

**VINEYARD  
ORDINANCE 2021-03**

**AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE VINEYARD ZONING ORDINANCE TITLE 15 SECTION 15.34.060 ACCESSORY DWELLING UNITS TO ALIGN CITY STANDARDS WITH RECENT UTAH STATE CODE UPDATES H.B. 82 TO AMEND PARKING REQUIREMENTS, ACCESSORY DWELLING UNIT ACCESS, AND FLOOR AREA REQUIREMENTS AND AMENDING LOCATION REQUIREMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

**WHEREAS**, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

**WHEREAS**, the Planning Commission held a public hearing on June 16, 2021, and after fully considering public comment and staff recommendations recommended approval to the Vineyard City Council; and

**WHEREAS**, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on June 23, 2021; and

**WHEREAS**, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

**NOW THEREFORE**, be it ordained by the Council of Vineyard, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “15.34.060 Accessory Dwelling Units” of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.34.060 Accessory Dwelling Units

**Purpose:** The purpose of the accessory dwelling unit ordinance is to promote areas in the city to accommodate an expanding population, establish regulations to address the health, safety and welfare of the community, to provide flexibility for changes in household size associated

with life cycle and to enable a level of financial security for home owners.

1. **Location:** Accessory dwelling units are allowed as an accessory use to a single-family detached residence and are limited to the following development configurations:
  - a. Over a detached garage, provided the parking within the garage is not eliminated or converted to living space, stairs or otherwise disrupts required parking;
  - b. Within ~~a the-home~~ through provided access to the accessory dwelling unit shall meet all applicable fire and building codes. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.  
~~an internal conversion of the housing unit maintaining an internal connection between living areas; or~~
  - e. ~~An addition to the home, containing an internal connection between the accessory dwelling unit and the principal part of the dwelling unit; provided, that the addition will not alter the single-family character of the structure.~~
2. **Minimum lot size:** A minimum lot size of five thousand two hundred (5,200) square feet is required for homes containing an accessory dwelling unit.
3. **External appearance:** The accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family, such as two (2) front doors. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials, and color of the primary building. ~~Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.~~
4. **Sale of principle dwelling:** An accessory dwelling unit shall not be sold separately from the sale of the principle ~~building~~ dwelling located on the same lot.
5. **Owner occupied:** The home containing the accessory dwelling unit shall be the principle dwelling of the property shall be the primary residence of the property owner.
6. **Number of units:** A maximum of one (1) accessory dwelling unit may be established as a secondary use to a detached single-family dwelling.
7. ~~**Unit size:** Accessory dwelling units shall not exceed the lesser of 50% of the size of the principle dwelling unit or 1,200 square feet. In no case shall the accessory dwelling unit contain habitable square footage less than 300 square feet.~~
8. **Dimensional standards:** Accessory dwelling units shall comply with required building height, setbacks and all applicable dimensional standards listed in VZC 15.64 Table of Uses and Development Standards for attached or detached accessory buildings.
9. **Utilities:** An accessory dwelling unit shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an accessory dwelling unit.
10. **Parking:** A single-family dwelling with an accessory dwelling unit shall provide a minimum of five (5) onsite parking spaces located on a paved surface or approved driveway. ~~A minimum of two (2) onsite parking spaces shall be designated for the use of those residing in the accessory dwelling unit. The number of onsite parking spaces shall not be less than the number of vehicles maintained on the property.~~ Only driveways or parking pads containing a minimum length of eighteen feet (18') may be

counted toward required onsite parking. The minimum length of a driveway counting toward onsite parking shall not include any land associated with street rights-of-way, sidewalks or public property/access. All onsite parking spaces shall contain a minimum width of eight feet (8'). Property owner parking shall not be parked tandem with tenant parking and tenant parking shall not be parked tandem with owner parking. The area dedicated to onsite parking and driveway surfaces shall be limited in compliance with VZC Section 15.38.030(2)(b).

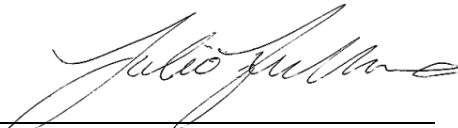
11. **Addresses:** The single-family dwelling and accessory dwelling unit shall have unique addresses.
12. **Entrance:** Entrances and access to the accessory dwelling unit shall meet applicable building and fire codes. ~~The exterior entrance to the accessory apartment shall be on the side or rear of the building and shall enter directly into the accessory dwelling unit. The interior entrance to the accessory dwelling unit shall be from within the principle dwelling unit.~~ Only one (1) front entrance shall be visible from the front yard.
13. **Application:** An accessory dwelling unit application may only be approved if the property meets the standards listed in this section. An accessory dwelling unit shall not be authorized on a property that has outstanding ordinance violations or unpaid taxes.
14. **Business License:** All Accessory Dwelling Units shall maintain a Vineyard City Business License to be renewed biennially, subject to property inspection for code compliance by a Vineyard City staff member.
15. **Compliance with adopted codes:** Accessory dwelling units shall meet all requirements of the adopted Building Code and other applicable city ordinances and regulations.

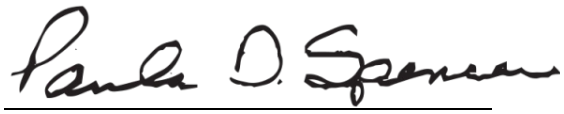
PASSED AND ADOPTED BY THE VINEYARD COUNCIL JUNE 23, 2021.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor Julie Fullmer	<u>X</u>	_____	_____	_____
John Earnest	<u>X</u>	_____	_____	_____
Tyce Flake	<u>X</u>	_____	_____	_____
Chris Judd	<u>X</u>	_____	_____	_____
Cristy Welsh	<u>X</u>	_____	_____	_____

Presiding Officer

Attest

  
\_\_\_\_\_  
Julie Fullmer, Mayor, Vineyard

  
\_\_\_\_\_  
Pamela Spencer, City Recorder  
Vineyard

