

Minutes Neighborhood Advisory Commission November 1, 2023



Minutes of the Neighborhood Advisory Commission (NAC) Meeting held on Wednesday, Nov. 1, 2023, hybrid meeting with in-person attendance option along with virtual component option via Microsoft Teams platform

(MEMBERS) Present: Hannah Moulton Belec, Lane Carraway, Martha Carter, Jana Lynn Granillo, Gabe Hagen, John Kozel, Kriste Melcher, Stacy Novis, Nancy Puffer, Joel Stern, Duane Washkowiak

(MEMBERS) Absent: Brandon Abrahams, Annette Fields, Suri Wall, Nicholas Weller

City Staff: Elizabeth Thomas, Neighborhood Services Specialist; Ryan Levesque, Deputy CD - Planning; Keith Burke, Deputy City Manager

Guests: Anne Till, Resident of Tempe/85282 zip code

Agenda Item 1 - Call to Order

The meeting was called to order at 5:30 p.m. by Chair Stern

Agenda Item 2 - Public Comment

Anne Till addressed the topic of Accessory Dwelling Units. She expressed her concerns that potential changes would encourage more home purchases by investors and harm the neighborhood character. She requested that owner occupancy and extra parking spaces be required and recommended rather than implementing changes in building codes to have those seeking these changes make them through variance process.

Agenda Item 3 - Review and approval of meeting minutes: October 4, 2023 NAC Meeting

Motion: Commissioner Washkowiak made a motion to approve the Oct. 4, 2023 minutes as presented.

Second: Vice Chair Hagen seconded the motion

Result: Minutes were approved by a unanimous vote of those present, 11 - 0

Commission Member Ayes: Hannah Moulton Belec, Lane Carraway, Martha Carter, Jana Lynn Granillo, Gabe Hagen, John Kozel, Kriste Melcher, Stacy Novis, Nancy Puffer, Joel Stern, Duane Washkowiak

Absent: Brandon Abrahams, Annette Fields, Suri Wall and Nicholas Weller

Agenda Item 4 - Accessory Dwelling Units Update and Outreach

Ryan Levesque provided an Accessory Dwelling Units update noting that City Council had requested research on current City of Tempe Accessory Dwelling Unit (ADU) provisions and a potential expansion of regulations. An ADU is defined as an independent, rentable dwelling unit located on the same lot as an existing, standalone single-family home. Accessory Dwelling Units come in many forms and can be attached or detached from the main residence as well as converted from existing portions of the home. ADU's can be a way to introduce incremental density, increase affordable housing stock and provide extra income or added home value while maintaining neighborhood character (primary residence must be retained).

Current City of Tempe Regulations:

- ✓ Be zoned for multi-family residential
- ✓ Have an existing single-family use
- ✓ Maximum 800 square feet livable area
- ✓ 1 ADU allowed per lot
- ✓ No additional parking required
- ✓ No more than 2 bedrooms

An online survey was open from October 16 through 30 and two public meetings were held, one virtually on October 17 and another in person at Tempe Public Library on October 16, 2023. Two hundred and one surveys were submitted during the two-week survey duration. Ryan shared some of the feedback heard at these meetings and offered that over 80% of the registered participants had expressed support to expand ADU regulations. It was noted however that the majority did not support ADUs being used for rentals of less than 30 days (short-term or vacation rental usage).

NAC member comments and questions included:

Comment: 201 surveys does not seem like many.

Answer: The survey was viewed by 281 and completed by 201.

Question: Is there a minimum lot size?

Answer: No, but must meet all zoning requirements.

Question: How many houses could be included?

Answer: Approximately 300 today with "ADU Light" version in place.

Questions: Do you know where people live who took the survey? What was major zip code of respondents?

Answer: The majority of survey participants were from 85282. Ryan provided the breakdown by zip code.

85281 - 25%

85288 - 5%

85282 - 34.5%

85283 - 18%

85284 - 15.5%

Question/Comment: What was the age of respondents? A younger population may find survey easier to complete or want this more and be better organized.

Answer: Ryan looked up and provided breakdown by age groups:

18 - 24 - 5.9%

25 - 34 - 21.4%

35 - 44 - 22.5%

45 - 54 - 15.5%

55 - 64 - 17.6%

65+ - 17.1%

Question: Can we get the survey data and breakdowns?

Answer: Yes, once available.

Question: What is the difference between guest quarters and an ADU?

Answer: Guest quarters have same elements as an ADU but owner is restricted from using them for rentals - must sign a covenant to restrict the guest quarters from being individually rented.

Question: Can you convert guest quarters into ADU?

Answer: Yes, if you met all regulations. If changes are made to ADU's, this might be something that needs further consideration.

Comment: Concerns that this is not new and that it is coming out of California. The examples shared are very nice. I'm concerned that tough sheds will be used or converted and done primarily for income, piece meal fashion not like your pictures.
Answer: They would still have to comply with residential building code.

Question: Do you have a copy of City of Phoenix ADU changes?

Answer: Yes, we will share them with NAC members. One being that their ADU's now allow a maximum of 1,000 square feet of livable area.

Question: Would owner need to reside onsite?

Answer: Depends on regulations.

Question: Must be zoned multi-family?

Answer: Yes, with current regulations in place.

Comment/Question: Limited lot size in my neighborhood except for corner lots. Can't people do variances now?

Answer: No, you are not allowed to seek relief from density with a variance. We would call it a second dwelling unit which requires (R2 Family Unit Rezoning) other than ADU conditions we now have.

Question: Who is the driver of this? Which Councilmember was pushing it?

Answer: Councilmember Kuby at the time and originally from the Tiny Homes Council Working Group.

Question: Why not tiny homes on wheels?

Answer: Water, sewer, electrical hook up issues. Must comply with adopted residential building codes. Concerns that this would open up other types of temporary housing like camper shells which are all forms of RVs.

Ryan emphasized that we need to do further evaluation on other City standards, like sufficient retention must be in place for the lot. For units off alleys, needed hook ups can be in different locations on the property, does the project need to repave the alley? Each neighborhood area has its own unique challenges.

(Commissioner Puffer left the meeting at 6 p.m.)

Next steps:

Monday, November 20 - City Council Work Study Session - ADU Update and Feedback requesting Council Guidance

If direction received from City Council to proceed with a formal code text amendment, public forum and meetings would be anticipated starting in January 2024.

Motion: Vice Chair Hagen proposed a statement to Mayor/Council that DRAFT language be prepared, with further research and analysis, for a potential ADU text amendment.

Commissioner Washkowiak expressed concern regarding feedback and white papers from other realtors all over the country and added that this topic is already scheduled for the November 20 Work Study Session.

It was noted that it's not guaranteed this topic will receive direction for DRAFT code text amendment language to be prepared.

Second: Commissioner Moulton Belec

Result: Motion was approved by a vote of 7-3

Commission Member Ayes: Hannah Moulton Belec, Martha Carter, Gabe Hagen, John Kozel, Kriste Melcher, Stacy Novis, Joel Stern

No: Lane Carraway, Jana Lynn Granillo, Duane Washkowiak

Absent: Brandon Abrahams, Annette Fields, Nancy Puffer, Suri Wall, Nicholas Weller

Agenda Item 5 – 2024 Neighborhood Celebration Event Ideas and continued Universal Nomination Form Discussion

At the October 4 NAC meeting, members expressed general agreement with one universal nomination form rather than separate forms for each neighborhood awards category potentially allowing for a more creative and open-ended response and allowing members to name the honor later after review of submissions.

An Arts and Culture universal form example along with rough DRAFT Neighborhood Awards guidelines had been provided for member discussion purposes. Commissioner Granillo provided some suggested text and formatting edits and requested this information be made available in Spanish as well.

There was additional group discussion about whether to keep a separate and specific Neighbor of the Year Award form option. This award was noted as having a long history and Chair Stern shared how much being nominated for this honor by his neighbors and then voted upon and recognized by NAC had meant to him. He added that he has expertise and can provide assistance with creation of a Microsoft Teams Form.

As in prior years, the Chuck Malpede Award special designation can be made at the discretion of NAC members. Commissioner Kozel suggested adding a short description of it on the website.

Commissioners requested a graphic or pictures in the introduction proceeding or in the universal form header to create visual interest. Staff confirmed past honorees (of last five years) are listed online by year at www.tempe.gov/neighborhoodcelebration

Agenda Item 6 – Second DRAFT 2023 Annual Report and final check in regarding status of 2023 Commission goals and priorities

The second DRAFT was not ready in time for the meeting packet email. Member meeting attendance was updated with the other sections still in progress and the document will need to be converted to the new format. Members will receive the final DRAFT in their December meeting packets for review.

Agenda Item 7 – November 8, 2023 Neighborhood Services and NAC Community Building Workshop Plans

Staff recommended a tabling around the room approach allowing for more, informal interaction and for attendees to come and go. Each primary topic can be addressed at a different table by staff, NAC members and neighborhood and hoa leaders and peers. Outreach is underway and NAC members were encouraged to help get the word out and to support the workshop by actively participating in it.

Agenda Item 8 – January 3, 2024 Meeting – Date Discussion

Due to the January 3, 2024 meeting falling so close to the New Year's Holiday, members discussed moving the meeting date. All present agreed to move it out one week to Wednesday, January 10, 2024. Staff will send a reminder out.

Agenda Item 9 – Proposed Future Agenda Items

- A December social opportunity after the Dec. NAC meeting to recognize service of Commissioners Mouton Belec and Weller and to celebrate the holidays.
- Staff is continuing to work on appropriate timing for Habitat for Humanity

Agenda Item 10 – Adjournment

Meeting was adjourned at 6:49 p.m.

Prepared by: Elizabeth Thomas