16.12.103: ACCESSORY BUILDINGS AND ACCESSORY USES; GENERAL REQUIREMENTS:

(1) Accessory buildings and accessory uses may be authorized in association with a primary building or primary use.

(2) Accessory buildings and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.

(3) An accessory garage may be attached to, or detached from, the primary building.

(a) An accessory garage that is attached to a primary building shall meet all requirements for the location of the primary building.

(i) All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply.

(ii) See also section 16.12.104 of this chapter.

(b) An accessory garage that is detached from a primary building shall meet all requirements for the location of a detached accessory building, as provided herein.

(c) All garages and other accessory buildings located ten feet (10') or more away from the primary building shall have setbacks from the rear and side property lines and maximum wall height limitations in accordance with table 16-1 of this subsection:

TABLE 16-1

Setback	**Maximum Wall Height**	**Maximum Building Height**
3'	8'	12'
5'	10'	15'
10'	16'	20'

Note: Accessory buildings located closer than five feet (5') to the property line shall be one hour fire resistant construction or shall be less than two hundred (200) square feet as required by the International Residential Code.

(d) No stormwater runoff from any accessory building shall be allowed to run onto adjacent property.

(4) Accessory buildings, located on corner lots, shall meet the required corner side yard setback, applicable in the zoning district in which the accessory building is located.

(5) Accessory buildings, except for agricultural use accessory buildings, shall be constructed of similar materials and colors and be an architectural style designed to blend with the primary building.

(6) Agricultural use accessory buildings, including barns and stables, shall be constructed of materials and colors designed to blend with the primary building.

(7) Accessory buildings shall comply with the requirements of the most recently adopted Building Code, as applicable.

(8) No mobile home, travel trailer, boat or similar recreational vehicle shall be used as an accessory building.

(9) No shipping container, cargo container, shipping crate, box, trailer or similar movable piece of equipment or object shall be used as an accessory building.

(10) No utility connections or meters, separate from the primary building, shall be allowed for accessory buildings.

(11) No accessory buildings shall be rented, leased or sold separately from the rental, lease or sale of the primary building.

(12) No accessory building shall be used as a permanent dwelling unit.

(13) Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of section 16.12.113 of this chapter, and specifically subsection 16.12.113(8) of this chapter.

(14) All accessory buildings associated with a commercial kennel shall comply with the requirements of section 16.12.115 of this chapter.

(15) Accessory carports are allowed in those areas identified in figure 12-2 of this section provided they comply with the following:

(a) Definition: A carport is a shelter structure open on at least three (3) sides used generally for covering an automobile or recreational vehicle. It may be attached to the house or freestanding. Freestanding carports shall be open on four (4) sides. The floor surface can be concrete, gravel or asphalt. There can be no enclosed use above a carport. Any structure which does not comply with the above definition must comply with all regulations relating to a garage.

(b) Maximum Size: Twelve feet (12') in width by fifty feet (50') in length or calculated by the following formulas:

(i) The total square footage of any attached carport shall not be greater than fifty percent (50%) of the square footage of the footprint of the primary structure excluding the attached garage on lots less than one-half ($^1/_2$) acre, sixty percent (60%) on lots one-half ($^1/_2$) but less than one acre and seventy percent (70%) on lots one acre or larger.

(ii) The total square footage of any detached carport shall not be greater than fifty percent (50%) of the square footage of the footprint of the primary structure including the attached garage on lots less than one-half ($^1/_2$) acre, sixty percent (60%) on lots one-half ($^1/_2$) acre to less than one acre, and seventy percent (70%) on lots one acre or larger.

(c) Maximum Entry Height: Thirteen feet, six inches (13'6").

(d) Materials: Carports may be constructed of materials to match the architectural style of the existing residence or shall be an engineered metal building. Poles supporting a metal carport shall be of a color compatible with the exterior of the primary structure.

(e) Minimum Setbacks: Comply with the minimum setback requirements for the zoning district in which it is located.

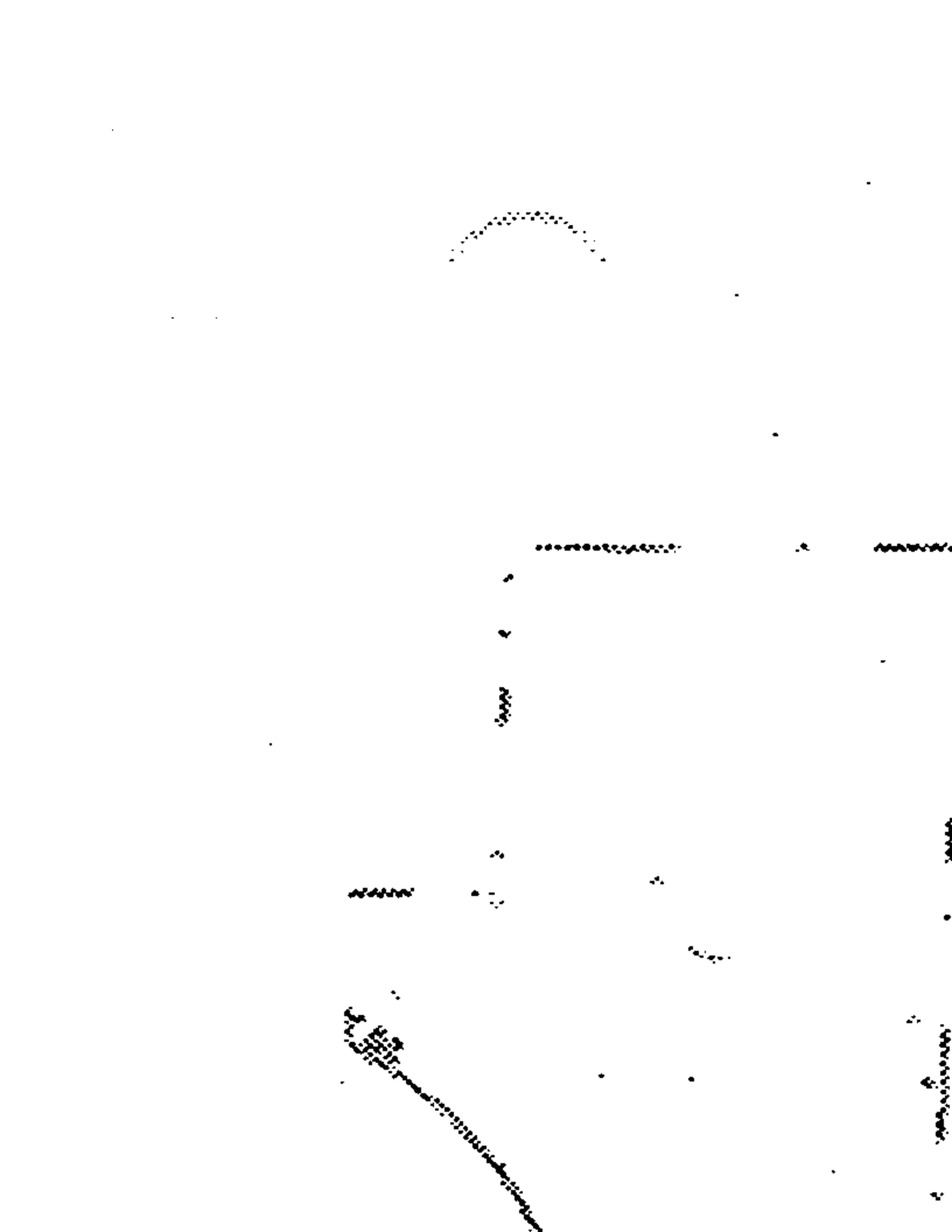
(f) Front Of Carport: The front of the carport shall be located at least three feet (3') back from the front of the structure on the side that it is located on.

(g) Conformance With Building Code: Engineered to resist wind and seismic loads in conformance with the most recently adopted edition of the Building and/or Residential Code.

(h) Number Allowed: No more than one carport shall be permitted for each dwelling unit.

(i) Materials Prohibited: Carports constructed of corrugated metal, fiberglass panels, and fabric materials are expressly prohibited.

(j) Height: Carports may be up to the height of the primary residence or up to fifteen feet (15') tall, whichever is lower. The carport may have a flat roof.



(Ord. 2018-04, 2018)

16.12.104: LIMITATIONS ON HEIGHT, SIZE AND LOCATION OF GARAGES AND OTHER ACCESSORY BUILDINGS IN RESIDENTIAL ZONES:

In an effort to avoid the appearance of commercial style buildings in residential zones, and to protect the character and stability of residential neighborhoods, the following requirements for garages and other accessory buildings located in residential zones are provided:

(1) Maximum Garage Height:

(a) No detached garage shall be higher than twenty feet (20'), measured from finish grade to the highest point of its roof, or higher than the highest point of the roof of the primary building, whichever is less. Exception: Detached garages located a minimum of forty feet (40') from the primary building may be twenty feet (20') maximum height regardless of the height of the primary building.

(b) No attached garage shall be higher than the primary building.

(2) Number Of Garages: A maximum of one attached and one detached garage may be allowed on each lot in association with a primary residential dwelling unit. All other structures shall be considered accessory buildings.

(3) Maximum Accessory Building Height: No accessory building, including agricultural use accessory buildings, shall be higher than fifteen feet (15'), measured from average finish grade, unless a higher finished grade is required by the City for proper drainage in which case it will be measured from the finished grade.

(4) Size, Location, And Construction Of Attached And Detached Garages And Other Accessory Buildings In Residential Zones:

(a) Size Of Attached Garages:

(i) The total square footage of any attached garage shall not be greater than fifty percent (50%) of the square footage of the footprint of the primary structure excluding the attached garage on lots less than one-half (0.5) acre, however, that percentage may increase up to sixty percent (60%) provided the garage frontage is less than fifty-five percent (55%);

(ii) Sixty percent (60%) on lots one-half (0.5) acre but less than one acre; and

(iii) Seventy percent (70%) on lots one acre or larger.

(b) The total square footage of any detached garage or other accessory building including agricultural use accessory buildings shall not be greater than fifty percent (50%) of the footprint of the primary structure including the attached garage on lots less than one-half ($^1/_2$) acre, sixty percent (60%) on lots one-half ($^1/_2$) acre to less than one acre, and seventy percent (70%) on lots one acre or larger. Note: Habitable space located in the attic areas of detached garages shall be included in the total square footage.

(c) Agricultural use accessory buildings constructed prior to the primary building as allowed in the agriculture (A) zone and residential agriculture (RA) zone shall be a maximum of two thousand five hundred (2,500) total square footage and shall be constructed of materials and colors that blend with the natural environment.

(d) Agricultural use accessory buildings larger than two thousand five hundred (2,500) square feet shall require a Class III conditional use permit.

(e) The cumulative total square footage of all attached garages, detached garages and all other accessory buildings, including agricultural use accessory buildings, shall not be greater than twenty five percent (25%) behind the rear wall line of the primary structure.

(f) All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply.

(g) No detached garage or other accessory buildings shall be located in any required front yard. (Ord. 2018-04, 2018; amd. Ord. 2021-14, 2021)

16.12.105: SMALLER ACCESSORY BUILDINGS; EXEMPTION FROM BUILDING PERMIT REQUIREMENTS:

An accessory building with a maximum height of ten feet (10') and a maximum size less than two hundred (200) square feet shall not require a building permit, provided all setback requirements for the zoning district in which the accessory building is located are met. (Ord. 2013-04, 2013)

16.12.106: ACCESSORY DWELLING UNITS FOR AN OWNER OR EMPLOYEE:

(1) An accessory dwelling unit for an owner or employee shall not be rented, leased or sold separately from the rental, lease or sale of the primary building located on the same lot.

(2) A maximum of one accessory dwelling unit for an owner or employee may be established on each individual, separate lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.

(3) The lot proposed for an accessory dwelling unit for an owner or employee shall already have an existing primary structure provided, or approved, prior to the consideration of an application to allow an accessory dwelling unit.

(4) Accessory dwelling units shall meet the required setbacks for attached or detached accessory buildings and uses as required by the zoning district in which they are located.

(5) An accessory dwelling unit for an owner or employee shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections or meters shall be allowed for an accessory dwelling unit for an owner or employee.

(6) An accessory dwelling unit for an owner or employee shall provide a minimum of two (2) off street parking spaces, located as determined necessary and appropriate for approval of the accessory dwelling unit for an owner or employee.

(7) The construction of an accessory dwelling unit for an owner or employee shall meet all requirements of the adopted Building Code, as applicable.

(8) The architectural style, building materials and building colors of an accessory dwelling unit for an owner or employee shall be found to be compatible and consistent with the architectural style, materials and color of the primary building.

(9) Mobile homes, travel trailers, boats or similar recreational vehicles shall not be used as an accessory dwelling unit for an owner or employee.

(10) The land use application approval for an accessory dwelling unit for an owner or employee shall be received before a building permit is issued.

(11) As a condition of approval required to establish an accessory dwelling unit for an owner or employee, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the City, running in favor of the City, which shall prohibit the rental, lease or sale of the accessory dwelling unit for an owner or employee separately from the rental, lease or sale of the primary use or building. Proof that such deed restriction has been recorded shall be provided to the Zoning Administrator prior to the issuance of the certificate of occupancy for the accessory dwelling unit for an owner or employee. (Ord. 2005-13, 2005)

16.12.107: RENTAL OF ACCESSORY DWELLING UNITS IN SINGLE-FAMILY RESIDENTIAL ZONES:

The purpose and intent of requirements for allowing accessory dwelling units is to provide additional housing opportunities.. For purposes of this section, "accessory dwelling unit" means a dwelling unit that is located on a single-family residential lot in addition to the primary dwelling unit. An accessory dwelling unit can be either an "internal accessory dwelling unit" or an "external accessory dwelling unit." "Internal accessory dwelling unit" means an accessory dwelling unit that is located within the footprint of the primary dwelling unit. "External accessory dwelling unit" means an accessory dwelling unit that is located in a structure other than the primary dwelling unit. References herein to an "accessory dwelling unit" without designating either external or internal is a reference to both internal and external dwelling units.

(1) Authorized: Accessory dwelling units may be authorized on all lots located in medium density and low density single-family residential zones, provided all requirements of this title, all other land use ordinances and the Building Code are met.

(2) Maximum Number: A maximum of one accessory dwelling unit may be established on each individual, separate legal lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.

(3) Permanent Structure: An accessory dwelling unit shall be located in a permanent structure on the lot. No mobile homes, travel trailers, boats or similar recreational vehicles shall be used as an accessory dwelling unit.

(4) Single-Family Dwelling; Lot: The lot proposed for an accessory dwelling unit shall have an existing single-family dwelling unit established, or approved, prior to the consideration of the use application to allow accessory dwelling unit.

(5) Square Footage: The square footage of an external accessory dwelling unit shall not exceed thirty percent (30%) of the footprint of the primary dwelling, excluding the garage, or six hundred (600) square feet, whichever is larger.

(6) Setbacks: All external accessory dwelling units shall meet and comply with the minimum setbacks required for the primary dwelling by the zoning district in which they are located, except the rear setback may be reduced to match the side setbacks.

(7) Parking: All accessory dwelling units shall provide a minimum of one additional off street parking space.

(8) Construction: The construction of all accessory dwelling units shall meet all requirements of the adopted building code.

(9) Style, Materials, Colors: The architectural style, building materials and colors of all external accessory dwelling units shall be found to be compatible and consistent with the architectural style, materials and color of the primary dwelling unit.

(10) Height And Size Restrictions: All external accessory dwelling units shall be limited to one story, with a maximum height of fifteen feet (15') for a pitched roof and thirteen feet (13') for a flat roof, but in no event exceeding the height of the existing dwelling. The city council may approve a special exception to the height and size restrictions for guesthouses and casitas, as provided by chapter 28 of this title, with consideration given to larger lots than required by the minimum lot size of the applicable residential zone and the architecture and style of the primary building.

(11) Occupancy: Accessory dwelling units shall only be provided for the occupancy of one family.

(12) Owner Must Occupy: The owner of the lot must live full-time in either the primary dwelling unit or the accessory dwelling unit.

(13) Deed Restriction: As a condition of approval required to establish an accessory dwelling unit, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the city, running in favor of the city, which shall prohibit the sale of the accessory dwelling unit separately from the primary dwelling unit. Proof that such deed restriction has been recorded shall be provided to the zoning administrator prior to the issuance of the certificate of occupancy for the accessory dwelling unit.

(14) Permits Required:

(a) A Casita Agreement for an external accessory dwelling unit shall be received before a building permit is issued.

(b) The zoning administrator is authorized to approve a class II use application for an accessory dwelling unit that is not part of the original construction of the single-family dwelling unit to which it is associated, provided all requirements of this section, and all other applicable requirements of all land use ordinances, and all other regulations are met.

(c) The zoning administrator is authorized to approve a class II use application for an accessory dwelling unit that is part of construction associated with a new single-family dwelling, provided all requirements of this section, and all other applicable requirements of all land use ordinances, and all other regulations are met.

(15) Legalizing Existing Guesthouses And Casitas: Owners of accessory dwelling units existing on the effective date hereof, and that have not been approved as required herein, shall apply for an approval within one hundred eighty (180) days of the effective date hereof.

(16) Noncomplying Guesthouses And Casitas: All owners of accessory dwelling units, determined to be noncomplying structures, shall be subject to the provisions for noncomplying structures, as provided herein by Chapter 25 of this Title. (Ord. 2021-21, 2021).

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THE 21ST DAY OF OCTOBER, 2021. ALL COUNCIL MEMBERS PRESENT VOTED IN FAVOR. ONE COUNCIL MEMBER WAS ABSENT.

16.12.120: RESIDENTIAL PATIO COVERS:

(1) Maximum Patio Cover Area: In no case shall the area of any patio cover, or combination of patio covers, be greater than one-third ($^1/_3$) of the total area of the rear yard, or exceed eight hundred (800) square feet, whichever is less.

(2) Building Permit Required: A building permit shall be required for the construction or installation of all patio covers, complying with the requirements of this section and the adopted Building Code, as applicable.

(3) Enclosed Patios: Any enclosed patio cover (a patio cover enclosed on more than 2 sides) shall comply with the required setbacks applicable to the primary building.

(4) Location:

(a) Patio covers constructed completely of noncombustible materials may be allowed in the required rear yard area, but no portion of any such patio cover shall be closer than one foot (1') to any rear or side property line and no stormwater runoff from any patio cover shall be allowed to run onto adjacent property.

(b) Patio covers, with any portion constructed from any combustible materials, may be allowed in the required rear yard area, but no portion of any such patio cover shall be

closer than three feet (3') to any rear or side property line and no stormwater runoff from any patio cover shall be allowed to run onto adjacent property. (Ord. 2005-13, 2005)

16.33.104: TABLE 33-4, SUMMARY TABLE OF DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES:

This table is a summary table only. All required development standards are contained within the various chapters of this title, and more particularly chapters 11, 12 and 19 of this title.

To view Table 33-4, click HERE

Development Standards	RA-5	RA-1	RE-43.0	RE-37.0	RE-25.0	RE 20

Development Standards	RA-5
Site plan approval	As req
Primary building required	As req
Building requirements	As req
Building codes	As req
Utility connections	As req
Accessory building location	As req
Maximum garage height	As req
Number of allowed garages	As req
Maximum garage size	As req
Maximum accessory building height	As req
Maximum total size of garage(s) and other accessory buildings	As req
Minimum distance between accessory building housing animals and dwelling unit on adjacent lot	100' [1]
Minimum rear and side yards for accessory buildings housing animals	30' [4]

Definitions:

CARPORT: Roofed structures open on at least two (2) sides and subject to all requirements prescribed for a garage.

AWNING: A roofed structure placed to extend outward from the building providing a protective shield for doors, windows and other openings supported by the building or other supports.