ORDINANCE 2007-18

AN ORDINANCE AMENDING CHAPTER 15, TABLE 15-5-3.3(b) OF THE TOOELE COUNTY LAND USE ORDINANCE, REGARDING THE REQUIREMENTS OF ACCESSORY HOUSING UNITS

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - PURPOSE. This ordinance seeks to increase the size of accessory housing units to a maximum of 1,000 square feet on lots 4.7 acres and larger. The Erda, Pine Canyon, and Tooele County Planning Commissions held public hearings on the issue and recommend passage of this ordinance.

SECTION II - TABLE AMENDED. Chapter 15, Table 15-5-3.3(b) of the Tooele County Land Use Ordinance is hereby amended to read as follows:

| Table 15-5-3.3. Dwellings, living quarters and long or short term residences. | | | | | | | | | | |
|---|--|--------------------|----|-----|------------------|----|-------------------------|---|----|--|
| # | Use | Multiple use (MU-) | | | Agriculture (A-) | | Rural Residential (RR-) | | | |
| | | 40 | 80 | 160 | 20 | 40 | 1 | 5 | 10 | |
| b | For lots or parcels larger than one acre, one detached accessory housing unit in conjunction with a single family dwelling that is owner occupied. No townhouses manufactured or mobile homes shall have accessory housing units. The accessory housing unit may be a separate structure or part of a garage structure that is accessory to a single family dwelling. Only one accessory housing unit shall be allowed for each parcel and shall comply with the following conditions: 1. Exterior design of the accessory housing unit shall be compatible with the existing single family dwelling on the lot through architectural use of building forms, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices; 2. The accessory housing unit shall be subordinate to the single family dwelling. A single-family dwelling exists or will be constructed in conjunction with the accessory housing unit; 3. The accessory housing unit shall not result in excessive noise, traffic or parking congestion; | С | С | С | С | С | C | С | С | |

| 4. The location and design of the accessory housing unit shall maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties; 5. The accessory housing unit shall have the same address as the single family dwelling; 6. There shall be one parking space provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. Parking for the accessory housing unit. In addition to the required parking for the primary residence; 7. The floor area for accessory housing unit shall not exceed 800 square feet for lots between 1 and 4.69 acres. For lots 4.7 and larger, an accessory housing shall not exceed 1,000 sq. ft. In no case may any combination of buildings occupy more than the required rear yard for the district in which it is located; 8. Attached accessory housing units shall meet the same setbacks as a single family dwelling in the zoning district; 9. Building height and stories shall be as follows: a. A one story detached accessory housing unit shall be no more than thirteen feet in height. b. A one and one-half to two story detached accessory housing unit shall be no more than twenty-two feet in height measured to the roof peak. c. An attached accessory housing unit may occupy a first or second story of a main residence if it is designed as an integral part of the single family dwelling and meets the setbacks are integral part of the single family dwelling and meets the setbacks are integral part of the single family dwelling. | Table 15-5-3.3. Dwellings, living quarters and long or short term residences. | | | | | | | | | |
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| has special roof features that should be matched on the detached accessory housing unit, the maximum building height of the accessory housing unit may be exceeded to include such similar special roof features subject to review and approval of the Zoning Administrator; 10. The accessory housing unit shall not be sold separately; 11. The use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record as the principal residence; and 12. The above conditions are binding upon any successor in ownership of the property; | # | 4. The location and design of the accessory housing unit shall maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties; 5. The accessory housing unit shall have the same address as the single family dwelling; 6. There shall be one parking space provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. Parking for the accessory housing unit. Parking for the accessory housing unit is in addition to the required parking for the primary residence; 7. The floor area for accessory housing unit shall not exceed 800 square feet for lots between I and 4.69 acres. For lots 4.7 and larger, an accessory housing shall not exceed 1,000 sq. ft. In no case may any combination of buildings occupy more than the required rear yard for the district in which it is located; 8. Attached accessory housing units shall meet the same setbacks as a single family dwelling in the zoning district; 9. Building height and stories shall be as follows: a. A one story detached accessory housing unit shall be no more than thirteen feet in height. b. A one and one-half to two story detached accessory housing unit shall be no more than thirteen feet in height. b. A one and one-half to two story detached accessory housing unit may occupy a first or second story of a main residence if it is designed as an integral part of the single family dwelling has special roof features that should be matched on the detached accessory housing unit may be exceeded to include such similar special roof features subject to review and approval of the Zoning Administrator; 10. The accessory housing unit shall not be sold separately; 11. The use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record as the principal residence; and 12. The above conditions are binding upon | 40 | 80 | 160 | 20 | 40 | 1 | 5 | 10 |

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SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 19th day of June 2007.

ATTEST:

TOOELE COUNTY COMMISSION:

Marilyn K. Gillette, Clerk

COLLEEN S. JOHNSON, Chairman



Commissioner Johnson voted Commissioner Clegg voted Commissioner Hurst voted

APPROVED AS TO FORM:

Doug Hogan

Tooele County Attorney