

## MANTI CITY ORDINANCE NO. 2023-4

### *Accessory Building Requirements*

#### **AN ORDINANCE ESTABLISHING STANDARDS & REQUIREMENTS FOR ACCESSORY BUILDINGS IN THE RESIDENTIAL ZONES.**

**WHEREAS**, the Manti City Council (the "Council") met in regular meeting on June 22<sup>nd</sup>, 2022 and after discussion concerning accessory building standards the council directed that the Planning Commission study requirements & standards for accessory buildings in the residential zones; and

**WHEREAS**, the Planning Commission met on multiple occasions to discuss standards & requirements for accessory buildings; and

**WHEREAS**, after said discussions, the Planning Commission worked with city staff to draft an ordinance outlining proposed modifications to city code governing accessory buildings; and

**WHEREAS**, the Planning Commission held a public hearing on May 9<sup>th</sup>, 2023 to take public comment regarding the proposed land-use ordinance change; and

**WHEREAS**, the City Council held a public hearing on May 17<sup>th</sup>, 2023 to take public comment regarding the proposed land-use ordinance change; and

**WHEREAS**, the Manti Council has the authority to modify the land-use ordinance; and

**WHEREAS**, the Council finds good cause for adopting the provisions set forth herein;

**NOW THEREFORE**, be it ordained by the Manti City Council, that the following modifications be made to the land-use ordinance and municipal code of Manti City, Utah.

#### **Manti Code Municipal Code**

##### **17.40.012 Definitions**

"Accessory building": A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building or primary building, but may not be used as a dwelling unit.

"Accessory dwelling unit": An additional residential unit that is located on the same lot as a single-family dwelling unit, either internal to or attached to the single-family unit or in a detached structure, and which contains separate living space, kitchen, and bathroom facilities.

"Density": A measure of the built or to-be built residential accommodation, being the number of dwellings situated on a unit of land.

"Duplex": A multi-family home with two units and two sets of tenants, one living in each side. A duplex has one owner that is responsible for renting out and maintaining the entire property.

"Intensity": The impact of a land use type on the land, e.g. apartment complexes are a high intensity land use while single-family residential is not.

"Overlay zoning district": A zoning district which is applied over one or more previously established zoning districts, establishing additional standards and criteria for covered properties in addition to those of the underlying zoning district; used to protect special features such as housing along transit corridors or historic buildings. Similar properties access to the government or public at large.

"Public": In reference to ownership, indicates that a facility or parcel of land is held and controlled by a government entity or is part of an easement or access that provides access to the government or public at large.

"Semipublic": Having some features of a public institution and open to some persons outside the regular constituency.

"Single-family dwelling": A free-standing building designed to be occupied by one family, the structure having only one dwelling unit.

"Stacked multi-family dwelling": Units are "stacked" on top of each other (multi-story).

"Setback": The required separation between a lot line (and/or right-of-way line) and a building or structure line, within which a building or structure is prohibited. Setbacks prevent landowners from crowding the property of others and allow for the safe placement of utilities.

"Townhome": A single-family home that shares one or more walls with other independently-owned units; there are typically three or more units in a row.

"Twin home": A multi-family home with two units, technically classified as single-family homes sharing a wall. Each owner owns their portion of the house and the lot underneath it.

#### **17.40.038 Accessory Buildings:**

1. Accessory buildings and accessory uses shall only be authorized and constructed concurrently with, or subsequent to, the establishment of a primary building or primary use.
2. All accessory buildings require a zoning permit in order to determine proper setbacks from streets, property lines and utility lines. Accessory buildings larger than 199 square feet also require a building permit.
3. Detached accessory buildings, including garages, shall meet all requirements, including setback requirements, for the location of a detached accessory building, as provided in this chapter.
4. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
5. Accessory buildings located on corner lots shall meet the required setbacks for side yards with street frontage.

6. No mobile home, travel trailer, boat or similar recreational vehicle shall be used as an accessory building.
7. No utility connections or meters, separate from the primary building, shall be allowed for accessory buildings.
8. No accessory building shall be used as a dwelling unit unless it has been permitted and registered as an "Accessory Dwelling Unit".
9. Accessory buildings used for the housing of livestock or fowl shall comply with the requirements of this chapter.

**Size, Placement & Setback requirements**

1. Accessory buildings shall not be erected to a height of greater than 20 feet.
  2. Accessory Buildings shall not be placed between the primary structure and any property line with street frontage.
  3. Accessory Buildings shall be at least 10 feet away from the primary structure.
  4. Accessory buildings located beside the front of a primary structure shall be set back at least 30 feet from the street-frontage property line, but not less than the front set back of the primary structure.
  5. Accessory Buildings located beside the side elevation of a home with street frontage shall be set back at least 25 feet from the property line, but not less than the setback of the primary structure.
  6. Rear yard and side yard setbacks for accessory buildings (not including "Accessory Dwelling Units") shall be at least 5 feet from the property line.
  7. No accessory building, regardless of size, may be placed outside of the required street-side or property line setbacks.
1. **Repeal of Conflicting Provisions.** Any provision of Manti City Code addressing accessory buildings, which predates or conflicts with this Ordinance is hereby repealed.

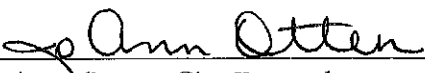
2. **Effective Date.** This Ordinance shall take effect on June 8, 2023.

**PASSED AND APPROVED** this 7<sup>th</sup> day of June 2023.

**MANTI CITY**

By   
 Alfred C. Bigelow, Mayor

**ATTEST:**

  
 JoAnn Otten, City Recorder



**Voting:**

Gary Chidester	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Darren Dyreng	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Jeff Killian	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Jason Vernon	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Mary Wintch	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>