



COTTONWOOD HEIGHTS PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a **Work Session Meeting** (Room 124, City Council Conference Room) beginning at **5:00 p.m.** and a **Business Meeting** (Room 5, Council Chambers) beginning at **6:00 p.m. on Wednesday, January 3, 2018**, located at 2277 East Bengal Boulevard, Cottonwood Heights, Utah.

5:00 p.m. WORK SESSION (Room 124)

- 1.0 **Review Business Meeting Agenda**
(The Commission will review and discuss agenda items.)
- 2.0 **Public Comment / Communication Policy Update**
The Commission and staff will discuss a new policy for communication with and public comment to the planning commission
- 3.0 **City-wide Land Use Discussion**
The Commission and staff will discuss city-wide land use and development trends
- 4.0 **Additional Discussion Items**
The Commission may discuss the status of pending applications and matters before the Commission and new applications and matters that may be considered by the Commission in the future.

6:00 p.m. BUSINESS MEETING (Room 5)

- 1.0 **WELCOME/ACKNOWLEDGEMENTS** – Commission Chair
- 2.0 **CITIZEN COMMENTS**
(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group that is present to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Planner prior to noon the day before the meeting.)
- 3.0 **PUBLIC HEARINGS**
 - 3.1 **(Project #ZMA-17-005)**
Public comment on a request from Mark and Rhonda Swant for a zone map amendment to the properties located at 6672 and 6690 South Highland Drive (rezone from R-1-8 to Residential Office).
 - 3.2 **(Project #HOC-16-004)**

Public comment on a request from Angela Lancaster for conditional use approval to operate a home daycare at 1761 East Cloverdale Road.

4.0 ACTION ITEMS

4.1 (Project #ZMA-17-005)

Action on a request from Mark and Rhonda Swant for a zone map amendment to the properties located at 6672 and 6690 South Highland Drive (rezone from R-1-8 to Residential Office).

4.2 (Project #ZTA-17-002)

Action on a city-initiated proposal to create an Accessory Dwelling Unit ordinance.

4.3 Approval of minutes for October 18th, 2017.

4.4 Approve of minutes for December 6th, 2017.

5.0 ADJOURNMENT

By December 21, 2017 a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was emailed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at <http://pmm.utah.gov>

DATED THIS 21 DAY OF DECEMBER, 2017

Paula Melgar, City Recorder

Planning Commissioners may participate in the meeting via telephonic communication. If a Commissioner does participate via telephonic communication, the Commissioner will be on speakerphone. The speakerphone will be amplified so that the other Commissioners and all other persons present in the room will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Planning Division no later than Tuesday at noon. Comments can be emailed to bberndt@ch.utah.gov. After the public hearing has been closed, the Planning Commission will not accept any additional written or verbal comments on the application.

Planning Commission
Meeting Date: December 6, 2017



**FILE NUMBER/
PROJECT NAME:** ZMA-17-005

LOCATION: 6672 & 6690 S Highland Drive (parcels 22-21-432-011, 22-21-432-012)

REQUEST: Zone change from R-1-8 (Single Family Residential) to RO (Residential Office)

OWNER: Kim and Eric Montague

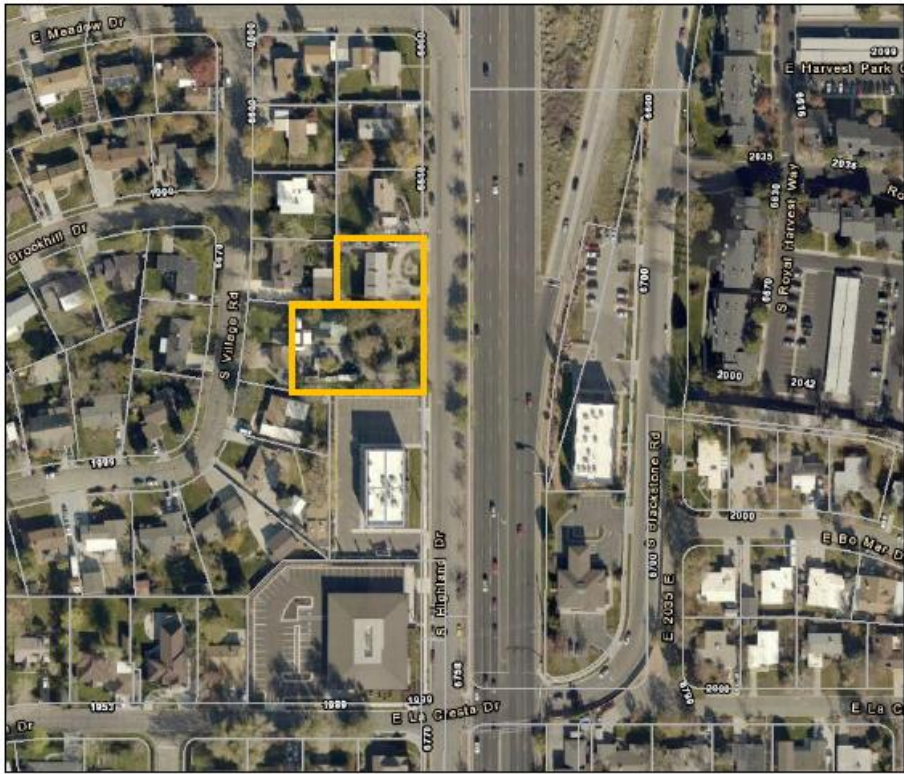
APPLICANT: Mark and Rhonda Swant

RECOMMENDATION: APPROVE

APPLICANT'S PROPOSAL

The applicant is requesting a zone map amendment from R-1-8 (Single Family Residential) to RO (Residential Office) on two properties, located at 6672 & 6690 S Highland Drive. The existing zoning allows for single-family homes on properties with a minimum size of 8,000 square feet. The Residential Office zone allows for residential uses, along with various low-impact non-residential uses, including office buildings, daycares, studios, etc.

The cumulative size of the subject properties is 0.79 acre (34,412.4 square feet). The planning commission's role in the application is to receive public comments and make a recommendation to the City Council for final approval or denial of the proposed zone change.

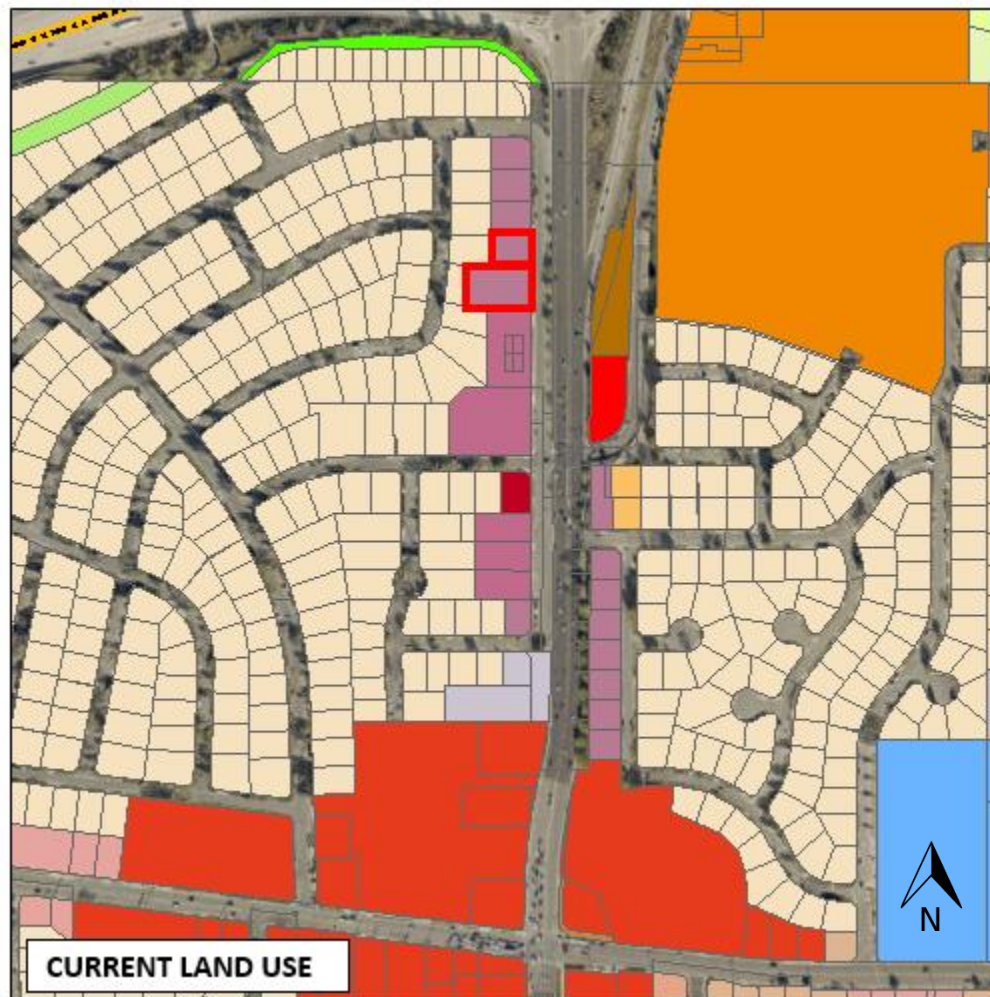


CONTEXT

General Plan

The General Plan is the city's guiding document for future growth and development of the community, and is used to help decision makers evaluate development proposals and implement a desired future for the community. Part of the General Plan is the Land Use element, which assigns a preferred land use designation for every property in the city. The subject properties' current land use designation is Residential Office. No change is proposed to this.

The lots along the frontage road west of Highland Drive have become less desirable as a residential area due to traffic volume and noise nearby. Originally, a zoning of CR (Regional Commercial) was applied to a property nearby. After that, it was determined that a more compatible land use type was needed to accomplish the goal of promoting redevelopment of underutilized property while providing an adequate buffer to existing adjacent residential uses. The Residential Office land use and designation was created for that purpose and applied to the subject properties, along with other nearby properties. In 2010, the city create a Residential Office land use designation as well as a Residential Office zone.

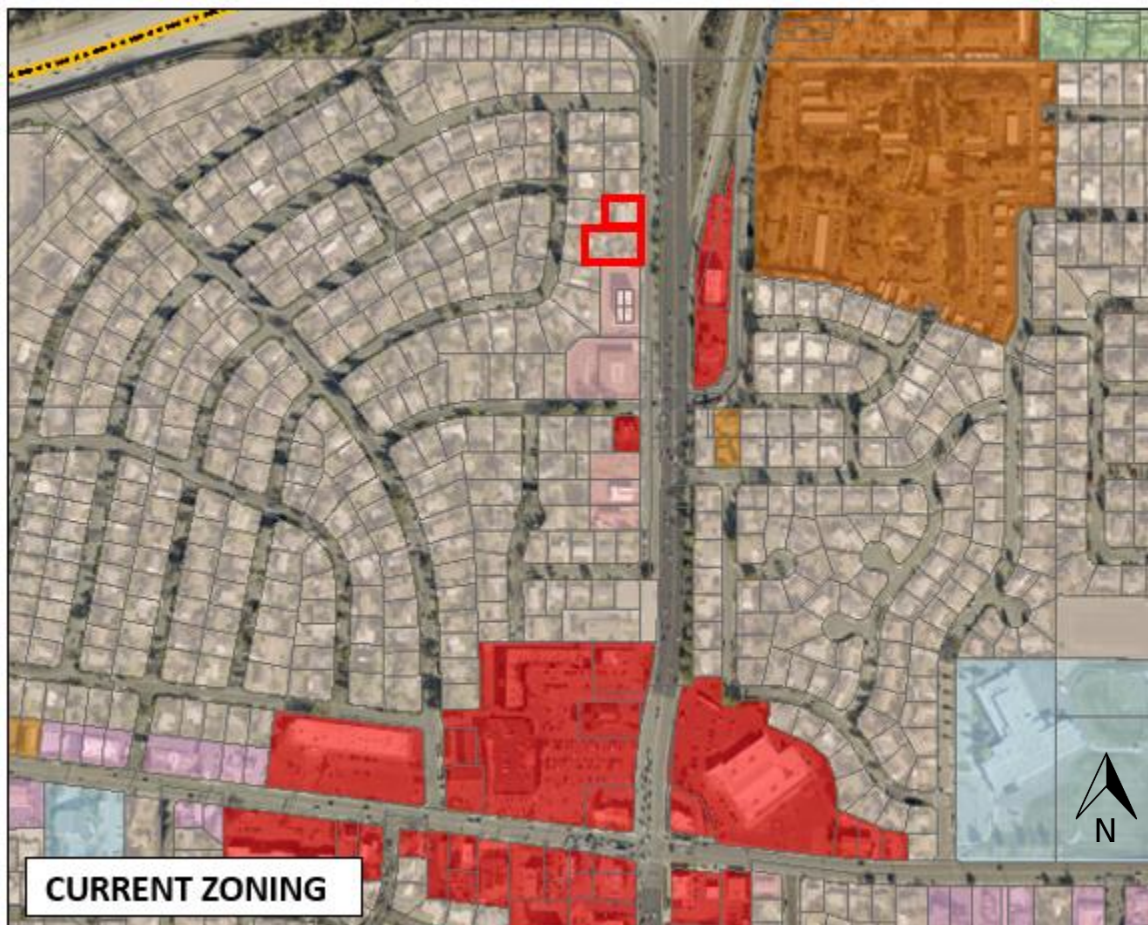


Zoning

The purpose of the Residential Office zone is as follows (per 19.35.010):

The RO zone is intended to provide for the conversion of existing blocks of dwellings to small offices in order to stabilize residential areas and prevent the intrusion of non-compatible commercial uses. This zone is intended to function as a transitional zone between existing residential and traditional commercial uses by preserving the residential scale, intensity of use and ultimate design of the project. The RO zone allows the conversion of existing residences to office use and the development of vacant parcels with new office buildings designed to be compatible with existing adjacent residential dwellings. Compatibility will be ensured through strict analysis of applicable relationship, adjacency, reciprocity and alignment of RO-zoned buildings in association with existing neighborhoods. The restrictions in the RO zone are intended primary for use in the city's older developed areas.

The RO zone is restricted to those locations and uses that will not materially increase traffic through residential neighborhoods, and it incorporates performance standards designed to prevent noise, lighting, parking and signs from intruding on or otherwise disrupting adjacent residential zones. Consequently, the RO zone is intended to accommodate small professional offices that attract a limited clientele, usually on an appointment basis. If such an operation later desires to expand, however, it is intended that the operation should relocate rather than enlarge the scope of the operation beyond the limits under this chapter.



Adjacent Zoning & Land Use

North:

- Zoning – R-1-8 (Single-Family Residential)
- Land Use – Residential Office

South:

- Zoning – RO (Residential Office)
- Land Use – Residential Office

East:

- Directly adjacent to Highland Drive frontage road and Highland Drive
- Zoning (across Highland) – CR (Regional Commercial)
- Land Use (across Highland) – Regional Commercial and Mixed Use

West:

- Zoning – R-1-8 (Single-Family Residential)
- Land Use – Low-Density Residential

BACKGROUND

One of the subject properties (6690S Highland Drive) is currently in use as a single-family dwelling. The other (6672 S Highland Drive) is in use as a legal non-conforming commercial preschool.

Multiple properties on the same frontage road have been rezoned from R-1-8 to Residential Office since the Residential Office zoning and land use designations were created. Directly to the south of the subject properties, 5 residential properties were consolidated into 2 lots and rezoned to RO (Residential Office) in 2013. Those properties were later developed into a two-story dental office building (Cottonwood Dental) and a one-story medical office building (RAK Medical). Further south, two additional properties were previously rezoned to RO (Residential Office). One was developed as a one-story Pilates studio, and one is currently under development as a dental office building.

Staff Analysis - Given the setback and height restraints of the RO (Residential Office) ordinance, land uses that are generally utilized only on weekdays during standard business hours, and the excess capacity of the Highland Drive frontage road, staff finds that previous Residential Office projects have promoted reinvestment in an underutilized area and have effectively created a buffer between established single-family neighborhoods and the congested Highland Drive corridor.

ANALYSIS

Process

The planning commission's role in this application is to take public comment and make a recommendation of approval or denial to the City Council. The subject application is not specific to any proposed development project. Rather, it should be reviewed and considered based on the merits of what is potential under the RO (Residential Office) zoning chapter. Further consideration should be given to the city's General Plan document and Land Use map, as well as to the background of the area and what has previously occurred nearby.

Impact Analysis

Any future development proposal in the RO (Residential Office) zone will require full review by all applicable city departments. Any land use type that is not a single-family residence requires conditional

use and site plan approval by the planning commission. Additionally, development impacts such as hours of operation, traffic, utility capacity, lighting, noise, etc. will be addressed and mitigated through a specific development proposal.

A large storm-drain line was installed with the previous adjacent dental office building. That line is designed to accommodate additional capacity, and can be utilized for future developments along the Highland Drive frontage road.

Noticing

Notices were mailed to all property owners within 1000' of the subject properties using the city's most recent parcel ownership data from the Salt Lake County Assessor. A copy of the notice was also posted on the state public meeting notice website, the city's website, the notice board at city hall, and in local newspapers (published in the Salt Lake Tribune and Deseret News on Saturday, November 25, 2017).

Attachments:

1. Findings for Recommendation
2. Model Motions
3. Applicant's Narrative
4. Current Land Use
5. Current Zoning
6. Proposed Zoning

FINDINGS FOR RECOMMENDATION

Staff's recommendation of APPROVAL of the proposed zone map amendment is based on the following findings:

1. The proposed zone map amendment is consistent with the General Plan and the city's land use designation for the subject properties;
2. The proposed zone map amendment is appropriate given the context of the surrounding developed environment, and past zone changes in the area;
3. The zone map amendment is being processed in accordance with the procedure outlined in 19.90.010, "Amendment Procedure," of the Cottonwood Heights Municipal Code;
4. Proper notice was given in accordance with all local and state noticing requirements.

MODEL MOTIONS

Approval

"I move that we forward a recommendation of approval to the City Council for project ZMA-17-005, a request from Mark and Rhonda Swant for a zone map amendment from R-1-8 to RO (Residential Office) on the properties located at 6672 and 6690 South Highland Drive, based on the findings in the staff report dated December 6, 2017."

- List any additional findings...

Denial

"I move that we forward a recommendation of denial to the City Council for project ZMA-17-005, a request from Mark and Rhonda Swant for a zone map amendment from R-1-8 to RO (Residential Office) on the properties located at 6672 and 6690 South Highland Drive, based on the following findings."

- List findings for recommendation of denial...



Planning Commission Staff Report
Meeting Date: January 3, 2018

**FILE NUMBER/
PROJECT NAME:** HOC-16-004

LOCATION: 1761 E Cloverdale Road (Parcel #22-21-453-010)

REQUEST: Conditional use approval to operate a home daycare

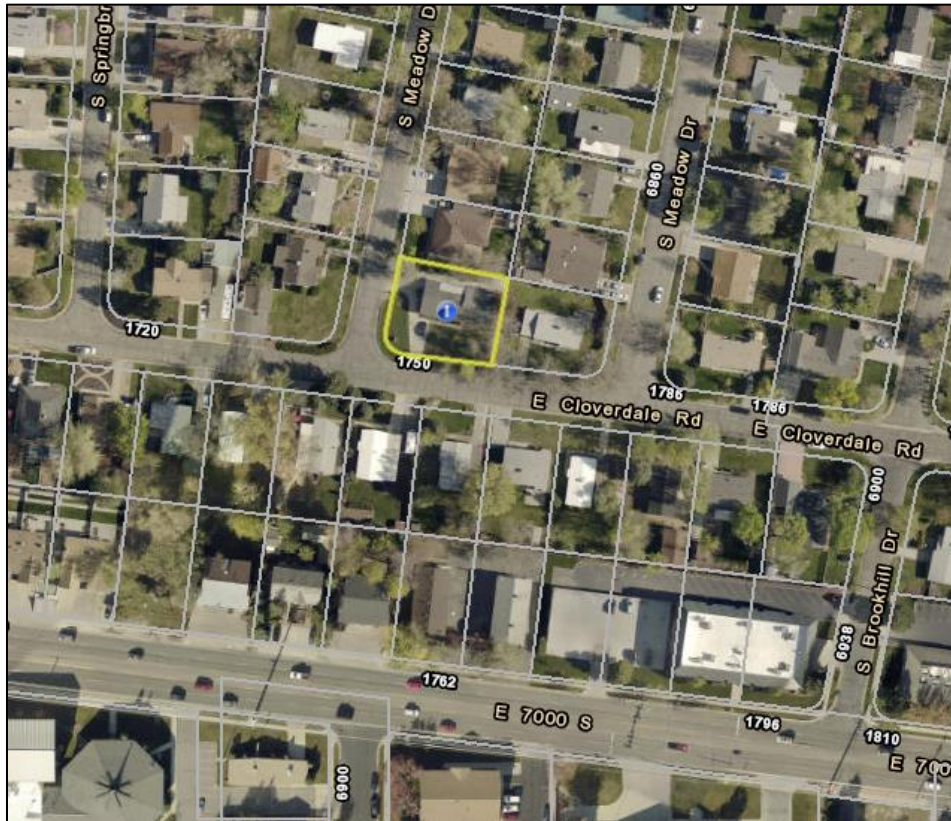
OWNER: P.P.M.C., Inc.

APPLICANT: Angela Lancaster

RECOMMENDATION: APPROVE, pursuant to attached conditions of approval

APPLICANT'S PROPOSAL

The applicant is proposing to operate a home-based daycare on weekdays, for up to 12 children (including the applicant's own children) per day. The applicant's proposed hours of operation are 8:00 a.m. to 6:00 p.m.



BACKGROUND

Zoning

The zoning designation of the property is R-1-8 (Single-Family Residential). Home occupations are listed as a conditional use in the R-1-8 zone, as referenced is 19.26.030.E. Home occupations are allowed only if the proposed business is clearly secondary and incidental to the primary use of the property as the applicant's permanent and full-time place of residence.

Home preschools and daycares are considered home occupations. Further requirements for home preschools and home daycares are set forth in chapter 19.76 ("Supplementary and Qualifying Rules and Regulations"). 19.76.040(E) states the following:

E. Home Daycare/Preschool. "Home day care/preschool" means the keeping for care and/or preschool instruction of 12 or fewer children including the caregiver's own children age six or under and not yet in full day school within an occupied dwelling and yard. A home day care/preschool may be approved by the planning commission if it meets all of the following standards:

- 1. There may be a maximum of 12 children on a premises at any given time, including the caregiver's own children under the age of six and not yet in full day school.*
- 2. There shall be no more than one employee present at any one time who does not reside in the dwelling.*
- 3. The home day care/preschool caregiver shall comply with all applicable licensing requirements under title 5 of [the Cottonwood Heights Municipal Code].*
- 4. The use shall comply with all applicable noise regulations.*
- 5. The play yard shall not be located in the front yard and shall only be used between 8:00 a.m. and 7:00 p.m.*
- 6. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional on-site parking space not required for use of the dwelling for any employee not residing in that dwelling. The location of the parking shall be approved by the director to insure that the parking is functional and does not change the residential character of the lot.*
- 7. No signs shall be allowed on the dwelling or lot except a nameplate sign.*
- 8. The use shall comply with all local, state and federal laws and regulations.*
- 9. Upon complaint that any of the requirements of this section or any other city ordinance are being violated by a home day care/preschool caregiver, the city shall review the complaint and, if substantiated, may
 - (a) set a hearing before the planning commission to revoke any conditional use permit, and/or*
 - (b) institute a license revocation proceeding under title 5 of this code.**
- 10. All property owners within a 500 foot radius of the caregiver's property shall be mailed notice of any hearing to grant or revoke any conditional use permit at least 10 days prior to the date of the hearing; provided, however, that provision of such notice shall not be a condition precedent to the legality of any such hearing, and no such hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail such notice.*

Staff Analysis: The proposed home daycare will be required to conform in perpetuity to all of the above requirements, as found in the zoning ordinance. Violation of any of these requirements may lead to revocation of any conditional use permit and/or business license on the property.

Previous Consideration

This proposal was pervious considered in the fall of 2016. At the time, numerous nuisances and other unsafe conditions were persistent on the subject property. The planning commission requested that the item be tabled from further hearing and discussion until all nuisances were resolved on the property to the satisfaction of the city's code enforcement division. The applicant was informed that the application file would be closed one year from December 7, 2016 if no progress was made on the site.

A site inspection was completed by the city's planning staff and code enforcement officer on December 7, 2017 at the request of the applicant. All nuisances were found to be resolved, and the open violation on the property was closed. The applicant is now seeking planning commission approval to operate a home daycare.

Noticing

Property owners within 500 feet of the subject property were mailed notices at least 10 days prior to the public hearing, as required by 19.76.040(E).

IMPACT ANALYSIS

Off-street Parking

There are two driveways on the subject property. Those driveways are physically able to accommodate the required two vehicle stalls in addition to the applicant's own vehicles. Prior to issuance of a business license, the applicant will be required to specifically identify the two additional parking stalls for review and approval by the Community and Economic Development Director.

Drop Off / Pick Up

The applicant has not specified a detailed method of drop-off / pick-up, and must do so prior to issuance of a license, subject to review and approval by the Community and Economic Development Director. Further, the planning commission may approval additional conditions of approval to ensure drop off and pick up is done in a manner that is found to mitigate potential negative impacts of the proposed daycare use.

Play Area

The applicant has identified the rear yard of the home as a dedicated play area. A new fence and gate was installed on each side of the home in addition to an existing rear-yard fence. The yard's fencing meets the requirement of the ordinance that any outdoor play area must be completely enclosed by permanent fencing that is in good working condition. Staff will conduct an additional site inspection of any proposed play area and/or fencing prior to issuance of a business license.

Attachments:

1. Conditions of Approval & Findings
2. Sample Motions

CONDITIONS OF APPROVAL

1. There may be a maximum of 12 children on a premises at any given time, including the caregiver's own children under the age of six and not yet in full day school;
2. There shall be no more than one employee present at any one time who does not reside in the dwelling;
3. The home day care/preschool caregiver shall comply with all applicable licensing requirements under title 5 of the Cottonwood Heights Municipal Code;
4. The use shall comply with all applicable noise regulations;
5. The play yard shall not be located in the front yard and shall only be used between 8:00 a.m. and 7:00 p.m.;
6. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional on-site parking space not required for use of the dwelling for any employee not residing in the dwelling. The location of the parking shall be approved by the director to insure that the parking is functional and does not change the residential character of the lot;
7. No signs shall be allowed on the dwelling or lot except a nameplate sign;
8. The use shall comply with all local, state and federal laws and regulations;
9. Upon complaint that any of the requirements of the Cottonwood Heights Municipal Code are being violated by a home day care/preschool caregiver, the city shall review the complaint and, if substantiated, may:
 - a. Set a hearing before the planning commission to revoke any conditional use permit, and/or
 - b. Institute a license revocation proceeding under title 5 of the Cottonwood Heights Municipal Code;
10. The applicant shall demonstrate that she is a full-time and permanent resident of the subject property by providing adequate evidence of such, subject to approval by the Community and Economic Development Director or his designee;
11. The applicant shall submit the following information prior to issuance of a business license, subject to approval by the Community and Economic Development Director or his designee:
 - a. Parking plan identifying the location of required off-street parking;
 - b. Site plan identifying the location of any outdoor play area;
12. The applicant shall adhere to the hours of operation as described in the written narrative in the official project file and in the staff report dated 01/03/2018;
13. The applicant's property shall be inspected by the city's code enforcement officer and found to be free of further nuisance violations prior to issuance of a business license and in perpetuity;
14. The applicant's property shall comply with all applicable regulations from outside agencies, including but not limited to the State Division of Occupational and Professional Licensing and the Salt Lake Valley Health Department.

FINDINGS

1. The proposed home daycare, in meeting the above conditions of approval, conforms to applicable home occupation requirements for home daycares as found in the Cottonwood Heights Zoning Ordinance (Title 19) and Business License Ordinance (Title 5);
2. The proposed home daycare, in meeting the above conditions of approval, is found to be clearly incidental and secondary to the primary use of the property as a single-family residence;
3. The proposed conditions of approval act to mitigate any perceived negative impacts created by the applicant's proposal.



MEMORANDUM

To: Cottonwood Heights Planning Commission
From: Mike Johnson, Senior Planner (801) 944-7060
Meeting Date: January 3, 2018
Subject: Proposed Ordinance Chapter – Accessory Dwelling units

REQUEST

At the direction of the City Council, staff is proposing a new zoning ordinance chapter for the purpose of regulating accessory dwelling units (such as basement apartments). The proposed ordinance provides a regulatory process to license and properly permit accessory dwelling units in single-family residential zones.

BACKGROUND

Accessory dwelling units are currently prevalent throughout the city, although they are not referenced and are therefore technically prohibited by code. The general purpose of this proposed ordinance is to ensure that accessory dwelling units are constructed in accordance with proper life safety standards and to add regulations to limit the impact of such units in residential areas. Standards for occupancy, parking, building standards, inspection, etc. are included in the proposed ordinance.

Staff will make a complete presentation of the current draft ordinance at the September 6, 2017 planning commission. The current draft ordinance is attached to this memo.

RECOMMENDATION

Staff recommends that the planning commission review the proposed Accessory Dwelling Unit ordinance, make any changes it feels necessary, and forward a recommendation to the City Council.

MODEL MOTIONS

Approval

I move that we forward a positive recommendation to the City Council for project ZTA-17-002, a city initiated request to create an Accessory Dwelling Unit (ADU) ordinance.

Denial

I move that we forward a negative recommendation to the City Council for project ZTA-17-002, a city initiated request to create an Accessory Dwelling Unit (ADU) ordinance, based on the following findings:

- List findings for negative recommendation...

Attachment:

- 12-21-2017 Draft Accessory Dwelling Unit Ordinance

Chapter 19.XX ACCESSORY DWELLING UNITS

Sections:

- 19.XX.010 Purpose.**
- 19.XX.020 Definitions.**
- 19.XX.030 Where Permitted.**
- 19.XX.040 Approval Process.**
- 19.XX.050 Development Standards.**
- 19.XX.060 Affidavit.**
- 19.XX.070 Inspection.**
- 19.XX.080 Termination.**

19.XX.010 Purpose.

Accessory dwelling units (ADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the city, and allow for alternative and flexible housing options in owner-occupied single-family residences. The purposes of the ADU standards of this code are:

- A. Preserve and enhance life safety standards required for residential occupancy through the creation of a regulatory process for accessory dwelling units;
- B. Provide housing options for individuals and families in all stages of life and/or with moderate income who might otherwise have difficulty finding adequate housing within the city;
- C. Provide opportunities to offset rising housing costs and promote reinvestment in existing single-family neighborhoods;
- D. Preserve the character of single-family neighborhoods through adequate standards governing ADUs.

19.XX.020 Definitions.

“Accessory Dwelling Unit (ADU)” means a residential dwelling unit meant for one additional single family located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. A

mobile home or other portable structure does not qualify as an ADU.

“Attached ADU” means an ADU contained entirely within the footprint of the principal dwelling unit.

“Detached ADU” means an ADU located in an accessory building on the property and not attached to or within the principal dwelling unit

“Flag lot” means a lot not fronting on or abutting a public roadway and where access to the public roadway is limited to a narrow private right-of-way.

“Owner Occupancy” means a property owner, as reflected in title records, who makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver’s license, county assessor records or similar means for at least 200 days per calendar year.

“Principal Dwelling Unit” means the primary home or dwelling unit on a property. For the purposes of this chapter, the gross floor area of a principal dwelling unit shall not include unfinished basements, decks, or carports.

“Short-term Rental” means the rental, letting of rooms or sub-leasing/renting of any structure, dwelling or portion thereof for occupancy, dwelling, lodging or sleeping purposes for at least three but not more than 30 consecutive days in duration.

19.XX.030 Where Permitted.

Attached and Detached ADUs are permitted in the city’s R-1 (single-family) and RR (rural residential) zones, following the approval process detailed herein. A license for an ADU is prohibited if there is an active home occupation business license on a

property. No property shall be approved for both a home occupation license and an ADU license.

19.XX.040 Approval Process

The approval process for ADUs in the city is as follows:

A. An attached ADU, meeting all provisions of this ordinance, may be allowed as a permitted use upon completion of an ADU application form and payment of applicable fees, property inspection, signed affidavit and any necessary building permits.

B. A detached ADU is allowed as a conditional use, accompanied by an ADU application form and payment of applicable fees, property inspection, signed affidavit, any necessary building permits, and any additional requirements deemed necessary by the planning commission, community and economic development director, or his/her designee.

C. The property owner applying for an ADU license must provide documentation that he or she has completed acceptable landlord certification prior to issuance of any license.

19.XX.050 Development Standards.

A. The property owner, including titleholders and contract purchasers, must occupy either the principal dwelling unit or the approved ADU as his or her permanent residence and at no time receive rent for the owner-occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section 19.XX.020 of this chapter;

B. ADUs shall not be allowed as short-term rentals;

C. Only one ADU may be created per lot or property;

D. The design and size of the ADU shall conform to all current applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other

applicable codes. When a new ADU is proposed in an existing home, the entire ADU shall be brought up to all minimum standards, as inspected and approved by city staff;

E. The installation of separate utility meters is prohibited;

F. A separate entrance to an attached ADU shall not be permitted to be constructed in the front yard;

G. All ADUs shall require two (2) off-street parking spaces in addition to required parking for the principal dwelling unit. In no case shall fewer than four (4) total off-street parking stalls be provided for any property with an ADU. Creation of additional off-street parking spaces, excluding previously existing driveways, is prohibited in the front yard of a subject property;

H. All properties with ADUs shall have a minimum of 500 square feet of landscaping in the front yard, consisting of at least two of the following: turf, trees, shrubs, and ground cover;

I. Detached ADUs shall be subject to the following additional development standards:

1. Any detached ADU shall be subject to all primary structure setback standards for the zone in which it is located.

2. Any detached ADU shall meet all accessory building standards for height, lot coverage, rear-yard coverage, size, and any other applicable standards for the zone in which it is located;

3. Any detached ADU on a flag lot shall meet primary structure flag lot setback standards for the zone in which it is located;

4. Conversion of existing accessory buildings to detached ADUs is only permitted if the structure meets or is modified to meet all current city standards and all applicable provisions of this chapter;

5. Any detached ADU shall be a permanent structure. Trailers, mobile homes,

and other portable structures shall not be permitted as detached ADUs. The city's building official shall make the determination of whether or not a structure is permanent.

19.XX.060 Affidavit.

All applications for ADUs shall include a notarized affidavit, signed by the property owner of record, stating that said owner of record lives and will continue to live in either the principal dwelling unit or the approved ADU as his or her permanent residence. Prior to final approval of the ADU, the affidavit shall be recorded against the property with the Salt Lake County Recorder. Change in ownership shall not require any additional public hearing, but shall require a new ADU application form, site inspection, and signed affidavit.

19.XX.070 Inspection.

A. Prior to final approval of an attached or detached ADU, all required building permits shall be completed by the applicant and inspected by the city's building inspector to verify that all applicable city standards have been met.

B. If no additional work is proposed, the applicant shall submit a minimum-fee building permit application, accompanied by an inspection by the city's building inspector, to ensure compliance with all applicable city standards.

19.XX.080 Termination.

If the owner of record on a property changes and is not accompanied by a new ADU application, or if the owner of record is no longer permanently residing in the principal dwelling unit, the ADU shall be immediately vacated, and shall no longer be used as an ADU. The city may revoke, or may choose to deny license renewal to any property with unresolved violations of the municipal code that are caused by the operation of an ADU.