

ORDINANCE 2025-5

AN ORDINANCE ADOPTING REGULATIONS FOR ACCESSORY DWELLING UNITS (ADUs)

WHEREAS, the Utah State Legislature has adopted Utah Code Ann. § 10-9a-530 requiring municipalities to allow internal accessory dwelling units (IADUs) in certain residential zones, and;

WHEREAS, Orangeville City desires to comply with state law while ensuring orderly land use and neighborhood compatibility; and

WHEREAS, the Orangeville City Council finds it in the public interest to adopt zoning regulations to govern the development and use of accessory dwelling units;

WHEREAS, the Orangeville City Council wishes to add a chapter 18 to Title 11 in the Orangeville City Code Book and;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Orangeville City, Utah, as follows in Exhibit A:

SEE ATTACHED EXHIBIT A

PASSES AND ADOPTED by the City Council of Orangeville City, Utah, this 9th day of October, 2025.

ORANGEVILLE CITY

Shaun Bell- Mayor

ATTEST:

Amanda Lake- Recorder

VOTING:

Tracy Addley _____

Kari Alton _____

Doug Stilson _____

Kirk McQuivey_____

Kevin Butler _____

EXHIBIT A

Chapter 18

Accessory Dwelling Units (ADU's)

SECTION:

- 11-18-1: Definitions
- 11-18-2: Intent
- 11-18-3: Requirements
- 11-18-4: Development Standards
- 11-18-5: Violations

11-18-1: **DEFINITIONS:** For the purposes of this Ordinance:

- A. Accessory Dwelling Unit (ADU):** A residential dwelling unit is (a) internal to primary dwelling, or (b) a separate structure on the same lot as the primary dwelling, and provides complete independent living facilities for one or more persons.
- B. Primary Dwelling:** means a single -family dwelling that is detached and is occupied as the primary residence of the owner of record. Primary Dwelling includes a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall.
- B. Internal ADU (IADU):** An ADU created within the footprint of a primary single- family dwelling for the purpose of offering a long-term rental of thirty (30) consecutive days or longer.
- C. Detached ADU (DADU):** An ADU that is not within the primary dwelling, but located on the same parcel.
- D. Owner Occupied:** The property owner occupies either the primary dwelling or the ADU as their principle residence.

11-18-2: **INTENT:**

- A.** The intent of this Ordinance is to establish and enforce clear, consistent, and equitable standards for the development and use of Accessory Dwelling Units (ADUs) within the city. This Code is adopted in accordance with Utah State Law and the city's general plan to promote responsible growth, enhance housing opportunities, and preserve the character of residential neighborhoods.
- B.** The municipality recognizes the value of ADUs in providing flexible, affordable housing options for seniors, young adults, caregivers, and other individuals or families, while also allowing homeowners to generate supplemental income and make efficient use of existing infrastructure.

11-18-3: REQUIREMENTS:

A. For Internal ADUs:

1. The property must be Owner-Occupied (either the main unit or the ADU must be occupied by the property owner).
2. Internal ADUs shall be within a primary dwelling and within the footprint of the primary dwelling for the purpose of offering a long-term rental of thirty (30) days or longer.
3. May not require a conditional use permit, must be a permitted use.
4. Only one per parcel (lot) is allowed.
5. Shall comply with all applicable building, health, and fire codes.
6. May not be used as a short-term rental.
7. Shall provide one (1) additional off-street parking space, for a total of three (3) parking spaces on the property. Any additional parking space(s) required for an ADU may be provided as tandem parking on an existing driveway.
8. Every ADU must have at least one (1) bathroom, which must include at a minimum a lavatory, toilet and a bathtub or shower.

B. DETACHED ADUs (External Structures)

1. Lot Size shall be a minimum lot size of 10,000 square feet.
2. A maximum height of 10-foot walls from the ground to the bottom of the gable and shall be limited to one (1) story, shall be permitted with the exception of those placed above garages may be permitted.
3. Setbacks are not permitted in front or side yard.
4. A minimum of a 10-foot setback required from the rear yard property line.

C. CORNER LOT ADUs

1. A minimum of a twenty-five (25) foot setbacks are required from the side property line facing the street.

11-18-4: DEVELOPMENT STANDARDS

- A.** An ADU shall only be located on parcels (lots) with an area of 10,000 square feet or larger.
- B.** No more than one (1) ADU shall be allowed per parcel (lot).
- C.** An ADU shall have its own address, separate from the primary dwelling.
- D.** An ADU shall not be larger than 50% of the primary dwelling. If an ADU has an attached garage, the ADU square footage maximum applies to dwelling unit square footage and does not include the square footage of garage.
- E.** An ADU shall be a permanent structure. No travel trailer, boat, RV, or mobile home shall be permitted.
- F.** An ADU shall meet setback requirements for accessory structures related to the underlying zoning district.
- G.** Minimum size of an ADU shall follow the size requirements for the zone in which it is built.
- H.** A continuing and sufficient supply of safe and potable hot and cold water under adequate pressure for all household uses must be provided.
- I.** A safe and approved means of sewage disposal per city code requirements.

11-18-5: VIOLATIONS:

A. The City may hold a lien against a property that contains an internal ADU unit if:

1. The owner of the property violates any of the provisions of this ordinance adopted.
2. The city provides a written notice of violation in accordance Subsection 11-18-5(B).
3. The city records a copy of the written notice of the lien described with the county recorder in which the property is located.

B. The written notice of a violation shall:

1. Describe the specific violation.
2. Provide the owner of the ADU a reasonable opportunity to address the violation that is:
 - a. no less than fourteen (14) days after the day on which the city sends the written notice of the violation, if the violation results from the owner renting or offering to rent the ADU for a period of less than thirty (30) consecutive days; or
 - b. no less than thirty (30) days after the day on which the city sends the written notice of the violation.
3. If the owner of the property fails to address the violation within the time period given, the city may hold a lien against the property in the amount of \$100.00 for each day of violation after the day on which the opportunity to address the violation expires.
4. The city will mail the property owner and any other designated individual to receive notice. Those names must be listed in the owner's license or permit records and be posted on the property.
5. If an owner files a written objection, the city shall:
 - a. holds a hearing to conduct a review to determine if the specific violation described in the written notice has occurred.
 - b. notifies the owner in writing of the date, time and location of the hearing described no less than 14 days before the day of the hearing is held.
6. If the owner addresses a violation within the time period provided in the written notice of the violation, the city will not hold a lien against the property, or impose a penalty or fee on the owner, in relation to the specific violation described in the written notice of violation.