

# **TITLE 20 – ZONING ORDINANCE OF GENOLA**

## **CHAPTER 18 ACCESSORY APARTMENTS**

### Sections:<sup>i</sup>

20.18.01	Purposes and Objectives
20.18.02	Zoning
20.18.03	Location
20.18.04	Entrances
20.18.05	Utilities
20.18.06	Occupancy
20.18.07	Exception to Owner Occupancy
20.18.08	Building Codes
20.18.09	Property Title

### **20.18.01 PURPOSES AND OBJECTIVES**

The purpose and objective of the accessory apartment ordinance is to meet community demands for residential accommodations for extended family residents with reasonable limitations on their use and impact on neighboring properties and neighborhoods. These provisions are intended to provide flexibility for the changes in household size associated with life cycle, to offer financial security for home buyers, to provide housing for farm employees, to offer security against problems associated with frailty, and to promote conservation of resources for other reasons determined by the homeowner.

### **20.18.02 ZONING**

Accessory apartments shall be a permitted use in all zones where single-family dwellings are permitted. However, accessory apartments shall not be allowed on any parcel except those containing a single-family dwelling. A maximum of one accessory apartment shall be allowed on any one parcel. Accessory apartments shall include basement rentals, caretaker apartments, and other units of a similar nature.

Any portion of a home or dwelling unit that has been sectioned off so that any occupant in the dwelling does not have access to any portion of the home, and contains separate living quarters and a kitchen, regardless of the relationship of the occupants, is prohibited unless it meets all of the requirements of this section.

### **20.18.03 LOCATION**

The accessory apartment may be created:

1. Inside the home or attached garage through an internal conversion of the structure maintaining an internal connection between living areas; or
2. By an addition to the house, containing an internal connection between the accessory apartment and the principal part of the dwelling unit.

### **20.18.04 ENTRANCES**

In order to preserve the single-family residential appearance of the structure, a new single-family structure with an accessory apartment shall not have a separate entrance for the

accessory apartment at the front of the structure or any side of the structure facing a street. An accessory apartment approved in an existing structure may use existing entrances on any side of the structure.

20.18.05      **UTILITIES**

A single-family dwelling with an accessory apartment shall have no more than one meter for each water, electricity, and gas utility service, and each meter shall be in the property owner's name. The property owner shall be responsible for payment of all utilities provided by the Town.

20.18.06      **OCCUPANCY**

Either the primary dwelling unit or the accessory apartment shall be occupied by a full-time resident property owner as shown on the Utah County tax assessment rolls. The occupancy requirement may be met by:

1. A full-time resident who is a beneficiary of a trust or an estate that owns the property; or
2. A full-time resident who is a shareholder, partner, or member of a business entity that owns the property.

20.18.07      **EXCEPTION TO OWNER OCCUPANCY**

Owner occupancy shall not be required:

1. When the owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, military service or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception);
2. When the owner is living in a hospital, nursing home, assisted living facility, or other similar facility; or
3. Within one year of the death of the owner of the property.

20.18.08      **BUILDING CODES**

All construction and remodeling shall comply with building codes and necessary approvals in effect at the time of the construction or remodeling, including approval from the Utah County Health Department.

20.18.09      **PROPERTY TITLE**

The entire dwelling must remain under one property title.

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<sup>i</sup> Previous Versions and Ordinances

