



CITY of HOLLADAY

PLANNING COMMISSION MEETING AGENDA

July 20th 2021

City Council Chambers – 4580 S 2300 E

Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay webpage.

Participation in *public hearing(s)* portions of the meeting can be accomplished in either of the following ways:

- In-person attendance: at Holladay City Hall – space is limited to pre-arranged socially distanced seating
- Emailed comments: must be received by 5:00 pm on July 13th 2021 to the Community and Economic Development Department; jteerlink@cityofholladay.com

AGENDA

6:00 PM **CONVENE REGULAR MEETING** – Public Welcome and Opening Statement by Commission Chair

PUBLIC HEARING

1. Text Amendment – 13.14, 13.04, 13.100; Accessory Dwelling Units

Final review and recommendation to the City Council on proposed amendments to Title 13, Land Use and Development Regulations as they relate compliance with State of Utah Legislation modifying single family zoning provisions requiring accessory dwelling units as a permitted land uses in all R-1 zones.

File #20-4-06

ADJOURN

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Deseret News and others who have indicated interest.

DATE POSTED: *Stephanie N. Carlson MMC, City Recorder
City of Holladay

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1

The Chair shall call the meeting to order at the appropriate time, greet the people, and read the following statement:

- *The City of Holladay Planning Commission is a volunteer citizen board whose function is to review land use plans and other special studies, make recommendations to the City Council on proposed zoning map and ordinance changes, and approve conditional uses and subdivisions.*
- *The Planning Commission does not initiate land use applications; rather acts on applications as they are submitted. Commissioners do not meet with applicants except at publicly noticed meetings.*
- *Commissioners attempt to visit each property on the agenda, where the location, the nature of the neighborhood, existing structures and uses related to the proposed change are noted.*
- *Decisions are based on observations, recommendations from the professional planning staff, the City's General Plan, zoning ordinance and other reports, by all verbal and written comments, and by evidence submitted, all of which are part of the public record.*
- *Meeting procedure can be found on the back of the agenda.*

Rules of the City of Holladay Planning Commission for Public Hearings

The Planning Commission Chair or Vice Chair is the Presiding Officer and will conduct the hearing.

1. **Introduction.** The Presiding Officer informs those attending of the procedure and order of business for the hearing.
2. **Staff Presentation.** City Staff briefly introduces the request that prompted the public hearing. The presentation shall not last more than five minutes.
3. **Sponsor Presentation.** If desired, the applicant or his/her representative may also make a presentation. The presentation shall not last more than fifteen minutes.
4. **Public Comment.** The Presiding Officer asks for public comment on the matter before the Commission. Comments are limited to three minutes and speakers are allowed to speak only once. Speakers are requested to:
 - (a) Complete the Citizen Comment Form
 - (b) Wait until recognized before speaking
 - (c) Come to the microphone and state their name and address for the record
 - (d) Be brief and to the point
 - (e) Not restate points made by other speakers
 - (f) Address questions through the Presiding Officer
 - (g) Confine remarks to the topic
 - (h) Avoid personalities

After each citizen has spoken, Commission members may ask questions of the participant before the Presiding Officer resumes or closes the hearing.

5. **Applicant Summation/Response.** Following citizen comment and questions by the Commission, the applicant shall be given an opportunity to give up to fifteen minutes summation and/or response prior to closing of the public hearing.
6. **Closing the Hearing.** If there is no further public comment, questions by Commission members, or final response by the applicant, the Presiding Officer shall conclude the hearing at least ten minutes in advance of a subsequently scheduled public hearing. The Commission may vote to extend the public hearing past the starting time of a subsequent public hearing.
7. **Consideration of Item.** At the close of the public hearing, the Commission shall consider the item, discuss its merits and vote on the matter or vote to continue it at a future meeting.

FILE# 21-4-11

ORDINANCE AMENDMENT - ADU

ADDRESS:

N/A

LEGAL DESCRIPTION:

N/A

APPLICANT/REPRESENTATIVE:

Steve Petersen

PROPERTY OWNER:

N/A

ZONING:

N/A

GENERAL PLAN DISTRICT:

N/A

CITY COUNCIL DISTRICT:

N/A

PUBLIC NOTICE DETAILS:

Posted 3 Public Locations

REQUEST:

Ordinance Amendment

APPLICABLE REGULATIONS:

13.14, 13.04, 13.100

EXHIBITS:

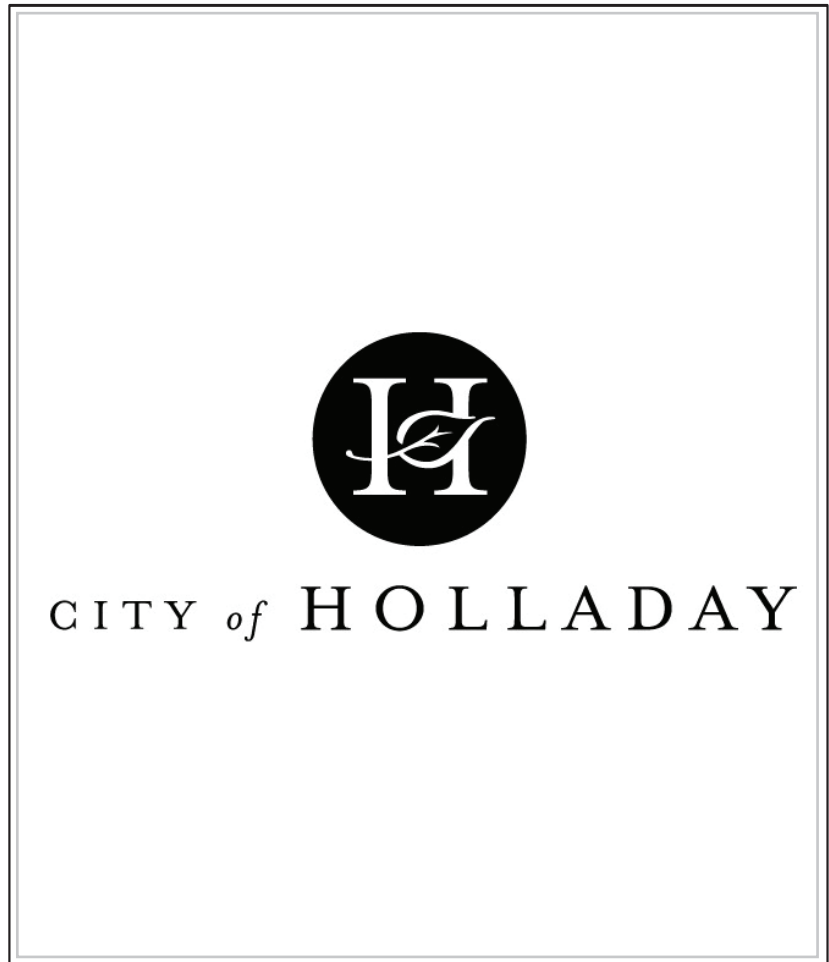
Draft Amendments

DECISION TYPE:

Legislative:

Public Hearing Required. PC shall make a recommendation to City Council to either approve or disapprove the request. All motions require findings which support the recommendation. Holladay Ord. 13.06.050.F2,13.07

SITE VICINITY MAP



Notes:

Continued from 06/15/2021 meeting

STAFF:

LaNiece Davenport, Director CED



Request: TEXT AMENDMENTS: Internal Accessory Dwelling Units (IADUs) and Accessory Uses
Scope: Citywide
Applicant: City Staff: LaNiece Davenport, Community and Economic Development Director
File No: N/A

GOVERNING ORDINANCES: General Plan

REQUIRED PLANNING COMMISSION ACTION

JDiscussion with recommendation to city council required.

EXECUTIVE SUMMARY

The Planning Commission will continue review the 3rd draft, dated 7/16/21, of the new Internal Accessory Dwelling Unit (IADU) ordinance and related text amendments. Staff recommends that the Commission keep the public hearing open to allow staff to continue to receive public comment.

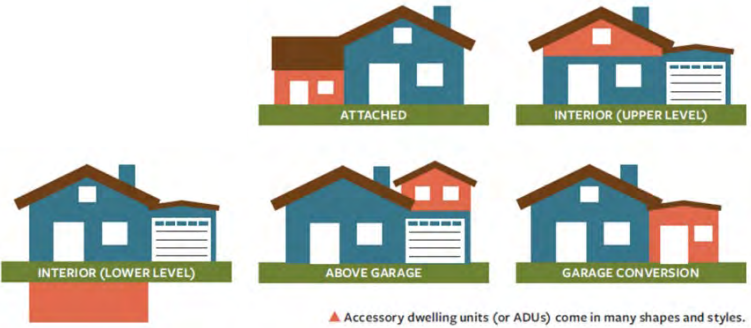
GENERAL PLAN ANALYSIS

- [General Plan](#) (July 2016, amended 2019, 2020)
 - Holladay City is to provide for a reasonable opportunity for a variety of housing, including moderate income housing, by: a) meeting the needs of people of various income levels living, working, or desiring to live or work in the community; b) allowing people with various incomes to benefit from and participate in all aspects of neighborhood and community life; and, c) provide analysis on how to provide a realistic opportunity for the development of moderate income housing within 5 years. And shall include a recommendation to implement 3 or more of the strategies listed in the bill's housing "menu".
- [Moderate Income Housing Plan](#) (Dec 2020)
 - Holladay City adopted the MIH Plan and identified the following 3 housing menu items to implement: 1) Allow for higher density or moderate income residential development in commercial or mixed use zones, commercial centers or employment centers; 2) Eliminate or reduce parking requirements for residential development where a resident is less likely to own their own vehicle; and 3) allow for Accessory Dwelling Units (ADU's) as an additional zoning tool to allow for acceptable infill development throughout the community.

POLICY ISSUES

1. Internal Accessory Dwelling Unit (IADU) Ordinance (draft)

The new draft ordinance complies with HB82 and aligns with previous direction from the City Council and Planning Commission. See below for a summary.

<i>Draft as of 7/13/21</i>	Holladay City Ordinance/Standard Internal Accessory Dwelling Units
Purpose 13.14.030	To assist in the creation of new housing units; support more efficient use of existing housing stock and infrastructure; and provide housing that responds to changing family needs, smaller households, and increasing housing costs.
Definition 13.04.040	An internal accessory dwelling unit is one unit: a) created within an existing owner-occupied, single-family primary dwelling unit; b) within the footprint of the primary dwelling and/or is connected in a structurally substantial manner, by an enclosed conditioned space, at the time the internal accessory dwelling unit is created; c) for the purpose of offering a long-term rental of 30 consecutive days or longer; and d) housing a maximum of four (4) unrelated tenants. Examples of IADUs shown below:  ▲ Accessory dwelling units (or ADUs) come in many shapes and styles.
Eligibility 13.14.030	One IADU is permitted in any owner-occupied home on any residentially zoned lot citywide (all FR and R-1 zones).
Creation 13.04.030	An IADU may be created through new construction, conversion of an existing structure, or addition to an existing structure.
Approval 13.04.050 13.01.060	- The applicant must demonstrate that the IADU complies with all development and design standards and that the proposed modifications comply with applicable building and fire safety codes. - Occupancy and use standards for an IADU shall be the same as those applicable to a primary dwelling on the same site.
Design 13.14.030 13.80.040	- The City cannot restrict the total lot size, IADU size, or street frontage. - The design of the IADU shall be compatible with the neighborhood residential vernacular. 1 additional on-site parking stall is required for each IADU. - No secondary metering for an IADU.
Uses 13.14.030	No short-term rentals, IADUs must be rented for at least 30 days.
License and Fee 5.68.020 3.35.110	- Every owner of an IADU shall obtain and maintain a current business license and pay the annual fee. \$25.00 annual fee
Violation 13.94	Consolidated Fee and Fine Schedule is pending amendment – staff recommends the Land Use violation fine for an any ADU (internal and external) warrant considerable review. This violation will be viewed like the violation of an existing home how it's constructed, inspected, and occupied.

2. Accessory Uses Ordinance (draft)

The following summarizes text amendments to existing sections of code related accessory uses, which includes external accessory dwelling units.

- 13.04.040 Definitions of Terms

- o Guesthouse/Caretaker Quarters definition changed to allow them to be rented as an accessory dwelling unit if the primary structure is owner occupied.
- 13.14.040 Accessory Uses
 - o Allowable Uses table amended to allow “up to 2 occupiable units on any lot”.
 - o Regarding permitted size of a guesthouse or external ADU, on lots larger a ½ acres, the size of the external ADU or guesthouse is not regulated by the chart on 13.14.101 but rather by lot size (meaning all lots can have an ADU but larger lots can have bigger footprints).

3. Potential Hindrances to the Text Amendments

- Does the City want to establish a maximum footprint size for an external ADU?
- Does the City want to increase the height restriction for the creation of external ADUs above a detached garage? The restriction is currently set at 20’ for garages.
 - o Staff needs more time to consider proposing changes to this restriction as this impacts a handful of ordinances (13.14.070, 13.14.071, 13.14.100, 13.14.110, etc). A few considerations:
 - 1) Determine whether it’s feasible to add a second level (living area) to an existing garage and or construct a new unit within the 20’ restriction
 - 2) Determine whether small increases, up to 5 ft, would be worth amending the ordinance to accommodate the external ADU over a garage
 - 3) Determine impacts to building corridor or viewshed
 - 4) Determine whether the City maintains existing restrictions and recommends that residents seek a variance if they would like extra height.
- Does the City want the main property to be owner-occupied if they have an external Accessory Use unit?

BACKGROUND INFORMATION

- Holladay City Action to Date (old to new)
 - o 2020 and prior, City Council and Planning Commission: As a result of [SB34](#) Affordable Housing Modifications (2019), the Planning Commission and City Council selected 3 items from a menu of affordable housing options to adopt as part of the development of a Moderate Income Housing Plan. One of the items was the implementation/allowance of Accessory Dwelling Units (ADU). During the fall of 2020 (~Sept. 2020), the City identified some ADU parameters. The City has not acted on these based on the knowledge that the Legislature was going to create additional housing legislation that could impact the City’s new ADU ordinance. The Legislature did just that when they passed [HB82](#) Single Family Housing Modifications (2021) which requires Utah cities and counties to permit IADUs in all primarily residential zones. Here is a [summary of HB82](#) prepared by the Utah League of Cities and Towns.
 - o May 2021 – June 2021, City Council: Staff described the new legislative requirements mandating Utah cities and counties to permit “Internal Accessory Dwelling Units” (IADUs) in all primarily residential zones (as per [HB 82](#) Single Family Housing Modifications); and, review the draft IADU ordinance for Holladay City; staff provided an overview of the ADU parameters the City has already considered to see if they align with HB82; and, received policy direction from the City Council.
 - Policy Direction from City Council, 2021 included the following:

- DO NOT create an IADU exclusion area. HB82 allowed the City to create an area, up to 25%, where we could prohibit IADUs. This idea was discussed and ultimately the Council agreed that the City should not create an area/overlay zone where we prohibit IADUs.
 - DO NOT prohibit IADUs on smaller lots. HB82 allowed the City to prohibit IADUs on lots with <6,000 sf, the Council agreed that the City should not create a citywide prohibition on smaller lots.
 - Consider prohibiting IADUs in areas where safety (fire, police) is compromised.
 - Consider amendments to the City's existing ADU/Accessory Uses ordinance as we move through the IADU process.
- o June 2021 – July 2021, Planning Commission: Staff described HB82, considered how HB82 aligns with existing direction, and shared recent policy direction from the City Council; staff will continue to work with the Planning Commission through the end of July 2021 to draft text amendments on the new IADU and existing ADU ordinances. Planning Commission will act on the draft text amendments on July 20th.
 - o August 2021, City Council: Staff will bring the text amendments to the City Council on August 5th for public hearing and then on August 19th for final action. The City must adopt this ordinance no later than October 1, 2021 in order to comply with provisions of HB82.

STAFF RECOMMENDATIONS

Motion to close the public hearing open motion to forward a recommendation on the city council on new Internal Accessory Dwelling Unit (IADU) ordinance (13.14.030), and amendments to the existing Accessory Uses ordinance.

CHAPTER 3.35 CONSOLIDATED FEE SCHEDULE

3.35.110: GENERAL BUSINESS LICENSE FEE SCHEDULE:

A. Each application for a license under this code shall be accompanied by a license fee as shown on [table 3.35.110.1](#) of this section: (Ord. 2010-27, 12-9-2010)

TABLE 3.35.110.1

Code	License Category	Fee Amount	Comment
177	3+ apartment complexes	\$111.00 plus \$10.00 per unit	n/a
~~178~~	~~Internal Accessory Dwelling Unit~~	~~\$25.00~~	
580	Brewery	\$383.00	Per location

CHAPTER 5.68 MULTIPLE RENTAL DWELLING UNITS

5.68.010: DEFINITIONS:

Refer to Chapter 13.04 Definitions for any terms herein.

5.68.020: LICENSE REQUIRED:

A. License; Fee: Every owner of a multiple family dwelling unit ~~or~~ of three (3) or more rental dwelling units shall obtain and maintain current a business license and pay the general business license fee and the special fees as set forth on the fee schedule adopted pursuant to section [5.06.050](#) of this title at the time of application or renewal of license.

B. Multiple Owners: If there is more than one owner, including purchases under contract, each owner shall be jointly and severally liable to pay the business license fee. (Ord. 03-02, 1-23-2003)

C. Internal Accessory Dwelling Unit: Every owner of an internal accessory dwelling unit shall obtain and maintain a current license and pay an annual license fee as set forth by the City of Holladay Fee Schedule at the time of application or renewal of license.

5.68.030: PENALTY:

Any person or party who violates the provisions of this chapter shall be deemed guilty of a misdemeanor. (1999 Code)

~~5.68.050: LICENSE FEES:~~

~~—A.— Required: Owners of multiple family dwelling units or rental dwelling units shall pay the general business license fee and the special fees set forth in the fee schedule adopted pursuant to section [5.06.050](#) of this title.~~

~~—B.— Time Of Payment: The base business license fee shall be paid at the time of application for a new or renewal license.~~

~~C. Failure: Failure to timely make a payment required pursuant to a payment plan as described above may result in the suspension or revocation of the license and the imposition of penalty fees as set forth in this title. (1999 Code)~~

CHAPTER 13.04 DEFINITIONS

13.04.040: DEFINITIONS OF TERMS

DWELLING, DWELLING UNIT:

- A. A building, or portion thereof, which is one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.
- B. Buildings with more than one kitchen or set of cooking facilities are considered to contain more than one dwelling unit unless the additional cooking facilities are clearly accessory to a dwelling unit as determined by the Community Development Director. Factors for determining whether cooking facilities are accessory to a dwelling unit may include, but are not limited to:
 - 1. A building design which allows all occupants ready access to all portions of the building including cooking facilities;
 - 2. No portion of the building containing cooking facilities can be separated from the remaining rooms to form a separate dwelling unit;
 - 3. There is only one electric and/or gas meter for the building.

DWELLING, INTERNAL ACCESSORY DWELLING UNIT (IADU): An internal accessory dwelling unit is one unit: a) created within an existing owner-occupied, single-family primary dwelling; b) within the footprint of the primary dwelling and/or is connected in a structurally substantial manner, by an enclosed conditioned space, at the time the internal accessory dwelling unit is created; c) for the purpose of offering a long-term rental of 30 consecutive days or longer; and d) housing a maximum of four (4) unrelated tenants.

DWELLING, MULTIPLE-FAMILY: A building or portion thereof, designed or intended to be used for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A building arranged or designed to be occupied by one family, related or unrelated, the structure having only one primary dwelling unit and one permitted internal accessory dwelling unit.

DWELLING, PRIMARY: A single-family dwelling unit that is detached and occupied as the primary residence of the owner of record.

DWELLING, RENTAL: A building or portion of a building used as a home or residence by one or more persons available to be rented, loaned, leased, or hired out for a period of 30 consecutive days or longer.

EXPANSION: An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: For the purposes of [chapter 13.74](#), "Flood Damage Prevention Regulations", of this title, the preparation of additional sites by the

construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FAMILY: One of the following, but not more than one at the same time, who occupy a dwelling unit:

A. One person living alone;

B. Any number of ~~Two (2) or more~~ persons related by blood, marriage, adoption, or other legal relationship living together as a single housekeeping unit; and up to two (2) additional ~~unrelated~~ persons living with the family, such as domestic staff, living together as a single housekeeping unit; or

C. Up to four (4) ~~unrelated~~ persons living together as a single housekeeping unit and the minor children of any of them.

FAMILY FOOD PRODUCTION: The keeping of animals on a lot for exclusive use by persons residing thereon. See section [13.76.240](#), "Animal And Fowl Restrictions", of this title.

FAULT: A fracture in the earth's crust forming a boundary between rock or soil masses that have moved relative to each other.

GUESTHOUSE, CARETAKER QUARTERS: A separate dwelling structure located on a lot with one or more main dwelling structures and used for housing of guests or servants, and not rented, leased or sold separate from the rental, lease or sale of the main dwelling. If the primary structure is owner occupied, the guest house, caretaker quarters can be rented as an accessory dwelling unit.

HEALTH DEPARTMENT: The Salt Lake Valley Health Department.

CHAPTER 13.14 R-1-4, R-1-8, R-1-10, R-1-15, R-1-21, R-1-43, R-1-87 SINGLE-FAMILY RESIDENTIAL ZONES

13.14.010: PURPOSE OF PROVISIONS:

The majority of land use in the City of Holladay is low density, single-family, detached dwellings. Most of these dwellings are located in areas zoned R-1, ~~meaning "one family per dwelling in a residential setting"~~. The purpose of the R-1 zones is to establish and maintain low density single-family neighborhoods that provide persons who reside therein a comfortable, healthy, safe and pleasant environment. Furthermore, the rules below should support the goals of the general plan such as the preservation of housing by allowing for reasonable expansion within limits and for responsible growth. Also, it is the intent of the rules to ensure that development within these zones is harmonious and compatible with the character of existing development patterns in the immediate vicinity including building mass, setback, lot coverage, height, etc. Specific techniques, among others, that shall be applied in approval of all development are:

- A. Graduated height/building envelope rules.
- B. Maximum building footprint coverage percentages.
- C. Maximum height allowances.
- D. Averaging of building setbacks. (Ord. 2012-15, 9-20-2012)

13.14.020: PRIMARY USES:

A. Primary Uses Allowed: The permitted and conditional uses allowed in the Single-Family Residential (R-1) Zones shall be as set forth in [chapter 13.100](#), "Appendix A - Allowed Uses", of this title. Any primary land use not shown as a permitted or conditional use in [chapter 13.100](#), "Appendix A - Allowed Uses", of this title shall be prohibited.

13.14.030: INTERNAL ACCESSORY DWELLING UNITS

Internal Accessory Dwelling Units are meant to assist in the creation of new housing units; support more efficient use of existing housing stock and infrastructure; and provide housing that responds to changing family needs, smaller households, and increasing housing costs.

Internal Accessory Dwelling Units are defined in section 13.04.040. Existing, or new construction of, Internal Accessory Dwelling Units are permitted in all single-family residential zones (R-1, FR-1, FR-2.5, FR-20) when the following are met:

- A. Approval of a Building Permit as per section 13.08.100 and the issuance of a Certificate of Occupancy as per 13.04.050 and 13.01.060.
- B. Annual review and approval of a License as per Section 5.68.020. The annual licensing fee for an internal accessory dwelling unit can be found in 3.35.110 General Business License Fee Schedule.
- C. The design of the IADU shall be compatible with the neighborhood residential vernacular.
- D. IADUs must be offered for a long-term rental of 30 consecutive days or longer which eliminates the ability for an IADU to be offered as a short-term rental.
- E. One additional onsite parking stall above the minimum required set forth in section 13.80.040; and replace any parking spaces contained within a garage or carport if an IADU is created within the garage or carport.
- F. Egress window for existing and new construction meets minimum size standards as per Chapter 15.08 Building Codes.
- G. If served by a septic tank or leach field, approval from the Salt Lake County Health Department.
- H. IADUs do not require additional utility meter connections for gas, electricity, and water.

No person or entity, whether as an owner, agent or representative, shall use, permit the use of, or facilitate the use of any property within the City in violation of Utah Code nor use, permit the use of or facilitate the use of any property as an IADU without the issuance of an approval by the City. Any property found in violation of these provisions are subject to a fine in the amount of \$100 for each day of violation after the day on which the opportunity to cure the violation expires. Violations of this section will be enforced as per Chapter 13.94.

13.14.040: ACCESSORY USES:

Permitted and conditional uses set forth in [chapter 13.100](#), "Appendix A - Allowed Uses", of this title shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such primary uses allowed by [chapter 13.100](#), "Appendix A - Allowed Uses", of this title. Up to two (2) occupiable units on any lot. Properties found in violation of this section are subject to enforcement of 13.94.

- A. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the zone except as otherwise expressly provided in this title.
- B. No accessory use, building or structure shall be allowed on a lot or parcel unless a primary permitted or conditional use is currently established on the parcel, except as allowed by section [13.09.020](#) of this title.

C. Specific accessory uses allowed in the Single-Family Residential (R-1) Zones are as set forth in [chapter 13.100](#), "Appendix A - Allowed Uses", of this title.

D. Accessory uses and buildings customarily incidental to a permitted or conditional use may be allowed in the Single-Family Residential (R-1) Zones, provided the total footprint square footage of all accessory buildings does not exceed the maximum square footage as allowed in section [13.14.110](#), chart 13.14.101 of this chapter.

E. Any detached accessory building or buildings incidental to a permitted use where the total footprint square footage exceeds the square footage as allowed in section [13.14.110](#), chart 13.14.101 of this chapter or which measures greater than the footprint of the primary residential structure on lots measuring one acre or less, shall be reviewed by the Planning Commission as a conditional use pursuant to the provisions of section [13.08.040](#) of this title.

F. The permitted size of a guesthouse or detached Accessory Dwelling Unit (ADU) may be permitted in the Single-Family Residential ~~(R-1)~~ Zones if it meets the following:

1. A maximum footprint of one thousand two hundred (1,200) square feet on lots greater than twenty one thousand seven hundred eighty (21,780) square feet but smaller than forty three thousand five hundred sixty (43,560) square feet.

2. A maximum footprint of two thousand (2,000) square feet on lots greater than forty three thousand five hundred sixty (43,560) square feet.

G. The Planning Commission may approve a conditional use permit for a guesthouse or an external ADU which meets the following:

1. A footprint greater than one thousand two hundred (1,200) square feet on lots larger than twenty one thousand seven hundred eighty (21,780) square feet but smaller than forty three thousand five hundred sixty (43,560) square feet.

2. A footprint greater than two thousand (2,000) square feet on lots larger than forty three thousand five hundred sixty (43,560) square feet.

3. A footprint greater than the footprint of the primary residential structure. (Ord. 2018-17, 11-1-2018)

CHAPTER 13.76 SUPPLEMENTARY REGULATIONS

13.76.040: DWELLINGS TO BE ON LOTS:

A. Every dwelling shall be located and maintained on a single "lot", as defined in this title. Except for group dwellings, internal accessory dwelling units, and guesthouses, not more than one dwelling structure shall occupy one lot.

B. If a dwelling has been built across one or more property lines, all affected parcels and/or lots, whether metes and bounds or platted, shall be deemed consolidated and shall not thereafter be treated as multiple lots without an approved subdivision as per this title. (Ord. 2012-15, 9-20-2012)

CHAPTER 13.80 OFF STREET PARKING REQUIREMENTS

13.80.040: NUMBER OF SPACES REQUIRED:

Under no circumstances shall there be less parking spaces provided than actually required by the use.

A. Number Specified: The minimum number of off street parking spaces required in all zones except the HV Zone, shall be as follows:

Dwellings, multiple	2 spaces for each dwelling unit
Dwellings, single-family	2 spaces for each dwelling unit
<u>Dwellings, internal accessory dwelling unit</u>	<u>1 space for each dwelling unit</u>
Funeral homes, mortuaries	1 space for each 40 square feet of floor area in assembly room

13.100.010: TABLE OF ALLOWED USES:

C = Conditional use			P = Permitted use				- = Not allowed				SDMP = Site development master plan				
Use	All FR Zone	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	RM	PO	O-R-D	P	RO	NC	C-1	C-2	HV	R/M-U	LU
Accessory Uses*															
Alcoholic beverage retail sales ¹⁴ :														See SDMP	See chapter 13.63 of this title
Bar establishment	-	-	-	-	-	-	C	-	-	-	-	C	-		
Bar establishment, equity	-	-	-	-	-	-	C	C	-	-	-	C	-		
Bar establishment, fraternal	-	-	-	-	-	-	C	-	-	-	-	C	-		
Brewery	-	-	-	-	-	-	C	-	-	-	-	C	-		
Off premises	-	-	-	-	-	-	-	-	-	P	P	P	P		
On premises banquet and catering	-	-	-	-	-	-	C	P	-	-	-	C	P		
On premises beer retailer	-	-	-	-	-	-	P	P	-	-	-	P	P		
Restaurant - beer only	-	-	-	-	-	-	P	P	-	P	P	P	P		
Restaurant - full service	-	-	-	-	-	-	P	P	-	P	P	P	P		

ACCESSORY DWELLING UNIT TEXT AMENDMENTS – draft 3 7/15/21

Restaurant - limited service	-	-	-	-	-	-	P	P	-	P	P	P	P		
Single event permit	-	P	P	P	P	P	P	P	-	P	P	P	P		
Drive-through	-	-	-	-	-	-	P	-	-	-	C	P	-		
Family food production	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-	-	-		
Flea market/farmers' market	-	-	-	-	-	-	-	P	-	-	P	P	P		
Guesthouse and/or caretaker quarters	C ⁹	C ⁹	C ⁹	-	-	-	-	-	-	-	-	-	-		
Home daycare/preschool	C ³	C ³	C ³	C ³	C ³	C ³	-	-	-	-	-	-	-		
Home daycare/preschool, small	C ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	-	-	-	-	-	-	-		
Home occupation	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	-	-	-	-	-	-	-	-		
Household pets	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	-	-	-	-	-	-	-	-		
<u>Internal</u> Accessory Dwelling Unit	<u>P¹⁹</u>	<u>P¹⁹</u>	<u>P¹⁹</u>	-	-	-	-	-	-	-	-	-	-	-	-
Livestock, large	P ¹	-	P ¹	-	-	-	-	-	-	-	-	-	-		
Livestock, small	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-	-	-		
Merchandise vending machine, outside	-	-	-	-	-	-	-	-	-	-	P	P	P		
Mobile food trailer	-	-	-	-	-	-	P	P ¹⁷	-	-	P	P	P		
Mobile food truck	-	-	-	-	-	C ¹⁸	P	P ¹⁷	-	-	P	P	P		
Outside dining	-	-	-	-	-	-	C	C	-	C	C	C	C		
Outside display	-	-	-	-	-	-	-	-	-	C	P	P	P		
Outside storage	-	-	-	-	-	-	-	-	-	-	C	C	-		
Permanent cosmetics	-	-	-	-	-	C ¹⁴	P ¹⁴	-	-	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴		
Resource recycling collection	-	-	-	-	-	-	P ⁸	P ⁸	-	P ⁸	P ⁸	P ⁸	-		

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Seasonal sales	-	-	-	-	-	-	p ¹³	p ¹³	-	p ¹³	p ¹³	p ¹³	p ¹³		
Short term rental	-	-	-	C ⁶	C ⁶	-	-	-	-	-	-	-	-		
Sportsman's kennel, cattery, animal hobby permit	p ¹¹	p ¹¹	p ¹¹	-	-	-	-	-	-	-	-	-	-		
Stable, private	-	-	P ¹	-	-	-	-	-	-	-	-	-	-		
Temporary buildings incidental to construction, including living quarters for security	C ¹³	C ¹³	C ¹³	C ¹³	C ¹³	C ¹³	p ¹³	p ¹³	-	p ¹³	p ¹³	p ¹³	p ¹³		
Temporary sales/use	-	-	-	-	-	-	-	p ¹³	-	-	p ¹³	p ¹³	-		

Notes:

18. Subject to section 13.76.770 of this title.

19. Subject to section 13.[14.030 of this title.](#)