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 us may be attached to, or detached from, the primary building.

(a) An addition that is attached to a primary building shall meet all requirements for the primary building.

(i) All garages and other accessory buildings located ten feet (10') or less 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 except where specific requirements are given.

(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 more than ten feet (10') 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'
12’	18’	22’
15’	20’	24’

(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 or meet chapter 19 Design Requirements.

(6) Agricultural use accessory buildings, including barns and stables, shall be constructed of materials and colors designed to blend with the primary building or meet chapter 19 design guidelines.

(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 except external accessory dwelling units.

(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.

(a) Definition: A detached carport is a shelter structure open on at least three (3) sides used generally for covering an automobile or recreational vehicle. It may be 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.

(i) Height: detached Carports shall be as per table 16-1.

(Ord. 2018-04, 2018)

16.12.104: LIMITATIONS ON HEIGHT, SIZE AND LOCATION OF 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 detached structure Height:

(a) No detached structure shall be greater in height than table 16-1

(2) 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 or comply with chapter 19 Design Requirements of this code.

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

(4) Combining structures and total amount of structures.

(a) Detached structures are limited as follows.
  (i) Limited to two (2) 1000 sqft. structures or one(1) 2000 sqft structure on parcels smaller than 37,000 sqft
  (ii) Limited to three (3) 2000 sqft structures or two (2) 3000 sqft. Structures on parcels 37,000 sqft and greater.
(b) Accessory structure uses can be combined as long as external accessory dwelling units do not exceed 1000 sqft.
(c) Structures need to comply with the total lot coverage in chapter 11 of this code.

(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.

Exception: detached adu’s and the required parking for the detached adu can be within 5 feet of property line when the lot is less than 20,000 sqft.

(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)

16.12.107: 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 and complies with chapter 11 of this code and Utah State law **10-9a-530. Internal accessory dwelling units.**. "External accessory dwelling unit" means an accessory dwelling unit that is located in a structure other than the primary dwelling unit and complies with chapter 12 of this code. External Accessory Dwelling Units Within 10 feet of the primary structure and considered attached shall comply with 16.12.107(7) for size, 16.12.107 (6) for setbacks and Chapter 11 of this code for height.

(1) Authorized: Detached Accessory dwelling units may be authorized on all lots located in high density, 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, One Thousand (1000) square feet, and comply with the lot coverage requirements in chapter 11 of this code.

(6) Setbacks: All external accessory dwelling units and structures designed to satisfy the required parking for the eadu may be within 5 feet of the property line on parcels smaller than 20,000 sqft.

(7) Parking: All accessory dwelling units shall provide a minimum of two (2) additional off street parking space except adu’s 600 sqft. Or less shall provide one(1) additional off street parking.

(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 or meet the Chapter 19 design Guidelines.

(10) Height And Size Restrictions: All external accessory dwelling units shall be constructed according to table 16-1. The city council may approve a special exception to the height and size restrictions for eadu's, 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) Permits Required:

(a) 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, , and all other applicable requirements of all land use ordinances, and all other regulations are met.

(14) 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.

(15) 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.