

**(19) Location of Entrance to Accessory Dwelling Unit.**

(a) Internal or Attached Units. Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front facade of the principal dwelling. No new street-facing entrances may be added to the principal dwelling for an accessory dwelling unit unless such access is located at least 20 feet behind the front facade of the principal dwelling unit.

(b) Detached Units. Accessory dwelling units that are detached from the principal dwelling may utilize an existing street-facing facade as long as the entrance is located a minimum of 20 feet behind the front facade of the principal dwelling, or install a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance is facing the rear or side of the lot.

(c) Corner Lots. On corner lots, existing entrances on the street-facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing toward the rear property line or interior side yard, or toward the back of the principal dwelling.

**(20) Exterior Design.** Accessory dwelling units shall be regulated by the following exterior design standards:

(a) The maximum height of a detached accessory structure containing an accessory dwelling unit shall not exceed the height of the principal structure;

(b) An accessory dwelling unit shall be designed and constructed to be compatible with the principal structure and shall meet the minimum standards set forth for the principal dwelling in subsection (B) of this section.

**(21) Conditional Use Permit Required.** A conditional use permit shall be required for an accessory dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein and have been denied by the Zoning Administrator as a minor conditional use permit may be appealed to the Planning Commission for review.

**(22) Building Permit.** *A building permit is required for the proposed accessory dwelling unit, regardless of method of creation.*

**(23) Occupancy.** *No accessory dwelling unit shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the City.*

*For more info on Zoning Requirements*

*contact the Planning Department*

*801-825-1477 ext 5*

*or*

*Email [planning@syracuseut.com](mailto:planning@syracuseut.com)*

*For info on Building Permits/Remodels*

*contact the Building Department*

*801-825-1477 ext 4*



**SYRACUSE**  
EST. CITY 1935

# Basement Rental/ Accessory Dwelling

Syracuse City

1979 W 1900 S

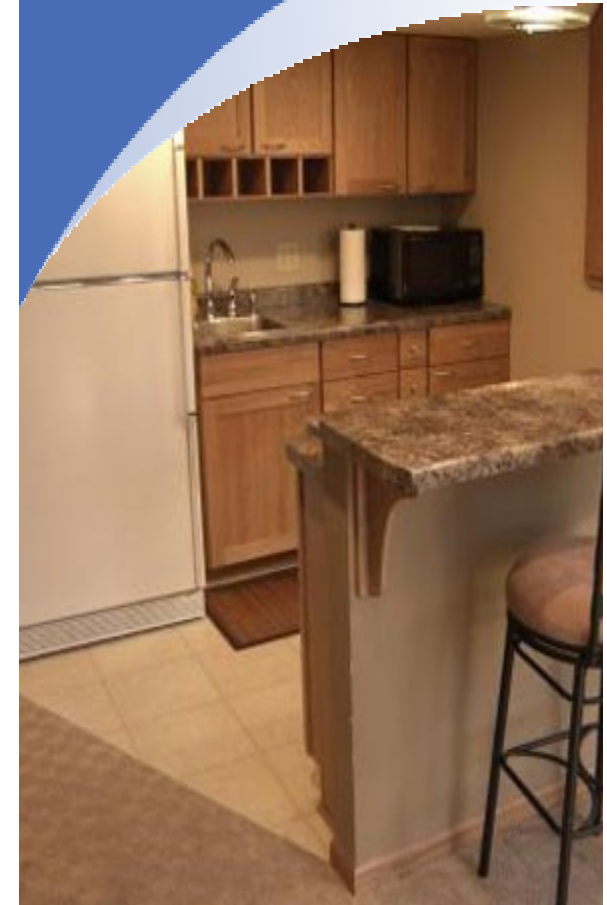
Planning Department

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**SYRACUSE**  
EST. CITY 1935



(E) **Dwelling, Accessory.** Accessory dwelling units as defined in this title shall be subject to the following:

(1) Internal, Attached, or Detached. Accessory dwelling units may be built internal to, attached to, or as a separate unit detached from the principal dwelling on a lot where a single-family dwelling exists, in accordance to the standards set forth in this section. Accessory dwelling units are allowed in the following residential zone districts: R-1, R-2, and R-3, subject to the provisions of this section.

(2) **Owner Occupant Requirement.** *Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the principal dwelling or accessory dwelling unit. Owner occupancy shall not be required when:*

(a) The owner has a bona fide, temporary absence of three years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(b) The owner is placed in a hospital, nursing home, assisted living facility or similar facility that provides regular medical care, excluding retirement living facilities or communities.

(3) **Deed Restriction.** A lot approved for development with an accessory dwelling unit shall have a *deed restriction, the form of which shall be approved by the City Attorney, filed with the county recorder's office, indicating such owner occupied requirement of the property prior to issuance of a building permit for the accessory dwelling unit by the City.* Such deed restriction shall run with the land until the accessory dwelling unit is discontinued, abandoned or revoked.

(4) **One accessory dwelling unit is permitted per single-family residential lot.**

(5) **Underlying Zoning Applies.** Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.

(a) An existing accessory structure whose setbacks do not meet the minimum requirements for a principal building may be converted into an accessory dwelling unit, but any noncomplying setbacks may not become more noncomplying.

(b) New construction for an accessory dwelling unit, not contained within the principal building, shall meet the minimum standards for accessory structures, but shall be set back from the rear and side property lines a minimum distance of five feet (including eaves) and shall meet all applicable fire separation requirements.

(6) **Existing Development On Lot.** A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

(7) **Minimum Lot Area.** Within permissible zoning districts, the minimum lot area required for an accessory dwelling unit shall be:

(a) Internal. For accessory dwelling units located within the principal single-family dwelling, the minimum lot size shall be that of the underlying zone district.

(b) Attached. For accessory dwelling units located with an addition to the single-family dwelling, the minimum lot size shall be that of the underlying zone district.

(c) Detached. For accessory dwelling units located within a detached structure, the minimum lot size shall be that of the underlying zone district, plus an additional 3,000 square feet.

(d) Cluster Subdivisions. Detached accessory dwelling units shall be prohibited on single-family lots with less than 10,000 square feet.

(8) **Building Code Compliance.** Accessory dwelling units are subject to compliance with current building code.

(9) **Separate Utility Connections.** *Separate utility connections shall not be permitted for internal accessory dwelling units.* Owners of lots with an accessory dwelling unit shall be charged for two City utility connections, regardless of shared connection.

(10) **Not a Unit of Density.** Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

(11) **Nightly Rental.** *Neither dwelling unit may be used for nightly/weekly rental.*

(12) **Home Occupations.** Home occupations (minor) in accessory dwelling units shall only be permitted for those businesses where no clientele visits are made to the property in order to maintain the residential nature of the dwelling unit.

(13) **Windows.** In a detached accessory dwelling unit, the placement of windows within the accessory dwelling unit shall not be allowed within 10 feet of a side yard or rear yard property line.

(14) **Methods of Creation.** An accessory dwelling unit may only be created through one or more of the following methods:

(a) Conversion of existing living area within a principal structure, such as a basement or attic space;

(b) Addition of floor area to a principal structure;

(c) Construction of a new single-family structure with an internal or detached accessory dwelling unit;

(d) Conversion or addition onto an existing accessory structure on a lot, such as to a garage or other outbuilding, where no required parking for the principal dwelling is eliminated by the accessory dwelling unit; or

(e) Construction of a new accessory dwelling unit with a separate detached structure in compliance with applicable lot coverage regulations.

(15) **Size of Accessory Dwelling Unit.**

(a) Internal accessory dwelling units (basement or attic) *shall not exceed 50 percent of the gross square footage of the principal dwelling unit.*

(b) Attached accessory dwelling units shall not exceed 50 percent of the gross square footage of the principal dwelling unit or 650 square feet, whichever is less.

(c) Detached accessory dwelling units shall not exceed 50 percent of the footprint of the main dwelling, excluding the garage, and are permitted as a major conditional use permit, approved by the Planning Commission.

(d) The minimum size of an accessory dwelling unit is that size specified and required by the adopted building code of the City.

(16) **Ownership.** An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot.

(17) **Number of Residents.** *The total number of residents that may reside in an accessory dwelling unit may not exceed the number that is allowed for a "family" as defined in this code.*

(18) **Parking.**

(a) An accessory dwelling unit that contains a studio or single bedroom shall require one additional on-site parking space.

(b) An accessory dwelling unit that contains two or more bedrooms shall require two additional on-site parking spaces. Parking may be provided in tandem for accessory unit only, when sufficient on-street parking is also available and the lot is not located within a cul-de-sac.

(19) **Location of Entrance to Accessory Dwelling Unit.**