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# **Lindon City Accessory Apartment Requirements Handbook**

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This handbook has been produced to outline city requirements regarding accessory apartments. Owner occupied accessory apartments are a legal use in all residential zones within Lindon. This booklet outlines the required steps of those constructing a new apartment as well as those seeking approval for an existing unapproved apartment.

There are three primary steps required to have an apartment approval:

1. Submit building and site plans for staff review (refer to the enclosed list of requirements for accessory apartments),
2. The City completes public noticing requirement. If the public believes that the applicant does not meet the application criteria standards listed in the Lindon City Code Section 17.46.100, they may request a review of your plans by the Planning Commission; however, approval is based solely on whether or not the project meets the requirements and not on the opinions of the neighbors or Planning Commission, and
3. Have an inspection performed by a Lindon City building inspector to verify compliance with building and safety codes.

Assuming the proposed (or existing) apartment meets all zoning and building requirements, the approval process will require about 2-3 weeks from the time you submit your application. If the public requests a planning commission review, an additional 2-3 weeks may be required. For those wishing to bring an existing apartment into compliance with city code, any adjustments required for the property to bring it into compliance should be taken into consideration.

If you have any further questions, don't hesitate to call us at 801-785-7687.

Sincerely,

Lindon City Planning Department Staff

# **SUMMARY OF ACCESSORY APARTMENT REQUIREMENTS**

**(Summary of Section 17.46.100) Accessory Apartments** – This division established requirements and regulations regarding accessory apartments. It is the intent of the R2 Overlay Zone to allow owner occupied accessory apartments in single family homes where such single family homes were not approved as part of an R2 Overlay project.

## **1. Accessory Apartment Requirements:**

- a. Location.** Accessory apartments shall be allowed only in owner occupied single-family dwellings and may not be approved in conjunction with other R2 Overlay projects.
- b. Number of Accessory Apartments.** A maximum number of one (1) accessory apartment shall be allowed in each owner occupied single family dwelling.
- c. Parking.** A single family dwelling with an accessory apartment shall provide at least four total off-street parking stalls (2 for the single-family dwelling and 2 for the accessory apartment). Parking stalls within a garage or carport utilized by the single-family dwelling shall not count toward the two additional required parking stalls for the accessory apartment unless the garage is sized for more than two vehicles and clear access from the garage parking to the accessory apartment can be maintained. No required parking shall be within the front or street-side yard setback. Tandem (end-to-end) parking in a side-yard may be acceptable for the required accessory apartment parking. Parking areas and driveways shall be provided with a dustless, hard surface material such as concrete, asphalt, compacted gravel, masonry, or concrete pavers. A hard surfaced path, sidewalk, or walkway shall be provided from the accessory apartment entrance to the required accessory apartment off-street parking stall.
- d. Size Restrictions.** The size of an accessory apartment shall be at least three hundred (300) square feet and shall not contain more than three (3) bedrooms.
- e. Building Code.** All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling.
- f. Building Entrances.** A single-family structure approved with an accessory apartment shall not have a separate entrance at the front of the building or side of the building facing the street where the sole purpose of the entrance is to provide access to the accessory apartment. The purpose of this requirement is to preserve the single-family residential appearance of the building.
- g. New or existing garages and accessory buildings** substantially attached to the main dwelling by covered walkways, covered breeze ways, and covered porches may include an accessory apartment. In such instances, the garage/accessory building shall not be more than a distance of fifteen feet (15') from the main dwelling unit measured linearly between the foundation lines of the two structures.



## **ACCESSORY APARTMENT BUILDING CODE ISSUES**

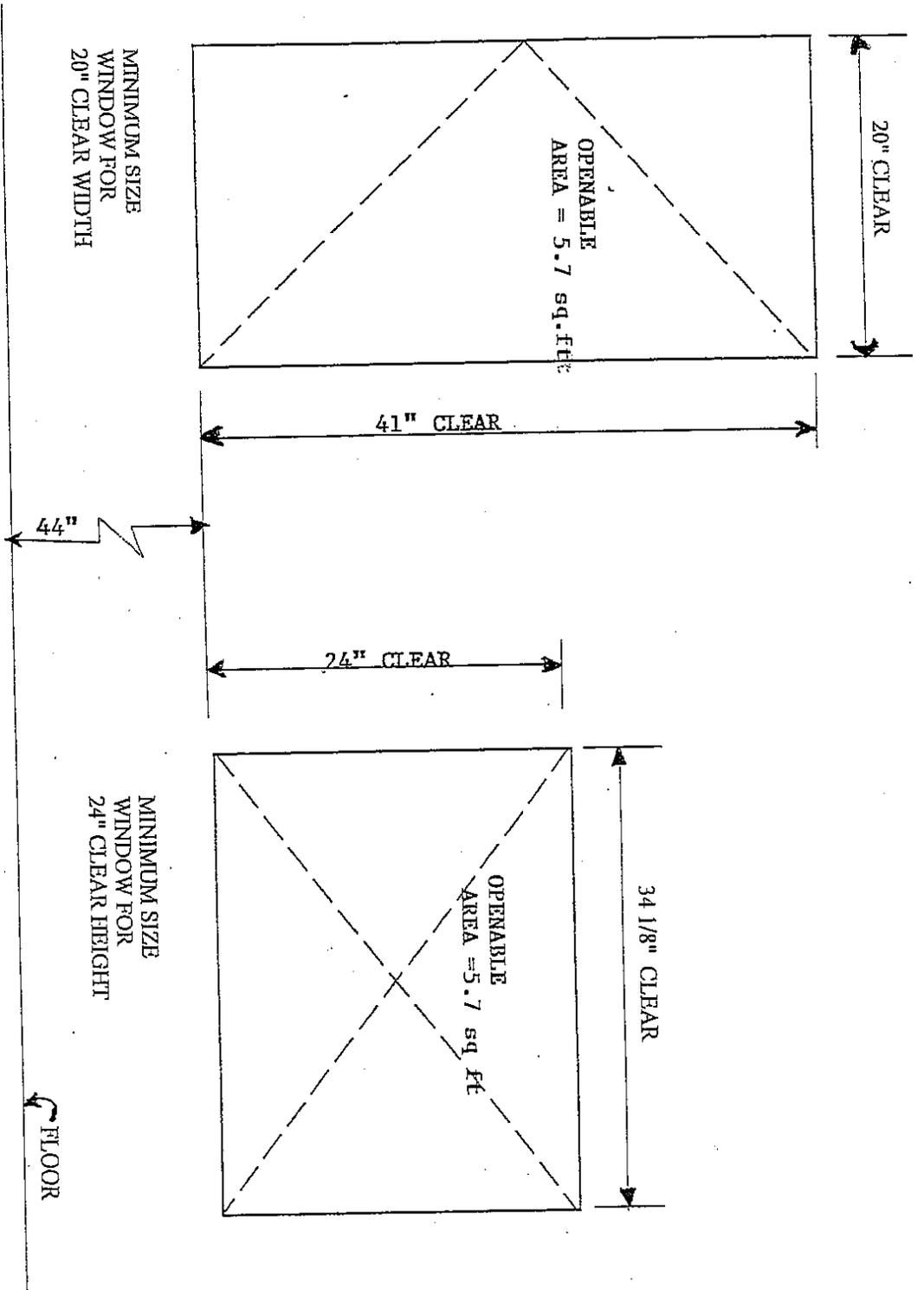
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1. Minimum one entrance 3'-0" x 6'-8" door directly exterior.
2. One egress window in each bedroom (see handout).
3. Smoke detectors in each bedroom and hallway leading to bedrooms on each level.
4. Separate electrical panels (breaker panels). Panel must be located in dwelling unit served.
5. Separate heating and cooling systems. Systems **cannot** be shared or common to other units: including cold air returns. Heating and cooling control devices – thermostats - must be located in unit served. Access to maintain equipment must be located in unit served.
6. One-hour fire separation must be maintained between units (side-to-side or any walls or ceilings common with other dwelling units).
  - a. One-hour fire separation can be several options:
    - i. 5/8" type "X" sheetrock on both side of a common wall
    - ii. Double layer 5/8" type "X" on one side
    - iii. One layer 5/8" type "X" sheetrock on ceiling with plywood sub floor insulated above.

**NO PENETRATIONS FOR PLUMING OR DUCT WORK ARE ALLOWED BETWEEN UNITS.**

\*\*\* Insulations for sound control is a good idea but not required by code.\*\*\*

(Updated 8.15.08)



EMERGENCY ESCAPE AND RESCUE WINDOW