

13.14.031: ACCESSORY DWELLING UNITS:

Accessory Dwelling Units are meant to assist in the creation of new housing units; support a more efficient use of existing housing stock and infrastructure; and provide housing that responds to changing family needs, smaller households, and increasing housing costs within the City and not a response to supplemental income or vacation rental opportunities.

Existing or new construction of Accessory Dwelling Units are permitted in all single-family residential zones (R-1, FR-1, FR-2.5, FR-20) when the following standards are met. In addition to applicable remedies for correction of non-compliance set forth in [Chapter 13.94](#) of this Title, pursuant to Utah Code Ann. § 10-9a-530(5), the City may hold a lien against any property in violation of any provision of this Title relating to the creation and/or maintenance of an Internal Accessory Dwelling Unit. The City shall follow the provisions of Utah Code Ann. § 10-9a-530(5) in the creation and filing of any lien.

A. Accessory Dwelling Unit as defined in section [13.04.040](#), shall:

1. Comply with applicable building, health, and fire codes.

2. Be subject to approval of a Building Permit (section [13.08.100](#)) and issuance of a Certificate of Occupancy (sections [13.04.050](#), [13.01.060](#)).

3. If rented, be rented for a minimum of thirty (30) consecutive days ~~with the property owner living onsite~~. A rented ADU is subject to annual approval of a License (section [5.68.020](#)). The licensing fee can be found in the Consolidated Fee Schedule.

4. Owner occupancy required, with "owner occupant" defined as the following:

1. An individual who is listed on a recorded deed as an owner of the property;

2. Any person who is related by blood, marriage, or adoption to an individual who is listed on recorded deed as an owner of the property; or

3. An individual who is a trustor of a family trust who possesses legal ownership of the property

~~5.4.~~ Provide one additional onsite parking stall above the minimum required set forth in section [13.80.040](#); and replace any parking spaces displaced by the construction of an ADU from a garage or carport.

~~6.5.~~ Maintain the same address as the primary dwelling with the addition of "Unit B".

~~7.6.~~ Be designed in a manner that is compatible with the neighborhood residential vernacular.

~~8.7.~~ Not operate on separate utility meters from the primary dwelling. The ADU tenant shall have unobstructed access to utility connections, i.e. water and gas shutoff, electrical panel and HVAC equipment, etc.

~~9.8.~~ ADU shall not be permitted on a property with a failing septic tank.

B. Internal Accessory Dwelling Unit as defined in section [13.04.040](#), shall:

1. Comply with all provisions set forth in section [13.14.031](#) A of this chapter.

2. Provide egress window(s) for existing and new construction which meet minimum size standards as per [Chapter 15.08](#) Building Codes.

C. External Accessory Dwelling Unit, as defined in section [13.04.040](#), shall:

1. Comply with all provisions set forth in section [13.14.031](#) A of this chapter.

~~2. Be located on a lot of record measuring either: a) twice the minimum lot size of the underlying zone; or, b) a minimum of one-half acre (21,780 square feet) or larger.~~

3. Provide a footprint size of a minimum of two hundred (200) square feet and maximum footprint as per [Chart 13.14.101](#).

4. Comply with setbacks as per section [13.14.110](#), [chart 13.14.101](#).

5. Comply with Maximum Height as per section [13.14.110](#).

~~6. Comply with Lot Coverage maximums as per section [13.14.080](#).~~

~~7.6.~~—Design standards of any EADU shall include the following. These standards are intended to increase privacy and minimize impact to neighboring residents.

a. Security and/or building lighting shall be "dark sky" compliant, to include the following:

~~1. b.~~ Only LED, incandescent light sources in the spectrum of white or off white (light yellow tones in the kelvin scale of 5,000k or lower, i.e. warmer).

~~2. c.~~ Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.

~~3. d.~~ Lighting installations shall include timers, dimmers and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.

~~b. e.~~ Primary and secondary access points including but not limited to doors, windows, patios, garage doors, etc. shall not open into a required setback.

~~c. Windows on a second level are prohibited on an exterior wall that is adjacent to side or rear property lines unless the window is clerestory with the bottom of the window at least 6 feet above the finished floor of the second level, the wall faces an elevation of the principle building, the window is at least 10 feet from a rear or side property line, or the window faces a side or rear property line adjacent to a commercial or non-residential use.~~

~~d. f.~~—Required setbacks shall be maintained with landscaping which provides a buffer to neighboring properties.

~~e. g.~~ Setback shall be increased by a minimum of twenty five percent (25%) based on the setback requirements, see [Chart 13.14.101](#). (Ord. 2021-24, 9-9-2021)

8. Conversion of existing accessory buildings, including non-conforming structures, to EADUS is allowed with standards.

a. Shall meet all design standards within [13.14.031.C6](#).

b. No windows or doors that open into a required setback shall be added to the structure.

74 c. Structures that do not conform to the building footprint sizes shown in [Chart 13.14.101](#)
75 must apply for a conditional use permit for a footprint that exceeds the allowed size.

76 d. Structures that do not conform to setbacks in [Chart 13.14.101](#) shall add landscaping
77 or other buffers to mitigate impacts.

78 e. Any addition onto existing accessory buildings should comply with all applicable
79 setback and height requirements.

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