

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 22-21.v2

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(REVISIONS TO ACCESSORY DWELLING UNITS FOR SINGLE-FAMILY
DWELLINGS IN RESIDENTIAL ZONES, SECTION 13-5B-8)**

WHEREAS, the City of West Jordan (“**City**”) adopted West Jordan City Code (“**City Code**”) in 2009; and the City Council of the City (“**City Council**”) desires to amend certain sections of the City Code, regarding and related to Accessory Dwelling Units for Single-Family Dwellings in Residential Zones (“**proposed City Code amendments**”); and

WHEREAS, the Planning Commission of the City (“**Planning Commission**”) held a public hearing and provided a recommendation on April 5, 2022, regarding the proposed City Code amendments, since all the proposed City Code amendments are land use regulations, including City Code Section 13-5B-8; and

WHEREAS, the City Council held a public meeting on April 27, 2022, a public hearing on May 11, 2022; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:


Section 1. Amendment of Code Provisions. City Code Section 13-5B-8 is amended to read as shown on Attachment 1 below.

Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.



PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 8TH DAY OF JUNE 2022.

CITY OF WEST JORDAN


By: [Kayleen Whitelock \(Jun 13, 2022 14:32 MDT\)](#)

Kayleen Whitelock
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

"YES"

"NO"

Council Chair Kayleen Whitelock

Council Vice-Chair Kelvin Green

Council Member Pamela Bloom

Council Member Zach Jacob

Council Member Christopher McConnehey

Council Member David Pack

Council Member Melissa Worthen



PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON JUNE 13, 2022

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

 Jun 13, 2022
Date

ATTEST:



 
Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OF PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 22-21.



 The Mayor vetoed Ordinance No. 22-21 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

 Ordinance No. 22-21 became effective by operation of law without the Mayor's approval or disapproval.

 
Tangee Sloan
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 14th day of June, 2022. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan
City Recorder

(Attachment on the following pages)

Attachment 1

[Attachment to ORDINANCE NO. 22-21

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (REVISIONS TO ACCESSORY DWELLING UNITS FOR SINGLE-FAMILY DWELLINGS IN RESIDENTIAL ZONES, SECTION 13-5B-8)]

Legislative Version:

13-5B-8: ACCESSORY DWELLING UNITS:

A. All accessory Dwelling Units.

1. Accessory dwelling units shall comply with all applicable building, health, and fire codes.
2. Only one accessory dwelling unit is allowed per property, either internal or external. At no time will both an internal and external accessory dwelling unit be allowed on the same property.
3. Accessory dwelling units are prohibited on properties if the primary dwelling is served by a failing septic tank.
4. The ~~property~~ owner ~~of record~~ shall maintain a valid business license if renting the primary dwelling unit or the accessory dwelling unit, pursuant to title 4, chapter 2, article R of this code. Subject to the provisions in Utah Code Ann. section 10-9a-530, the ~~The~~ owner of record may:
 - a. ~~only if the owner of record currently occupies as a primary residence rent either the primary dwelling unit or the accessory dwelling unit, rent the other unit but not both units at the same time; or~~
 - b. ~~if the owner of record does not currently occupy as a primary residence one of the two units, rent the primary dwelling unit and the accessory dwelling unit as a single unit or rent only one of the two units, but not rent both units individually at the same time. The primary dwelling unit and/or the accessory dwelling unit within the primary dwelling shall be occupied as the primary residence of the owner of record.~~
5. A minimum of one (1) off street, nine foot (9') by eighteen foot (18') parking space constructed of asphalt or concrete, in addition to those already required, shall be provided for accessory dwelling units. Accessory dwelling unit parking may not be in tandem with required parking of the primary dwelling or obstruct the required parking of the primary dwelling.
6. The primary dwelling is required to maintain the minimum parking standards for the primary dwelling including the two car garage parking requirement where applicable. Attached garages required and approved as part of the primary dwelling unit may not be converted to an accessory dwelling unit unless the required two car garage is replaced on the property meeting all requirements of 2009 City Code.
7. Accessory dwelling units are not allowed with any multi-family, mobile homes, or any form of attached housing units.
8. In all cases an Accessory Dwelling Unit shall remain subordinate and accessory to the primary dwelling unit.
9. An accessory dwelling unit must provide living areas for eating, sleeping and sanitation facilities separate from the primary dwelling unit.
10. The installation of a separate utility meters for accessory dwelling units is prohibited.
11. A notice of present condition will be recorded on the title of any property that has an accessory dwelling unit.
12. If a building permit application for an addition to a primary dwelling is submitted concurrently with a business license application for renting an internal accessory dwelling unit within said primary

dwelling, the footprint of the primary dwelling for purposes of Utah Code Annotated subsection 10-9a-530(1)(a)(ii) shall be the new, larger footprint identified in the approved building permit application for the addition to said primary dwelling.

B. External Dwelling Units.

1. External Accessory Dwelling Units (EADU) are only Permitted in the R-1-10, R-1-12, R-1-14, RR, RE. zones. EADUs in the PC, LSFR and VLSFR zone are only allowed on platted lots 10,000 square feet and larger.
2. Detached accessory dwelling structures must be built on a permanent foundation which meets the Building Code.
3. External Accessory dwelling units shall be located on the same lot with the principal building and the footprint area shall be less than the principal building.
4. External Accessory Dwelling Units shall not cover more than twenty percent (20%) of the rear and side yard.
5. Setbacks for External Accessory Dwelling Units are: Six feet (6) from primary dwelling; fifteen feet (15) from rear property line; eight feet (8) from internal side property line and twenty feet (20) from the corner side property line.
6. External Accessory Dwelling Units (EADU) design and materials shall be similar to and compatible with the design of the primary dwelling and shall be approved by the Design Review Committee.
7. Lots with external accessory dwelling units are subject to all maximum building coverage requirements of city code. (Ord. 21-18, 6-9-2021)

Clean Version:

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Ordinance No. 22-21.v2 ADU Revisions

Final Audit Report

2022-06-14

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Agreement completed.

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