

ORDINANCE NO. 2024-07

**AN ORDINANCE AMENDING TITLE 10 LAND USE ORDINANCE,
SECTIONS 10-1-47, 10-11-3 AND 10-19-1 to 10-19-3 PERTAINING TO ACCESSORY
CARETAKER DWELLINGS, DEFINING SAID USE AND ESTABLISHING SPECIFIC
USE STANDARDS**

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah; and

WHEREAS, the City Council of North Salt Lake has received a request to amend the code related to accessory caretaker residences in commercial and industrial zones; and

WHEREAS, the Planning Commission of North Salt Lake held a public hearing on the proposed amendments on September 24, 2024 and received favorable public comments and recommended the proposed amendments to the City Council; and

WHEREAS, the City Council of North Salt Lake finds the proposed amendments are also in accord with the comprehensive general plan, goals and policies of the City; and

WHEREAS, the City Council of North Salt Lake finds that changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title; and

WHEREAS, the City Council finds that it is in the public interest that the North Salt Lake City Code, be amended at this time.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of North Salt Lake as follows:

Section 1. Code Amendment. Pursuant to Utah Code 10-9a-502, Title 10 Land Use Ordinance is hereby amended as follows:

- a. Chapters 1, 11 and 19 are hereby amended as shown in the attached Exhibit "A";

Section 2. Effective Date. This Ordinance shall take effect upon posting as required in Utah Code 10-3-713.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah on this 1st day of October 2024.



CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS

Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

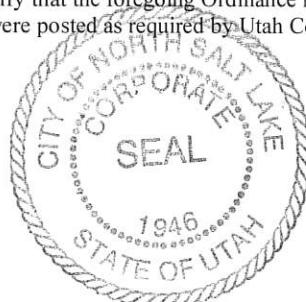
Council Member Watts Baskin
Council Member Clayton
Council Member Jackson
Council Member Knowlton
Council Member Van Langeveld

aye
aye
aye
aye
aye

Certificate of Posting Ordinance:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing Ordinance No. 2024-07 was passed by the governing body on the date shown above, and that copies were posted as required by Utah Code 10-3-713 within the municipality.

Recorded this 1st day of October, 2024.

Wendy Page, City Recorder

[Seal]

EXHIBIT A

Title 10, Chapter 1 General and Supplementary Provisions

10-1-47: DEFINITIONS:

<u>Accessory</u>	A dwelling unit located within or upon a non-residential building or property that is
<u>Caretaker</u>	occupied by a person or a single family with at least one occupant who is employed by or
<u>Residence</u>	who owns the primary business located on that property and has on-site job responsibilities associated with said business. All caretaker dwellings must be accessory to the primary use of the property.

Title 10, Chapter 11 Commercial and Industrial Districts

10-11-3: Use Regulations

Use Regulations	Zone				<u>Specific Use Standards</u>
	C-S	C-G	M-D	M-G	
Residential Uses:					
<u>Accessory Caretaker Residence (ACR)</u>	P	P	P	P	<u>10-19-3</u>
Developments which contain residential uses or mixed commercial and residential uses must obtain a rezone to a "Planned District (P)", see chapter 13 of this title					

Title 10, Chapter 19 Specific Use Standards

10-19-1: SPECIFIC USE STANDARDS:

Purpose and Intent: The purpose and intent of this chapter is to provide regulations for specific permitted or conditionally permitted land uses which will ensure compatibility with surrounding conditions to mitigate potential negative impacts associated with such uses.

10-19-2: APPLICABILITY

- A. This chapter contains the specific and additional regulations for permitted and conditional uses identified in the land use tables for each of the zones established within the City. Any use not listed as permitted or conditional in the applicable zone shall be prohibited.

EXHIBIT A

- B. Compliance with specific use standards, as applicable, as well as all other requirements of this Ordinance, all other Land Use Ordinances, and all other Federal, State, and Local regulations are required for Land Use Application approval, permit, or license required by City Ordinance.

10-19-3: ACCESSORY CARETAKER RESIDENCE (ACR):

- A. Accessory caretaker residence (ACR), where specifically allowed as an accessory use to a commercial or industrial use in the applicable zone, are subject to the following standards:
1. No more than one (1) ACR may be permitted on a parcel; where two or more contiguous parcels are held in one ownership and utilized for the primary land use, said contiguous parcels shall constitute only one (1) parcel for purposes of this section.
 2. The ACR shall be subordinate and clearly incidental to an approved and functioning principal use.
 3. For properties less than five (5) acres, the ACR shall be located within the principal building on the site as a part of and in harmony with the architecture of the main building(s) on the subject property.
 4. For properties greater than 5 acres in size the ACR may be permitted within an accessory structure with the following:
 - a. The structure is located on the same property as the principal use.
 - b. The structure, if visible from any public right of way, meets the minimum architectural design standards provided in section 10-1-43, and in harmony with the architecture, materials, and finishes of the primary structures on the property.
 - c. The structure meets all applicable requirements of the International Building Code as adopted.
 - d. Recreational vehicles and mobile homes shall not be permitted as caretaker dwellings.
 - e. Tiny homes shall be permitted when properly connected to water and sewer facilities and skirted.
 5. The ACR must meet all applicable requirements of the International Building, Energy and Fire Codes as adopted, including requirements for fire wall separations and fire sprinkling as applicable.
 6. An ACR shall not be permitted on a known environmentally contaminated property unless specifically authorized by the appropriate county, state, or federal health and environmental regulatory agency with jurisdiction.
 7. Each ACR shall have a kitchen suitable for cooking and preparing meals, a bathroom with a shower or bathing facilities, living space, and sleeping area.
 8. Separate utility connections shall be provided when required by the applicable agency.

EXHIBIT A

9. Permits for an ACR shall be assessed appropriate utility connection fees and applicable impact fees.
10. The ACR shall not exceed one thousand five hundred (1,500) square feet of occupied floor area.
11. A minimum of one (1) parking space shall be provided for the ACR in addition to any parking spaces required for the principal use(s) on the property.
12. The ACR shall be occupied by only one (1) family.
13. The ACR shall be occupied or rented only by the property owner or by an employee or subcontractor of the legal entity which owns the principal use being cared for (with or without family members. Any person occupying an ACR shall submit evidence of compliance with this Section upon the request of the City.
14. The property owners shall execute and record a covenant and agreement with the jurisdiction to revert the property to a commercial or industrial use without an ACR, including the removal of the kitchen facilities of any permanent addition that does not meet the requirements of the zone in which the use is located, after the expiration of any associated permit granted or the termination of the business.