

TAYLORSVILLE, UTAH
ORDINANCE NO. 21-15

**AN ORDINANCE OF THE TAYLORSVILLE CITY COUNCIL AMENDING
TAYLORSVILLE MUNICIPAL CODE CHAPTER 5.76: RENTAL DWELLING UNIT
TO INCLUDE SECTION 5.76.130: ACCESSORY DWELLING UNITS.**

WHEREAS, the Taylorsville City Council (the “Council”) met during its regularly scheduled meeting on October 20, 2021, to consider, among other things, amending TAYLORSVILLE MUNICIPAL CODE Chapter 5.76: Rental Dwelling Unit to include Section 5.76.130: Accessory Dwelling Units; and

WHEREAS, during the 2021 General Session, the Utah State Legislature passed House Bill 82, which requires municipalities to allow accessory dwelling units as permitted uses in all single-family residential zones and which sets forth certain limitations and permissible regulations that municipalities may impose on such accessory dwelling units; and

WHEREAS, the City’s Business License Division desires to add a new subsection to TAYLORSVILLE MUNICIPAL CODE Chapter 5.76 for the purpose of regulating the issuance of business licenses for accessory dwelling units consistent with the terms and conditions of House Bill 82; and

WHEREAS, after careful consideration, the Council has determined that it would be in the best interest of the health, safety, and welfare of the City’s citizens to amend TAYLORSVILLE MUNICIPAL CODE Chapter 5.76: Rental Dwelling Unit to include Section 5.76.130: Accessory Dwelling Units as proposed.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the proposed amendments to TAYLORSVILLE MUNICIPAL CODE Chapter 5.76: Rental Dwelling Unit are hereby approved and are designated by interlineating the words to be deleted and underlining the words to be added, as follows:

TAYLORSVILLE MUNICIPAL CODE
Chapter 5.76: Rental Dwelling Unit

5.76.130: Accessory Dwelling Units

A. PURPOSE. The purpose of this section is to set forth rules and regulations governing the issuance of rental business licenses to accessory dwelling units located within single-family dwellings in residential zoning districts within the City.

B. ACCESSORY DWELLING UNIT REQUIREMENTS. In order to qualify for a rental business license, all accessory dwelling units within single-family dwellings in residential zones within the City must comply with the following:

1. Accessory dwelling units shall only be allowed within the building footprint of a detached single-family dwelling. Accessory dwelling units shall not be allowed in a duplex, triplex, apartment, or any other structure that contains more than one dwelling unit.

2. A minimum of one (1) off-street vehicle parking space is required for an accessory dwelling unit. This space shall be in addition to those required for the primary dwelling and shall comply with the City's parking standards.

3. Accessory Dwelling Units shall only be allowed on a lot containing 6,000 or more square feet.

4. An accessory dwelling unit shall not be allowed in a mobile home.

5. Only one (1) accessory dwelling unit shall be permitted per lot.

6. Accessory dwelling units shall not be used as short-term rentals; any rental of an accessory dwelling unit shall be for a period of at least thirty (30) days.

7. Accessory dwelling units shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.

8. Installation of a separate utility meter to service an accessory dwelling unit is prohibited.

9. Establishing a separate mailing address for an accessory dwelling unit is prohibited.

10. Accessory dwelling units shall comply with all applicable building, health, and fire codes.

11. A building permit is required for the installation of any of the features listed below and any other construction related to the accessory dwelling unit. All construction must meet current building codes and shall, at a minimum, comply with the following standards prior to receiving a business license:

- a. Contain separate living facilities from the primary dwelling unit, including permanent provisions for living, sleeping, eating, cooking, and bathing;
- b. Provide ingress and egress to the accessory dwelling unit through a minimum 32-inch wide side-hinged door without requiring travel through a garage;
- c. Provide wall and floor/ceiling fire separation between the accessory dwelling unit and the primary dwelling unit with at least half-inch gypsum or equivalent;
- d. Accessory dwelling unit occupants shall have access to the plumbing, HVAC, and electrical controls for the accessory dwelling unit;

- e. Provide a written statement from a licensed HVAC professional stating the HVAC system is sufficient for the accessory dwelling unit and the primary dwelling unit;
- f. Provide separation of electrical systems. The branch circuits supplying the accessory dwelling unit must be accessible to the accessory dwelling unit occupants;
- g. Provide sleeping rooms with emergency openings; and
- h. Provide interconnected smoke and carbon monoxide detectors.

12. Prior to occupancy of an accessory dwelling unit, a business license must be obtained in accordance with TAYLORSVILLE MUNICIPAL CODE Title 5: Business Licenses and Regulations and TAYLORSVILLE MUNICIPAL CODE Title 13: Land Development Code.

13. An active business license shall be maintained for as long as the accessory dwelling unit exists. Upon sale of the property, the new owner shall be required to secure reauthorization of the accessory dwelling unit by obtaining a new business license.

14. Single-family dwellings in which an accessory dwelling unit is located require the property owner to occupy either the primary dwelling or the accessory dwelling unit. Therefore, applications for an accessory dwelling unit shall include evidence of owner occupancy. An applicant must submit any two (2) of the following documents as proof of owner occupancy;

- a. Bank statement (dated within 60 days);
- b. Court documents;
- c. Current mortgage or rental contract;
- d. Major credit card bill (dated within 60 days);
- e. Property tax notice (statement or receipt dated within one (1) year);
- f. School transcript (dated within 90 days);
- g. Utility bill (billing date within 60 days); cell phone bills will not be accepted;
or
- h. Valid Utah vehicle registration or title.

15. The City may record a notice with Salt Lake County to alert a future owner of the regulations for the accessory dwelling unit. The City shall, upon recording such a notice, deliver a copy of the notice to the owner of the accessory dwelling unit. The recorded notice shall include the following:

- a. A description of the primary dwelling;
- b. A statement that the primary dwelling contains an internal accessory dwelling unit; and
- c. A statement that the accessory dwelling unit may only be used in accordance with the City's adopted land use regulations.

C. ACCESSORY DWELLING UNIT APPLICATION DOCUMENTS.

1. Applicants for an accessory dwelling unit must submit all of the following documents prior to the City issuing a rental business license:

- a. A copy of the building permit issued by the City for any remodel or construction work for the accessory dwelling unit, if applicable;
- b. A floor plan of the accessory dwelling unit that includes the location and size of all entrances and exits and room dimensions and labels;
- c. A site plan for the lot upon which the accessory dwelling unit is located including the size, location, and surface material of off-street vehicle parking areas reserved for the accessory dwelling unit;
- d. Exterior elevations or photographs of all sides of the primary dwelling;
- e. A completed accessory dwelling unit self-inspection form;
- f. Evidence of owner occupancy document #1 pursuant to Section 5.76.130(B)(14) above;
- g. Evidence of owner occupancy document #2 pursuant to Section 5.76.130(B)(14) above; and
- h. A copy of the owner's Good Landlord certificate if the owner is participating in the City's Good Landlord Program.

This ordinance, assigned Ordinance No. 21-15, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 20th day of October, 2021.

TAYLORSVILLE CITY COUNCIL

By: 
Council Chair

VOTING:

Meredith Harker	Yea ☒	Nay ☐
Ernest Burgess	Yea ☒	Nay ☐
Daniel Armstrong	EXCLUDED	Yea ☐ Nay ☐
Curt Cochran	Yea ☒	Nay ☐
Anna Barbieri	Yea ☒	Nay ☐

PRESENTED to Mayor of Taylorsville for her approval this 21st day of October, 2021.

APPROVED this 21st day of October, 2021.

Kristie S. Overton

Mayor Kristie S. Overton

ATTEST:

Jamie Brooks
Jamie Brooks, Recorder



DEPOSITED in the Recorder's office this 21st day of October, 2021.

POSTED this 21st day of October, 2021.