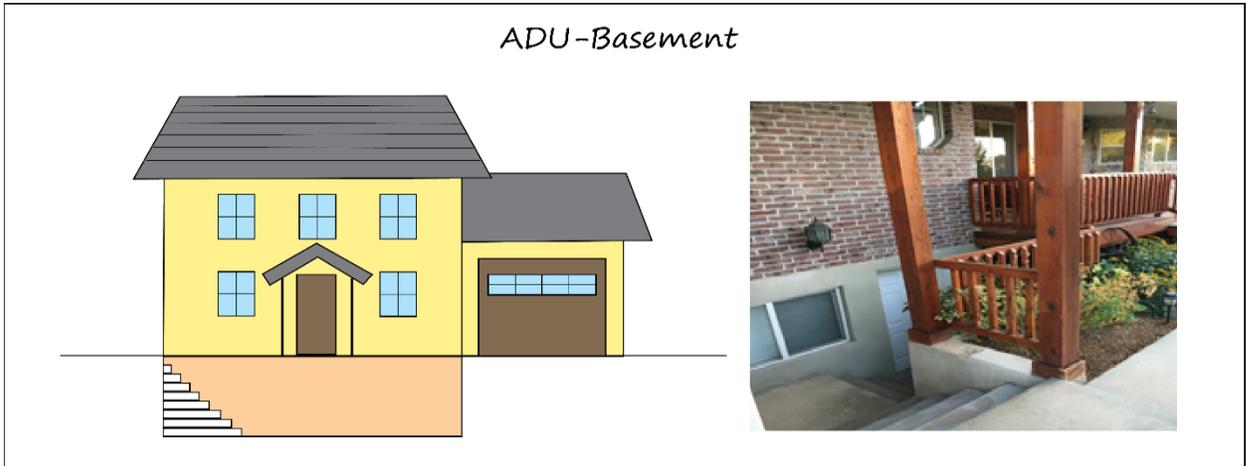


## 10-19-17: RESIDENTIAL:

### A. Accessory Dwelling Units:

1. Definition of Accessory Dwelling Unit: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is: 1) within or attached to a single-family residential building, or 2) within a detached accessory structure associated with a single-family dwelling.
2. Purpose and Intent: The purpose and intent of this section is to recognize the residential character of the City of North Salt Lake and to provide for supplementary living accommodations in the community, as well as provide for supplementary income opportunities of property owners. These provisions are intended to provide for affordable housing with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory dwelling units.
3. Owner Occupied: No accessory dwelling unit shall be created, established, or occupied in a single-family dwelling unless the owner of the property occupies either a portion of the main dwelling or a detached accessory unit on the same single-family lot. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by the bona fide property owner(s) as shown on the Davis County tax assessment rolls. Owner occupancy for a dwelling with an accessory dwelling unit shall not be required when:
  - a. The owner cannot live in the dwelling because of a bona fide temporary absence of three years or less for a temporary job assignment, sabbatical, or voluntary service;
  - b. The owner was living in the dwelling immediately prior to leaving for the temporary job assignment, sabbatical, or voluntary service; and
  - c. The owner intends to make the dwelling his/her primary place of residence upon returning from the temporary job assignment, sabbatical or voluntary service.
4. Dwelling Unit Occupancy: The occupants of an accessory dwelling unit shall be limited by one of the following family categories:
  - a. One person living alone; or
  - b. Two (2) or more persons all related by blood, by marriage, by adoption; by legal guardianship or foster children; or
  - c. Up to four (4) unrelated persons living as a single housekeeping unit.
  - d. Any of the above categories plus a temporary guest. A "temporary guest" is defined as a person who stays with a family for a period of less than thirty (30) days within any rolling one year period and does not utilize the dwelling as a legal address for any purpose.
  - e. For purposes of the definition of family, the term "related" shall mean a spouse, parent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great-grandparent, and great-grandchild. The term "related" does not include other, more distant relationships.
5. Zones: An accessory dwelling unit which meets ordinance requirements may be allowed in a single-family dwelling unit or in a detached accessory structure within any zone upon a single family lot. No accessory dwelling unit may be allowed in any multi-family dwelling or multi-family lot, or on any lot that cannot satisfy the parking, setback, or lot coverage requirements.

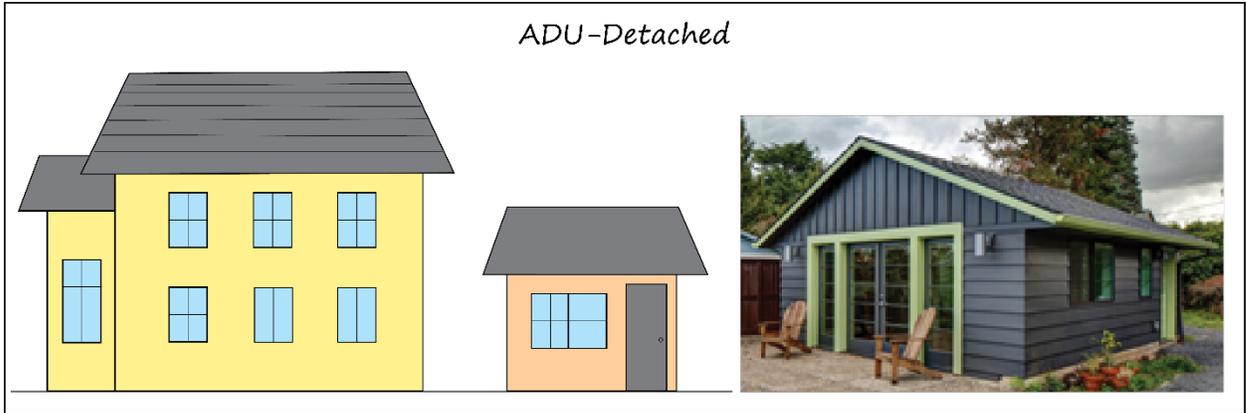
6. Number Of Accessory Dwelling units: A maximum of one accessory dwelling unit shall be allowed in each owner occupied single-family dwelling, or in a detached accessory structure associated with a single-family dwelling.
7. Location & Type:
  - a. Within or Attached to Main Dwelling: Accessory dwelling units may be allowed within or attached to the main residential dwelling (basement or addition), over the garage (attached or detached), or in a detached accessory structure (cottage home, guest house, or tiny home).



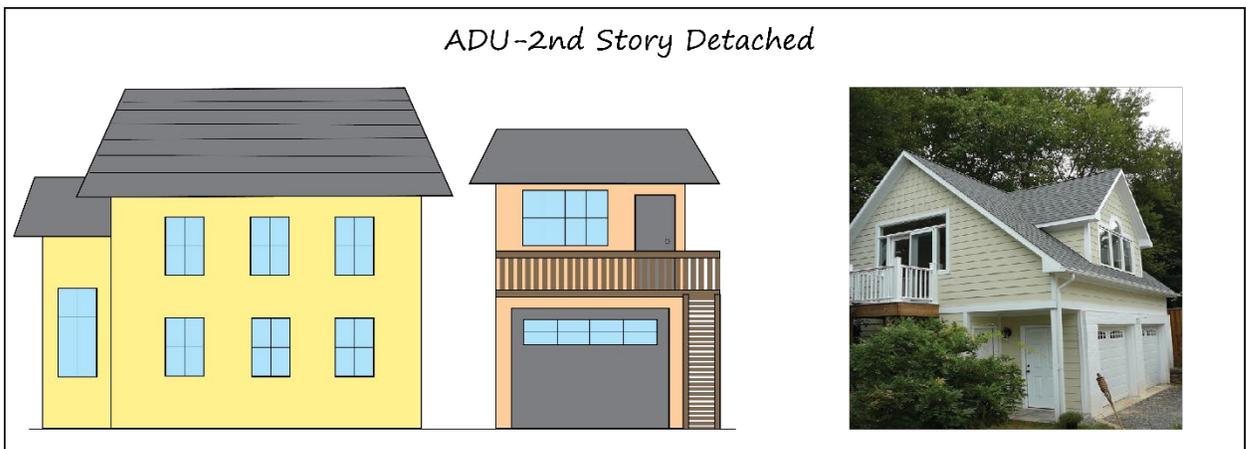
- b. Setback Standard Compliance: Accessory dwelling units as an addition to a primary dwelling shall meet all minimum setback standards required for the primary dwelling.



- c. Behind the Primary Dwelling: An accessory dwelling unit within an accessory structure must meet the minimum of side yard required by the zone for the primary dwelling and a rear yard setback of ten (10) feet, unless no windows, doors, or other openings are adjacent to the property line, in which case the allowed setback shall be five (5) feet.
      - d. Adjacent to the Primary Dwelling: An accessory dwelling unit within the side yard of the primary dwelling are required to meet the same front, side, and rear yard setback as the primary dwelling.



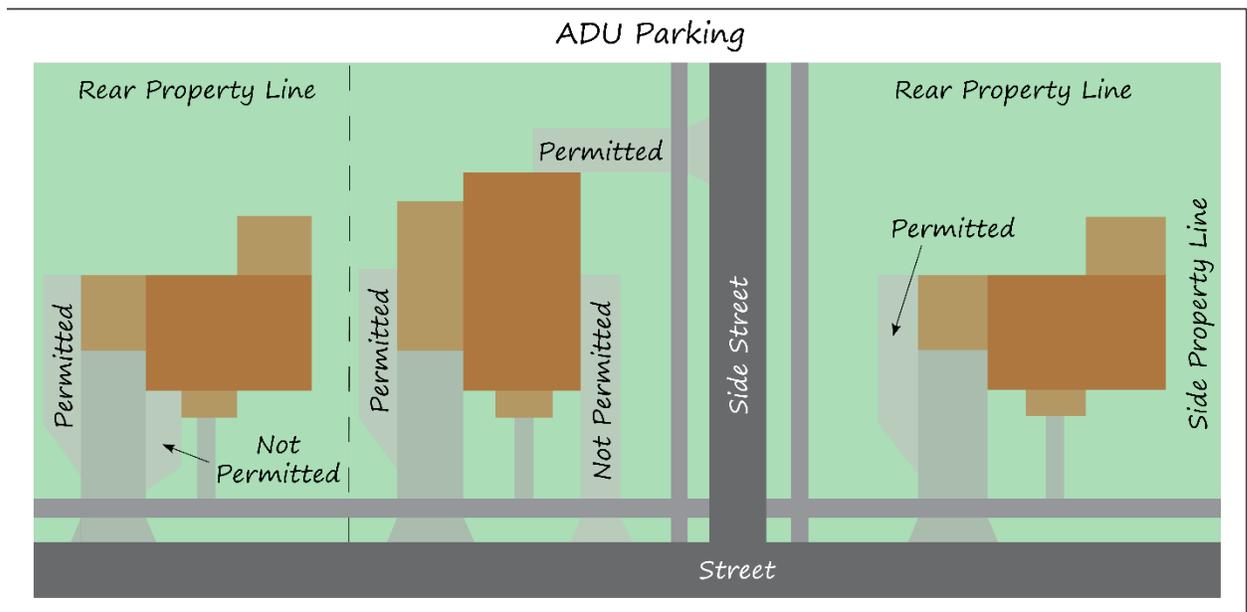
- e. Second Story Accessory Dwelling Units: An accessory dwelling unit located in an accessory structure may only be located on a second story if the structure meets the same minimum standards in the zone for height, as well as front, side, and rear setback as the primary dwelling.



8. Appearance: Single family residences with interior accessory dwelling units shall retain the appearance of a single family home. An accessory dwelling unit in an accessory structure shall be designed so that, to the degree reasonably feasible, the appearance of the building is compatible with the architectural components of the primary dwelling unit (e.g., exterior materials, color, and roof pitch).
9. Size:
- a. Basement Dwelling Units: Shall be permitted to occupy the entirety of the basement of the primary home regardless of area or bedroom count.
  - b. Accessory Dwelling Units (Detached Structures): The size of an accessory dwelling unit shall be at least three hundred (300) square feet and shall not exceed twelve hundred (1200) square feet and be limited to no more than two (2) bedrooms.
10. Lot Coverage: The combined building coverage for the detached accessory dwelling units, main dwelling and additional accessory buildings may not be larger than the maximum coverage allowed in the zone for the lot and rear yards per section 10-10-3.



12. Address: The principal dwelling unit and the accessory dwelling unit shall have the same address number, but shall refer to the accessory dwelling unit as unit B. Addresses must be located in a visible location on the street frontage side of the home.
13. Parking:
  - a. A single-family dwelling with an accessory dwelling unit shall provide at least one (1) additional off street parking spaces for the accessory unit, above the minimum spaces required for a single family dwelling. Accessory dwelling unit parking may not be in tandem with required parking of the main dwelling. One additional off street parking space shall be required accessory dwelling units with 2 or more bedrooms. ADU's located within one-quarter (1/4) mile of a bus rapid transit route shall be permitted to reduce the parking requirement by one (1) space for the main dwelling unit.
  - b. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway.
  - c. The minimum width of parking areas and driveways shall be paved with concrete or asphalt,



14. Separate Living Areas: An accessory dwelling unit must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.
15. Building Code: All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah state code section 10-9a-511.5, changes to dwellings - egress windows.
16. Utility Meters: A single-family dwelling with an accessory dwelling unit may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name and the property owner shall be responsible for payment of all utilities. No additional water development or connection fee shall be required, unless a separate utility connection is requested and installed by the property owner.

17. Interior Access: An interior access between the main living area and an attached accessory dwelling unit must be maintained, unless sufficient means of egress have been determined during an inspection by the fire department.
18. Not Intended For Sale: The accessory dwelling unit shall not be intended for sale or detached by deed and shall only be rented.
19. Accessory Dwelling Unit Permit: Any person owning an existing accessory dwelling unit that has not previously been permitted by the city, or any person constructing or causing the construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall obtain a land use permit for the accessory dwelling unit from the community development department. This shall be in addition to any required building permit for the work to be performed. In order to meet the requirements of the land use permit, the applicant shall:
  - a. Submit a completed application form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters,
  - b. Include detailed floor plans with labels on rooms indicating uses or proposed uses,
  - c. Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges,
  - d. Make all corrections identified as necessary to comply with building code requirements, as identified by the chief building official or his designee, and provide photos of the life safety items required by building code, including carbon monoxide detectors, smoke detectors, and earthquake strapping on water heaters, and
  - e. Demonstrate and affirm that their property is otherwise in compliance with all other provisions of the zoning ordinance.
20. Exceptions to Standards: The Planning Commission may issue a conditional use permit for ADU's which modify the requirements for an ADU with respect to maximum size, minimum parking, or setback.
  - a. In approving a conditional use permit the Planning Commission may require additional conditions to mitigate the impact of the ADU on surrounding properties. Specifically the Planning Commission may require:
    - (1) For ADU's that exceed the maximum size of 1,200 sq. ft.: increased setbacks, privacy fencing, limitation on windows and doors adjacent to abutting property lines, and additional parking.
    - (2) For ADUs with reduced or no additional parking: restrictions on occupancy to tenants without vehicles.
    - (3) For ADU's with reduced setbacks: privacy fencing and limitation on windows and doors adjacent to abutting property lines.
21. Failure To Complete Or Obtain A Land Use Permit: If the property owner does not obtain a land use permit as outlined above, the accessory dwelling unit shall not be considered legal nor approved. Failure to obtain a land use permit for an existing accessory dwelling unit may result

in a citation for a code violation as governed by the process in North Salt Lake City Title 12, Administrative Code Enforcement Hearing Program.

22. Home Occupation Businesses: Home occupation businesses in an accessory dwelling unit shall be restricted to a home office use which creates no customer traffic. No home occupation business shall be established within an accessory dwelling unit without the express written permission of the property owner.
23. Accessory Dwelling Units, Tiny Homes:
  - a. Only one tiny home shall be permitted as an accessory dwelling unit per residential lot.
  - b. The tiny home shall be properly connected to water and sewer facilities.
  - c. The tiny home dwelling structure must be located on a dedicated parking location of asphalt or concrete and have the wheels and axel underbody skirted from view..
  - d. Building inspections are required for construction of the foundation, as well as to ensure the correct installation of the structure, and to approve the correct connection to the utilities.
  - e. All manufactured home running gear, tongues, axles and wheels must be removed at the time of installation.
  - f. The dwelling structure shall be constructed with materials that are weather resistant and aesthetically consistent with the main dwelling.
  - g. The community development director may approve deviations from the architectural standards on the basis of a finding that the architectural style proposed provides compensation design features and that the proposed dwelling will be compatible and harmonious with existing structures in the vicinity.
  - h. The parking shall be the same as subsection 13 of this section.