

MOUNT PLEASANT, UTAH
ORDINANCE 2024.XX
DETACHED ACCESSORY DWELLING UNITS

AN ORDINANCE AMENDING CHAPTER 18 OF TITLE 10 OF THE MOUNT PLEASANT MUNICIPAL CODE TO INCLUDE A NEW SECTION ESTABLISHING REGULATIONS FOR DETACHED ACCESSORY DWELLING UNITS.

RECITALS

WHEREAS, pursuant to Utah Code Ann. § 10-1-201 Mount Pleasant City ("the City") is a Utah municipal corporation and political subdivision of the State of Utah;

WHEREAS, pursuant to Utah Code Ann. § 10-3b-401 the Mount Pleasant City Council ("the City Council") is the legislative and governing body of the City;

WHEREAS, pursuant to Utah Code Ann. § 10-9a-103(31) the City Council, in addition to being the legislative and governing body of the City, is also the Land Use Authority vested with the power to enact all Land Use Regulations and make all Land Use Decisions within the City unless the latter administrative power is delegated to another body or person;

ORDINANCE

NOW THEREFORE, be it ordained by the Mount Pleasant City Council, in the State of Utah, as follows:

SECTION 1: AMENDMENT OF CHAPTER 18, TITLE 10 OF THE MOUNT PLEASANT MUNICIPAL CODE. Title 10, chapter 18 of the Mount Pleasant Municipal Code is hereby amended to include Section 170 as follows:

10.18.170 DETACHED ACCESSORY DWELLING UNITS (DADUs).

10.18.170.1 PURPOSE.

- 10.18.170.2 DEFINITIONS.
- 10.18.170.3 APPLICABILITY.
- 10.18.170.4 SPECIFIC STANDARDS.
- 10.18.170.6 ADMINISTRATIVE PROCESS.
- 10.18.170.7 ENFORCEMENT AND PENALTIES.

10.18.170.1 PURPOSE.

This section establishes clear and comprehensive standards and regulations for the development and use of Detached Accessory Dwelling Units (DADUs) within the community. It aims to promote additional housing options and encourage the efficient use of existing infrastructure. Additionally, the ordinance seeks to ensure that DADUs are designed and constructed to align with community aesthetics, maintain the character of residential neighborhoods, and minimize potential impacts on surrounding properties.

10.18.170.2 DEFINITIONS.

- A. Detached Accessory Dwelling Unit (DADU): A secondary, self-contained residential dwelling unit that is detached from the primary single-family residence and located on the same lot.
- B. Principal Dwelling Unit: The main residential structure on a property, intended for use as a single-family residence.
- C. Owner-Occupant: An individual who holds legal title to the property and occupies either the principal dwelling unit or the DADU as their primary residence.
- D. Short-Term Rental: The rental of a dwelling unit or part thereof for a period of less than 30 consecutive days.
- E. Mobile Detached Accessory Dwelling Unit (Mobile DADU): A Mobile DADU is a recreational vehicle (RV), travel trailer, or similar movable structure detached from the primary dwelling, designed for temporary or extended residential occupancy. It must connect to onsite utilities and provide essential living functions, such as sleeping, cooking, and sanitation. The unit shall remain transportable and comply

with zoning, safety, and utility connection standards. Mobile DADUs are intended as accessory uses to primary residences and are not permitted as short-term rentals.

10.18.170.3 APPLICABILITY.

The requirements of this section shall apply to all DADUs in single-family zones. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, and other laws.

10.18.170.4 SPECIFIC STANDARDS.

A DADU shall meet the following standards:

- A. Ownership: A DADU shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.
- B. Occupancy: The City shall only permit an accessory dwelling unit when an owner-occupant lives on the property within either the principal or accessory dwelling unit.
- C. Number of DADUs Per Parcel: A DADU shall be allowed only on parcels containing a single-family dwelling. One (1) DADU shall be permitted for every ten thousand (10,000) square feet of lot area.
- D. Fractional Lots: If a parcel contains a fractional portion of ten thousand (10,000) square feet beyond a whole multiple, no additional DADU shall be permitted unless the remaining portion meets or exceeds ten thousand (10,000) square feet.
- E. Not a Unit of Density: DADUs are not considered a unit of density and, therefore, are not included in the density calculation for residential property.
- F. Parking: An additional off-street parking space is required. Parking shall comply with Chapter 22 of this Title. No on-street parking shall be allowed in association with the DADU.
- G. Size and Location Requirements:
 - 1. Setbacks: The side and rear setbacks for the DADU shall be ten feet (10').
 - 2. Minimum Dimensions: A DADU shall have a minimum footprint of twenty feet by twenty feet (20' x 20').

Commented [RS1]: Alternative setback requirement of 10 feet for the rear and the side.

3. Height: The maximum height of a DADU shall not exceed the height of the single-family dwelling on the property or exceed twenty-five feet (25') in height, whichever is less.

H. **Mobile DADUs:** Mobile Detached Accessory Dwelling Units, as defined in this section, shall comply with the above requirements except as stated below:

1. All Mobile DADUs must be licensed and inspected annually by the Mount Pleasant City Fire Department and/or other appropriate City personnel.
2. Propane tanks over ten pounds (10 lbs.) are not allowed.
3. All Mobile DADUs must connect to the Mount Pleasant City Sewer System as well as to water and power.
4. All Mobile DADUs must be placed on a concrete pad that is large enough to accommodate the entire unit while providing an additional three feet (3') of width along the entrance side of the Mobile DADU.
5. The minimum footprint requirement specified in 10.18.180.4 G does not apply to Mobile DADUs.

Commented [RS2]: Needs to have an exemption from the minimum dimensions of a standard DADU.

Commented [RS3]: Requirements for connection to Water and Power.

10.18.170.5 APPLICATION REQUIREMENT.

Any homeowner residing in a single-family dwelling whose property is in a residential zone and who desires a DADU must submit a Detached Accessory Dwelling Unit Application. This application shall be required in addition to any building permits that may be necessary to create the accessory dwelling unit. The applicant shall submit the following as part of the Detached Accessory Dwelling Unit Application:

- A. An application fee set by the City Council and established by resolution.
- B. A site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings, any proposed building and its dimensions and property lines, and the location of parking stalls.
- C. Written verification that the applicant owns the property and has permanent residency in the existing single-family dwelling where the request is being made.

Commented [RS4]: Payment of fees prior to review. fees adopted by resolution of the City Council.

10.18.170.6 ADMINISTRATIVE PROCESS.

- A. Staff Review: The Planning Department or other designated City staff shall review all DADU applications for compliance with this section and other applicable codes.

1. If City staff finds that the application complies with the requirements of this section, it shall be approved.
2. If City staff finds that the application does not comply with the requirements of this section, it shall be denied.

10.18.170.7 ENFORCEMENT AND PENALTIES.

Upon finding a violation under this Section, the following penalties shall apply:

- A. First Violation: Five Hundred Dollars (\$500.00).
- B. Second Violation: One Thousand Dollars (\$1,000.00).
- C. Third Violation: Two Thousand Dollars (\$2,000.00).

In addition to the fines set forth in this Subsection, all violations of this Section may constitute a Class C misdemeanor as outlined in Chapter 10-04-090 of this Title.

Severability Clause: Should any part or provision of this ORDINANCE be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ORDINANCE as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Effective Date: This Ordinance shall be in full force and take effect on _____, 2025

Repealer Clause: All Mount Pleasant City ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND APPROVED this ____ day of _____, 2025.

Attest:

Michael Olsen, Mayor

Natalie Crosby, Recorder

City Council Member Russell Keisel	Yea___ Nay___ Absent___
City Council Member Paul Madsen	Yea___ Nay___ Absent___
City Council Member Rondy Black	Yea___ Nay___ Absent___
City Council Member Lynn Beesley	Yea___ Nay___ Absent___
City Council Member Cade Beck	Yea___ Nay___ Absent___

RECORDED this ___ day of _____, 2025.

PUBLISHED OR POSTED this ___ day of _____, 2025.

DRAFT