for consistency in review and streamlining reviews.
- **Legislatively required:** Updated language in 17.54.100(E) to reference Chapter 17.100, Land Division, for standards related to private drives that treat duplexes the same as single-family residences.

#### Chapter 17.74 Accessory Development (specifically Section 17.74.70, ADUs)

- **Legislatively required:** Updated off-street parking standard to be “no minimum.”
- **Legislatively required:** Deleted text related to occupancy limitations.
- **Discretionary item:** Clarified text related to permitted zoning districts.
- **Discretionary item:** Increased maximum square footage of an ADU from 600 to 720 square feet.
- **Legislatively required:** Revised design standards and additional requirements to be clear and objective.

#### Chapter 17.82 Special Setbacks on Transit Streets

- **Legislatively required:** Exempted single-family residences converted to duplexes on a flag lot where the driveway approach to the flagpole is on a transit street and the lot does not have additional frontage on a second transit street from the standards of Sections 17.82.20(B and C).
- **Discretionary item:** Exempted single-family residences and duplexes on a flag lot where the driveway approach to the flagpole is on a transit street and the lot does not have additional frontage on a second transit street from the standards of Sections 17.82.20(B and C).

#### Chapter 17.86 Parkland & Open Space

- **Administrative change:** Clarified the parkland fee-in-lieu calculation for duplexes and conversions that add additional units and removed the rounding clause from the calculation since rounding doesn’t work when calculating the required dedication for the conversion of an SFR to a duplex.

## Chapter 17.98 Parking, Loading, and Access Requirements

- **Legislatively required:** Reduced minimum number of required parking spaces for duplexes to 1 per dwelling unit (or 2 total) to match the 2-parking space minimum for SFR.
- **Discretionary item:** Required parking spaces for duplexes to be side-by-side and not tandem.
- **Legislatively required:** Revised code language so driveway requirement for a duplex is the same as for a single-family dwelling.
- **Legislatively required:** Revised residential on-street parking requirement to be the same for a duplex as for a single-family dwelling.
- **Legislatively required:** Exempted ADUs and conversion of a single-family residence to a duplex from the on-street parking standard.
- **Administrative change:** Exempted multi-family from the on-street parking standard. When the on-street parking standards were written in the code, multi-family was never intended to be included. But since it is not clearly stated and we have received past inquiries/questions we want to add clarity in the code.

## Chapter 17.100 Land Divisions

- **Legislatively required:** Revised residential shared private drive language to reference required off-street parking spaces rather than dwelling units so that duplexes are treated the same as single-family residences.

## RECOMMENDATION

Staff recommends the City Council adopt the proposed code changes in compliance with HB 2001. Staff recommends adopting the code changes prior to July 1, 2021 so that the City of Sandy is in compliance with the mandates of House Bill 2001. If the City does not adopt code amendments in compliance with House Bill 2001 with an effective date of June 30, 2021 or earlier, the state's model code will go into effect in Sandy on July 1, 2021.

## II. ATTACHMENTS:

- A. Chapter 17.10 Code Modifications – track change copy
- B. Chapter 17.30 Code Modifications – track change copy
- C. Chapter 17.34 Code Modifications – track change copy
- D. Chapter 17.46 Code Modifications – track change copy
- E. Chapter 17.54 Code Modifications – track change copy
- F. Chapter 17.74 Code Modifications – track change copy
- G. Chapter 17.82 Code Modifications – track change copy
- H. Chapter 17.86 Code Modifications – track change copy
- I. Chapter 17.98 Code Modifications – track change copy
- J. Chapter 17.100 Code Modifications – track change copy

Other Exhibits that are part of the record but not uploaded:

DLCD Documents

Medium Cities Middle Housing Model Code

January 25, 2021 Planning Commission Staff Report

March 15, 2021 City Council Staff Report

April 19, 2021 City Council Staff Report  
Emails