

ORDINANCE NO. 23-03

AN ORDINANCE AMENDING SECTION 17.78.050 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO THE MINIMUM AREA REQUIRED FOR DETACHED ACCESSORY DWELLING UNITS.

Now, therefore, be it ordained by the Murray City Municipal Council as follows:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 17.78.050 of the Murray City Municipal Code relating to the minimum area required for detached accessory dwelling units.

*Section 2. Amendment.* Section 17.78.050 of the Murray City Municipal Code relating to the minimum area required for detached accessory dwelling units is hereby amended to read as follows:

**17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section [17.78.020](#) of this chapter.

B. Only one ADU may be created per lot or property.

C. ADUs are allowed on properties that are zoned to allow single-family dwellings as a permitted use.

D. The ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.

E. Installing separate utility meters for the ADU is prohibited.

F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.

G. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.

H. Detached ADUs shall not contain more than two (2) bedrooms.

I. In addition to the parking required for the primary unit, two (2) additional off street parking spaces shall be provided. In no case shall fewer than four (4) total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.

K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.

L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.

M. Construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.

N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.

O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.

P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.


Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code. (Ord. 21-25)

*Section 3. Effective Date.* The Ordinance shall take effect upon first publication.


PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 7<sup>th</sup> day of February, 2023.



MURRAY CITY MUNICIPAL COUNCIL

  
Garry Hrechkosy, Chair

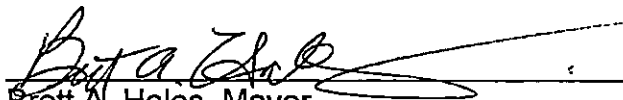
ATTEST:

  
Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this 9<sup>th</sup> day of February, 2023.

MAYOR'S ACTION: Approved

DATED this 9<sup>th</sup> day of February 2023.

  
Brett A. Hales, Mayor

ATTEST:

  
Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was passed on the 9<sup>th</sup> day of February 2023.

  
Brooke Smith, City Recorder