

ORDINANCE NO. 2022-27

AN ORDINANCE AMENDING CHAPTER 1705 AND THE RESIDENTIAL USE TABLE OF THE RICHFIELD CITY ZONING ORDINANCE, A LAND USE ORDINANCE OF RICHFIELD CITY, TO INCLUDE REQUIREMENTS FOR ACCESSORY DWELLING UNITS (CASITAS OR GUESTHOUSES) IN CERTAIN ZONES.

PREAMBLE

WHEREAS, the City of Richfield ("City") has adopted the Zoning Ordinance, a Land Use Ordinance of Richfield, 2007 Edition, hereinafter the "Zoning Ordinance"; and

WHEREAS, the Mayor and City Council of the City of Richfield have comprehensively examined proposed amendments as approved and submitted by the Planning Commission; and

WHEREAS, the Mayor and City Council of the City have determined that the enactment of these amendments will be in the best interest of the City, its citizens, inhabitants, owners, occupants, or users of property within the City; now, therefore,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RICHFIELD, SEVIER COUNTY, STATE OF UTAH:

SECTION 1. Preamble: The recitals in the Preamble are enacted to be deemed a part of this Ordinance and are hereby declared to express the intent hereof.

SECTION 2. Chapter 1705 of the Zoning Ordinance of Richfield City, is amended as follows:

A. Accessory Dwelling Units (Detached - Casitas or Guesthouses). The purpose and intent of the requirements for allowing detached accessory dwelling units known as guesthouses or casitas is to provide additional housing opportunities for family members and visiting guests of the owners of a primary dwelling.

1. A guesthouse or casita may be authorized, provided all requirements of this title, all other land use ordinances, and the Building Code are met.

2. A guesthouse or casita shall only be allowed in the rear yard of a single-family dwelling. A guesthouse or casita cannot be subdivided from the primary dwelling and cannot be sold separately from the primary dwelling. Either the primary dwelling or the detached accessory dwelling unit needs to be owner-occupied.

3. A maximum of one guesthouse or casita may be established on each individual, separate legal lot, such a lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located. A detached accessory dwelling unit shall not be allowed on any residential lot smaller than 10,000 square feet.

4. A guesthouse or casita shall be a permanent structure on a permanent foundation. No mobile homes, travel trailers, boats, or similar recreational vehicles shall be used as a casita or guesthouse.

5. A guesthouse shall only be permitted on a lot containing an area of ten thousand (10,000) square feet or larger which has an existing owner-occupied single-family dwelling unit, or where a building permit has been issued and construction is in process for the single-family dwelling unit.

6. The square footage of a guesthouse or casita shall not exceed thirty percent (30%) of the footprint of the primary dwelling, excluding the garage, but in no event to exceed 1000 square feet.

7. A guesthouse or casita shall meet and comply with the minimum setbacks required for the primary dwelling by the zoning district in which it is located, except the rear setback may be reduced to match the side yard setbacks. A guesthouse or casita must be setback from the main dwelling at a minimum distance of 6 feet.

8. A guesthouse or casita shall provide a minimum of one off-street parking space.

9. The construction of a guesthouse or casita shall meet all requirements of the adopted building code.

10. The architectural style, building materials, and colors of a guesthouse or casita shall be found to be compatible and consistent with the architectural style, materials, and color of the primary dwelling unit.

11. The maximum height of a guesthouse or casita shall not exceed the height of the primary dwelling or 22 feet, whichever is less. The maximum eave height of any wall thereof shall not exceed 16 feet. For purposes of this provision, eave height shall mean the height of a wall at the point where it intersects with the structural components of the roof. In no event shall the height of a guesthouse or casita exceed the height of the primary dwelling.

12. Building lot coverage including the guesthouse or casita and other accessory structures shall not exceed twenty-five percent (25%) of the rear lot area.

13. Utilities shall not be metered separately for a guesthouse or casita.

14. A guesthouse or casita shall be used only by the occupants of the primary dwelling or their non-paying guests. Short-term rental of a guesthouse or casita is not permitted. The guesthouse or casita shall not be leased or rented independent of the main dwelling.

15. A deed restriction in a form approved by the City prohibiting the lease or rental shall be recorded against the deed by the property owner before occupancy of the structure. Proof that such deed restriction has been recorded shall be provided to the zoning administrator before issuance of a building permit for the casita or guesthouse.

16. The zoning administrator is authorized to approve a guesthouse or casita provided all requirements of this section, and all other applicable requirements of all land use ordinances and all other regulations are met.

17. Owners of guesthouses or casitas existing on the effective date hereof, and that have not been approved as required herein, shall apply for approval within one hundred eighty (180) days of the effective date hereof. Illegal guesthouses or casitas existing after that date will subject the owners to all applicable enforcement actions that may be available to the City.

18. All owners of guesthouses or casitas, determined to be noncomplying structures, shall be subject to the provisions for noncomplying structures as provided herein by Chapter 21.

19. All legal or equitable remedies set forth in Utah Code Section 10-9a-530 shall apply to and be incorporated in this ordinance.

SECTION 3. Chapter 2801 of the Zoning Ordinance of Richfield City is amended as follows:

Accessory Dwelling Unit - Detached: (Guesthouse or Casita) A secondary detached dwelling unit with or without kitchen facilities, located on a lot with the main dwelling unit that is: (A) used for housing of family members or guests without compensation, and (B) not rented, leased or sold separately from the main dwelling unit and encumbered by a recorded agreement which provides notice of these conditions.

SECTION 4. Table 31-1 Residential Uses of the Zoning Ordinance of Richfield City is amended as follows:

USE	RESIDENTIAL ZONING DISTRICTS								
	F-1	RR-5	RR-1	R1-25	R1-10	R1-8	R1-6	RM-11	RM-24
Accessory Dwelling Unit - Detached. An accessory dwelling unit is subordinate to the existing primary dwelling unit and located on the same lot as the primary structure, and meets all requirements of the adopted Building Codes, and Land Use Ordinance. (See Chapter 17).	P-1	P-1	P-1	P-1	P-1	X	X	X	X

SECTION 5. No other sections or provisions of the Zoning Ordinance shall be affected.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption, posting and publication of a Summary on the Public Meeting Notice website according to §10-3-711, Utah Code Annotated 1953, as amended.

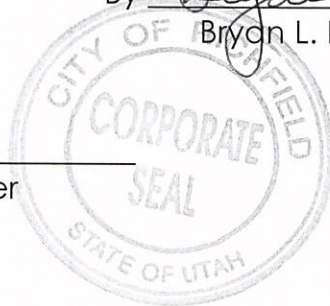
PASSED and APPROVED this 13th day of September 2022.

CITY OF RICHFIELD

By Bryan L. Burrows
Bryan L. Burrows, Mayor

ATTEST:

Michele H. Jolley
Michele H. Jolley, City Recorder



(S E A L)

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Brayden Gardner	<u>Absent</u>	_____
Councilmember Todd Gleave	<u>✓</u>	_____
Councilmember Kip Hansen	<u>Absent</u>	_____
Councilmember Elaine Street	<u>✓</u>	_____
Councilmember Tanner Thompson	<u>✓</u>	_____