

17.5.134 - Accessory apartments.

Accessory apartments are permitted within the city subject to compliance with the conditions and criteria hereinafter set forth.

- A. *Intent.* The intent of this section is to recognize the residential character of American Fork City, while providing for supplementary living accommodations in the community. These provisions are intended to provide additional opportunities for affordable housing, with limitations, to minimize the impact on neighboring properties and neighborhoods.
- B. *Conditions and criteria.*
 1. A maximum of one accessory apartment may be allowed in a single-family home within all single-family residential zones. Accessory apartments shall not be calculated as additional density. No accessory apartment may be allowed in any multi-family dwelling unit, or on any lot or parcel that cannot satisfy the parking requirements.
 2. Owner occupied. No accessory apartment shall be created or occupied in a single-family home unless the owner of the property occupies either the main dwelling or the accessory apartment. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by the bona fide property owner(s) as shown on the Utah County tax assessment rolls.
 3. Occupancy. The occupants of an accessory apartment shall be limited by one of the following family categories:
 - a. One person living alone; or
 - b. Two or more persons related by blood, marriage, or adoption, and not more than two unrelated persons; or
 - c. Up to four unrelated individuals.
 4. Parking. Two off-street parking spaces, in addition to the two spaces required for a single-family home, are required for an accessory apartment. No parking spaces may be located within a front or side yard; except within an approved driveway. Tandem parking within a driveway is allowed to meet the parking requirement.
 5. Utility meters. A single family home with an accessory apartment may have

separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name and the property owner shall be responsible for payment of all utilities.

6. Address. The principal dwelling unit and the accessory apartment shall have the same address number, but shall refer to the principal dwelling as unit "A" and the accessory apartment as unit "B". Address must be located in a visible location on the street frontage side of the home.
7. Appearance. The outside appearance of a single family home with an accessory apartment shall not be changed from that of a single family home.
8. Entrances. An accessory apartment shall have a dedicated entrance located on any side or rear of the single family home or at the front of the home if it is below grade and maintains the characteristics of a single family home.
9. Separate living areas. An accessory apartment must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.
10. Interior access. An interior access between the main living area and an accessory apartment must be maintained.
11. Building code. All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah State Code Section 10-9a-511.5, Changes to dwellings - Egress windows.
12. Not intended for sale. The accessory apartment shall not be intended for sale or detached by deed and shall only be rented.
13. Short term rental prohibited. No portion or room of a main dwelling or accessory apartment shall be rented more than one time in any thirty-day period.

For questions regarding item #11 please contact Dan Rojas at (801) 763-3065.

(Ord. No. 2016-06-31, pt. I, § 1, 6-14-2016)

Editor's note— Ord. No. 2016-06-31, pt. I, § 1, adopted June 14, 2016, set out provisions intended for use as § 17.5.132. Inasmuch as there were already provisions so designated, said provisions have been included herein as § 17.5.134 at the discretion of the editor.