



Memorandum

To: Town Council
From: Thomas Dansie, Director of Community Development
Date: August 8, 2025
Re: Ordinance 2025-09 Clarifications to Accessory Dwelling Unit Standards

Executive Summary

The Town's Housing Committee has proposed clarifications to the regulations for Accessory Dwelling Units (ADUs). These changes are based on a proposed ordinance the Planning Commission developed in 2024. That ordinance made a number of clarifying edits to the ADU regulations and also would have allowed external ADUs in the FR zone.

At that time the Council did not adopt the ADU ordinance as drafted. However, they did appreciate many of the clarifications contained in the Commission's proposed ordinance. The Council asked the Housing Committee to review the ordinance and see what elements could be retained, while not rehashing the controversial issue of external ADUs in the FR zone.

The Housing Committee used the Commission's proposed ordinance as a template to create clarifications and modifications to the Town's ADU standards. The Planning Commission reviewed those changes and recommended the Town Council adopt them. In the June meeting the Council held a public hearing on the proposed changes.

At that time the Council expressed a desire to investigate further changes to the ADU standards, most significantly a requirement for external ADUs to be occupied by households where at least one adult member of the household is actively employed in Springdale. Council Members Aton and Campbell subsequently worked with staff on drafting additional edits to the ADU standards based on the Council's direction in the June meeting, including the active employment requirement.

The updated ordinance is now presented to the Council for review.

Overview of Housing Committee Recommendations

As discussed above, the Housing Committee used the Planning Commission's proposed ordinance language as a template for their proposed revisions. The Committee's proposed ordinance changes do the following:

- Add a height limit for external ADUs.
- Increase the property size required for an external ADU.
- Allow family members and non-paying guests to occupy a guesthouse without needing an ADU permit.

- Revise the allowable size of an external ADU to be 50% of the area of the main building on the property, with a maximum size of 1,500 square feet.
- Clarify the minimum rental periods for both internal and external ADUs.
- Add a parking requirement for external ADUs that requires all ADU parking to be contained on site.
- Make a number of edits to existing ADU standards for clarity and consistency with the proposed new standards.

Overview of Additional Revisions Based on Council Members Aton and Campbell's Review

Council Members Aton and Campbell met with staff after the June meeting to discuss additional changes to the ADU ordinance, most significantly a requirement that external ADUs be occupied by households where at least one adult member is actively employed in Springdale. The additional changes based on this review are:

- Placing the 6,000sf lot size minimum for an ADU in the standards for Internal ADUs. (It was previously erroneously included in the standards for both Internal and External ADUs.)
- Clarifying the language regarding the minimum lease period for External ADUs. This closes a loophole wherein a property owner could potentially rent an External ADU for very short periods.
- Including requirements for External ADUs to be occupied by households with at least one adult actively employed in Springdale.
- Adding language regarding penalties for non-compliance with the ADU standards.

General Plan Direction

The Council should reference the General Plan when analyzing proposed ordinance changes. The Council should make changes to the land use ordinance only when such changes will clearly promote the goals and objectives of the General Plan (see [Town Code section 10-3-2\(A\)](#)).

The Council may wish to review the following section of the General Plan when considering whether or not to adopt the proposed ADU changes.

Housing General Goal

Springdale will retain its rural residential character by protecting existing residential neighborhoods from the impacts of increased commercialization. The Town will have housing options that support a diverse population, including low density residential units, higher density mul-family units in select locations, accessory dwelling units, and others. This will allow the Town to maintain housing for a community with families of diverse income. It will benefit local businesses by providing a larger labor pool. It will benefit the Town by having the people who are working in businesses also be committed and contributing members of the community by having access to attainable housing.

Housing Sub-Goal 2a

Make allowances for expanded use of Accessory Dwelling Units (ADU's), while ensuring these uses do not detract from the character of existing neighborhoods.

Public Comment

There has been no public comment on this item.

Planning Commission Action

The Commission reviewed the proposed changes in their April work meeting. At that time the Commission suggested a few clarifications to the ordinance. The Commission then held a public hearing regarding the proposed changes in their May meeting. After the public hearing the Commission recommended the Council adopt the proposed ADU changes. The Commission's motion of approval is copied below:

Motion made by Jennifer McCulloch that the Planning Commission recommends the changes to the Accessory Dwelling Unit regulations as proposed by the Housing Committee as discussed in the Planning Commission meeting on May 21st, 2025, This motion is based on the following findings:

1. **The proposed changes comply with the goals and objectives of the General Plan in regard to the housing general goal of retaining rural character, protecting neighborhoods from the impacts of commercialization.**
2. **Housing Sub-Goal 2A to make allowances for expanded use of Accessory Dwelling Units, while ensuring these uses do not detract from the character of existing neighborhoods.**

The motion includes the following conditions:

1. **Section E Specific Standards 2(a)(1): change the referenced section number to section 10-22-9(E)(2)(a)(2).**
2. **Section E-2(c): modify the language to reflect the intended purpose to read "3) a lower building height if required by other sections of this title" by removing the first two sentences of item 3, with the last sentence remaining.**

Second by Terry Kruschke.

Discussion of the motion:

Mr. Kruschke proposed a condition that staff work with the Town Attorney to change the wording so that the 30-day requirement includes at least one night of occupation by the tenant as well as the lease.

Ms. McCulloch accepted the additional condition to the motion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Town Council Action

The Council should determine whether or not the proposed revisions to the land use regulations related to accessory dwelling units:

- 1) Promote the goals and objectives of the General Plan,
- 2) Establish efficient, sound, and necessary policy to regulate accessory structures, and
- 3) Are written and worded in a manner that will allow efficient and effective administration of the accessory dwelling units.

Based on these findings the Council should make a motion to either adopt or not adopt the proposed revisions to the land use regulations related to accessory dwelling units in Ordinance 2025-09.



ORDINANCE 2025-09

REVISIONS TO THE TOWN OF SPRINGDALE’S LAND USE REGULATIONS RELATED TO
ACCESSORY DWELLING UNITS

Whereas, the Town of Springdale allows accessory dwelling units (ADUs) to help diversify the range of housing options in the Town, and to provide housing options that are more affordable to Springdale’s workforce; and

Whereas, the Planning Commission has recommended revisions to the ADU regulations intended to clarify provisions related to ADU development standards, rental periods, and other provisions; and

Whereas, the Town Council finds the proposed ADU revisions will help promote the Town’s housing goals established in Chapter 2 of the General Plan; and

Whereas, the necessary processes and procedures to amend the land use ordinance, including the required public hearings, have been satisfied;

Now therefore be it ORDAINED by the Springdale Town Council that Title 10 of the Springdale Town Code is amended as follows:

Adopted by the Springdale Town Council this 13th day of August, 2025.

Barbara Bruno, Mayor

Attest:

Aren Emerson, Town Clerk

ROLL CALL VOTE		
R. Aton	Yes	No
B. Bruno	Yes	No
J. Burns	Yes	No
P. Campbell	Yes	No
K. Topham	Yes	No

Section 1: The definition of “Guest” in Section 10-2-2 is amended to read as follows:

10-2-2: DEFINITIONS:

Guest: Any person or persons staying, for a time period not to exceed ~~60~~90 days, within a dwelling unit without payment or compensation or remuneration to the owners, tenants or full time inhabitants of said dwelling unit.

Section 2: Section 10-20-8 is amended to read as follows:

10-20-8: ACCESSORY BUILDINGS:

Accessory buildings are buildings erected in the vicinity of a principal structure and are defined and limited by the following regulations:

- A. An accessory building shall be located behind the front, side and rear yard setbacks of the lot and, except as otherwise provided in this title, at least ten feet from any dwelling existing or under construction on the same lot.
- B. ~~Except for guesthouses, accessory buildings shall not be used for dwelling purposes. An accessory building or accessory structure may be occupied as a dwelling unit: 1) as a guest house, 2) as an external accessory dwelling unit regulated by section 10-22-9, or 3) by non-paying family members (related by blood, marriage, or adoption) of the occupants of the primary dwelling on the property. No other use of an accessory building or accessory structure as a dwelling unit is allowed. Only one accessory building or accessory structure on a property may be designed or used for dwelling purposes.~~
- C. Accessory buildings shall comply with all the applicable ordinances, codes and laws of the Town and the state, and shall be governed by the requirements of the Uniform Building Code. The construction or installation of an accessory building may require a building permit and any other permit required by this title.

Section 3: Section 10-22-9 is amended to read as follows:

10-22-9: ACCESSORY DWELLING UNITS:

- A. *Accessory dwelling units defined:* An accessory dwelling unit (ADU) is a second dwelling unit on an owner-occupied single-family property that is clearly incidental and accessory to the primary structure on the property.
- B. *Classes of ADUs:* ADUs can be either internal or external.
 - 1. An internal ADU is a separate dwelling unit located entirely within the footprint of a single-family dwelling on a residentially zoned property. Internal ADUs must meet the standards in U.C.A. § 10-9a-530. To be considered an internal ADU, the dwelling unit must have a kitchen, bathroom, and sleeping area situated together in a logical configuration that is separated from the rest of the primary dwelling in such a manner that is clearly intended for the possible use as a separate dwelling unit. The mere presence of a wet bar or entertainment kitchen in a primary dwelling does not, in and of itself, create an internal ADU.

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2. An external ADU is a dwelling in a separate structure on the same residentially zoned property as a single-family dwelling, and which is detached from the single-family dwelling. To be considered an external ADU, the dwelling unit must have a kitchen, bathroom, and sleeping area in the separate structure configured in such a manner that is clearly intended for the possible use as a separate dwelling unit. The mere presence of a wet bar or entertainment kitchen in an accessory structure does not, in and of itself, create an external ADU.

C. *Allowed zones:*

1. Internal ADUs are allowed in all residential zones.
2. External ADUs are only allowed in the VR zone and VR subzones.

D. *General standards:* All ADUs must conform to the following standards:

1. The ADU must contain complete cooking and bathroom facilities that are separate from the facilities located in the main residence.
 - a. The cooking facility in the ADU must contain:
 - (1) A sink and water faucet,
 - (2) Capacity for food refrigeration, and
 - (3) A permanent, built-in stove top, range, or other similar device for cooking food.
 - b. The bathroom facility in the ADU must contain:
 - (1) A sink and water faucet,
 - (2) A toilet, and
 - (3) A shower or bathtub.

2. The owner of the property must occupy either the main residence or the ADU.

~~3. One off-street parking space must be provided for the ADU, in addition to parking required for the primary dwelling on the property.~~

~~4.3~~ ADUs must meet all applicable Fire and Building Codes.

~~54. It must be visually apparent that the lot where the ADU is located is developed as a single-family residence with an accessory dwelling and the ADU must maintain the single-family appearance and character of the neighborhood. ADUs should be compatible in design and appearance with the main residence on the property. The lot where the ADU is located must maintain the single-family appearance and character of the neighborhood. ADUs should be compatible in design and appearance with the main residence on the property.~~

~~65.~~ Only one ADU per property is permitted.

~~7. The lot where the ADU is located must be at least 6,000 square feet in size.~~

~~8.6.~~ ADUs shall not be used for transient lodging.

~~9.7.~~ The total number of residents that reside in the accessory dwelling unit may not exceed the number allowed for "family," as defined in section 10-2-2.

~~10.8.~~ If a garage or carport is converted to an ADU, the property owner must replace any parking spaces contained in the garage or carport which are required by code with an equal number of parking spaces elsewhere on the property in a manner that complies with all land use standards.

~~11.9.~~ An ADU shall not be permitted within a mobile home.

~~1210~~ A property owner may not install power or culinary water utility meters that serve only the ADU. The ADU must be served by the same power and culinary water utility meters as the primary dwelling on the property.

11. An ADU is not allowed to be sold separately or subdivided from the primary dwelling on the property.

E. *Specific standards:*

1. *Internal ADUs:* The following standards apply to internal ADUs only:

- a. The ADU must be rented for periods of 30 consecutive days or more. The owner of an internal ADU may not enter into a new lease or rental agreement for the ADU until at least 30 days have passed since the date the ADU was first occupied under the previous lease or rental agreement.
- b. One off-street parking space must be provided for the ADU, in addition to parking required for the primary dwelling on the property.
- c. The lot where the ADU is located must be at least 6,000 square feet in size.

2. *External ADUs:* The following standards apply to external ADUs only:

- a. The ADU must be rented for periods of 90 consecutive days or more.
 - (1) The owner of an external ADU may not enter into a new lease or rental agreement for the ADU until at least 90 days have passed since the date the ADU was first occupied under the previous lease or rental agreement, except as allowed by section 10-22-9(E)(2)(a)(2).
 - (2) The owner of an external ADU may enter into a new lease or rental agreement for the ADU when the current tenant breaks the lease, as long as at least 30 days have passed since the date the ADU was first occupied under the previous lease or rental agreement.
 - b. The structure containing the ADU is limited to 1,500 square feet in area, measured in the same manner as any other structure in the residential zones. The structure containing the ADU shall be limited in area to the greater of: 1) 50% of the building area of the primary dwelling on the property up to a maximum of 1,500 square feet, or 2) 1,000 square feet.
 - (1) For the purpose of compliance with this standard the area of the structure containing the ADU shall be measured in the same manner as any other structure in the residential zones, except that the area of a basement in an external ADU structure shall be included in the area of the ADU.
 - (2) The residential size bonus allowed by Chapter 10-15H does not apply to structures containing an external ADU.
 - c. The building height for the structure containing the ADU, as measured by the building height measurement method established in Chapter 10-15A, is limited to the whichever of the following three standards yields the lowest building height: 1) 17 feet, 2) the height of the primary dwelling on the property, or 3) a lower building height if required by other sections of this title. The residential height bonus allowed by Chapter 10-15H does not apply to structures containing an external ADU.
 - d. The property containing the ADU must be at least 0.5 acres in area.
 - e. The property where the ADU is located must contain enough parking spaces to store all vehicles associated with both the primary dwelling and the ADU on site, while also meeting all land use standards (setbacks, landscape, etc.).
 - f. At least one adult member of the household occupying the ADU must be actively employed in the Town of Springdale or Zion National Park.
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(1) To be actively employed, a person must work:

(a) Within the municipal boundaries of the Town of Springdale or in Zion National Park (persons who work for outdoor or adventure guiding or tour services based in Springdale and who meet clients in Springdale satisfy this criterion, even if the guided trip or tour occurs outside of Springdale); and

(b) For an employer whose business location is in the Town of Springdale or Zion National Park; and

(c) For at least 1,560 hours per year.

(2) A person must meet all three of the above criteria to be qualified as "actively employed."

(3) A person who works from home through remote work, home occupation, or other work from home arrangement is not considered actively employed.

(4) An actively employed person's employer may have physical business locations outside Springdale and/or Zion National Park in addition to the business location in Springdale and/or Zion National Park. However, to be actively employed, the person must work primarily at a business location in Springdale and/or Zion National Park.

(5) A person may work for multiple businesses or organizations to meet the minimum hours per year standard, if all the businesses or organizations meet the requirements described in this section.

(6) The owner of the property containing the ADU shall submit a signed affidavit annually verifying tenant eligibility to the Town on July 1 of each year.

(7) The Town may require documentation of a tenant's employment or business activity to ensure compliance with the active employment requirement.

F. *Permit required:* Prior to renting or offering to rent an ADU, a property owner must obtain an accessory dwelling unit permit from the Town.

1. The ADU permit is reviewed and approved by the DCD.
2. The DCD shall issue the ADU permit, only after finding all of the standards in this section and all other applicable land use standards have been met.
3. The Town shall record a notice of the permit with the Washington County Recorder, as detailed in U.C.A. § 10-9a-530(6).

G. Failure to comply with any regulation in this section 10-22-9 may results in enforcement actions taken against the property owner, potentially including civil fines and penalties. In addition to other remedies available to the Town, the Town may hold a lien against a property that contains an ADU if the property owner violates any standards for operation of an ADU. The amount, notice, and procedure for the lien shall be in accordance with state law.
