

Accessory Dwelling Units

Chapter 12 - Accessory Dwelling Units

- A. *Purpose.* Accessory dwelling units (ADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-family residences.
- B. *Accessory Dwelling Units Defined.* An accessory dwelling unit (ADU) is a second dwelling unit in an owner-occupied single-family property that is clearly incidental and accessory to the main dwelling on the property. ADUs are categorized by being internal, detached or attached. References herein to an “accessory dwelling unit” or “ADU” without designating either external or internal is a reference to both internal and external accessory dwelling units.
 - a. *Internal ADU.* “Internal ADU” means an ADU located (a) within a primary dwelling unit; (b) within the footprint of the primary dwelling unit at the time the Internal ADU is created; and (c) for the purpose of offering a long-term rental of 30 consecutive days or longer. Internal ADUs must meet the standards in Utah Code 10-9a-530.
 - b. *External ADU.* “External ADU” means an ADU located in a structure other than the primary dwelling unit. The following types are considered external ADUs:
 - i. *Detached ADU.* “Detached ADU” means an ADU located in an accessory building on the property and not attached to or within the principal dwelling unit. Detached ADUs are not permitted within any zone. No structure that is detached from the primary dwelling unit may be used, constructed, or converted for use as a Detached ADU. *Attached ADU.* “Attached ADU” means a new ADU is constructed as a physical expansion (i.e., addition) of the primary dwelling and is attached to the single-family dwelling unit by one or more common walls.
- C. *Permitted and Conditional Uses.* Accessory dwelling units shall be permitted in the Residential R-1 Zone only and when as permitted herein. If the ADU is not designated within a particular zone, then it is prohibited.
- D. *General Standards.*
 - a. ADU permit application shall be required for all internal, and external attached units. Only applications deemed complete by City Staff will be processed. Complete applications include appropriate application forms reflecting the standards of the City, plans, texts and signatures as required on the form available at City Hall. A letter or email confirming the

completeness of the application may be requested by the applicant. All applications shall be accompanied by the appropriate fee as established from time to time by resolution of the City Council.

- b. Only one ADU per property is permitted.
- c. ADUs shall meet all building codes and obtain all required permits prior to occupancy of the ADU.
- d. The applicant shall have a fee simple title to the property.
- e. The ADU shall have a separate entrance that is not visible from the street and that does not disrupt the single-family appearance of the existing structure.
- f. The ADU shall have the same address number as the primary dwelling unit, but refer to the ADU as "Unit B." Addresses must be located in a visible location on the street frontage side of the home.
- g. The ADU shall have a minimum of one bedroom and a three-quarter bath.
- h. The ADU shall have a kitchen.
- i. Parking Requirements for ADUs:
 - i. A single-family dwelling with an ADU shall provide at least one (1) additional off-street parking space for the ADU. In no case shall the number of off-street parking spaces be less than the number of vehicles being maintained on the premises. This shall include covered parking, garages and tandem parking in driveways. Tandem parking within a driveway is allowed to meet the parking requirement. No parking spaces may be located within the front yard or side yard setbacks adjacent to a street, except for within an approved driveway. At a minimum, all parking areas and driveways shall be paved with concrete, asphalt, masonry, or concrete pavers. Permitted accessory parking standards must meet minimum parking requirements. No ADU may be allowed on any lot that cannot satisfy the parking requirements.
 - ii. Any parking spaces contained within a garage or carport should be replaced if an ADU is created within that space.
 - iii. No vehicles shall be parked on the front lawn or other landscaped areas except within an approved driveway.
- j. The property shall be neatly maintained and shall meet all current codes regarding property maintenance and public health standards.
- k. The applicant has not been notified or fined by the City for any code violations relating to this property or any other property within the previous 12 months.

- I. Owner Occupancy.* An Application for an ADU shall only issue when an owner occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall be defined as follows:
 - i. OWNER-OCCUPANCY: Any one of the following individuals resides on the subject property for the entire time during which an accessory dwelling unit or principal dwelling is rented or otherwise occupied by:
 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 a 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.
- m. The occupants of an ADU shall be limited by one of the following family categories:
 - i. One (1) person living alone; or
 - ii. Two (2) related or unrelated adults and their children.
 - iii. Any of the above categories plus a temporary guest. A "temporary guest" is defined as a person who stays with a family for a period of less than ninety (90) days within any rolling one (1) year period and does not utilize the dwelling as a legal address for any purpose.
- n. The ADU must be rented for periods of 30 consecutive days or more.
- o. All ADUs shall connect to the utility lines as follows:
 - i. Internal ADUs and External Attached ADUs may connect to the same (water and sewer) utility lines as the primary dwelling unit.

E. Internal ADU Standards.

- a. Purpose: Internal Accessory Dwelling Units (IADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-family residences. The purposes of the IADU standards of this code are to:
 - i. Create new housing units while respecting the appearance, neighborhood character, and scale of single-family residential development.
 - ii. Provide more housing choices in residential zones.
 - iii. Allow more efficient use of existing housing and large underutilized yards.
 - iv. Provide housing options for family caregivers, adult children aging parents, and families seeking smaller households.

- v. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
- vi. Broaden the range of affordable housing options throughout the City.

b. Definitions:

- i. OWNER-OCCUPANCY: Any one of the following individuals resides on the subject property for the entire time during which an accessory dwelling unit or principal dwelling is rented or otherwise occupied by:
 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 a 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.

c. The occupants of an IADU shall be limited by one of the following family categories:

- 1. One (1) person living alone; or
- 2. Two (2) related or unrelated adults and their children.
- 3. Any of the above categories plus a temporary guest. A “temporary guest” is defined as a person who stays with a family for a period of less than ninety (90) days within any rolling one (1) year period and does not utilize the dwelling as a legal address for any purpose.

d. Local Requirements in accordance with Utah Code 10-9a-530-4, the City:

- i. Zones - Within the R-1, R-3 and RT zones only, IADUs are allowed in single-family, not allowed in multi-family lots or lots that do not meet requirements (parking, setbacks, etc.)
- ii. The entire structure must be in compliance with all applicable codes, including building, health and fire codes. An initial building inspection and fire inspection must be completed prior to approval of and/or issuance of IADU permit.
- iii. IADUs may only be rented, not sold.
- iv. One IADU maximum per lot.
- v. Lot size must be greater than six thousand (6,000) square feet.
- vi. Separate accessible entrance or stairway that must be located on the side or the back.

- vii. Same address number, but refer to the IADU as “Unit B.” Addresses must be located in a visible location on the street frontage side of the home.
- viii. An IADU must provide living areas for eating, sleeping and full bathroom, including kitchen, bathroom sink, toilet, shower/bath, separate from the principal dwelling unit.
- ix. The owner of the property shall occupy either the IADU or the primary dwelling where the IADU is located as their place of primary residence.
- x. Separate utility connections shall not be permitted for IADUs. Owners of lots with an IADU shall be charged for two (2) city utility connections, regardless of shared connection. The owner will be responsible for the meter and payment.
- xi. IADUs may only be rented for long-term rentals of thirty (30) consecutive days or longer. No rentals less than thirty (30) days will be allowed.
- xii. No home occupation business shall be established within an IADU without the express written permission of the property owner, and approval from the City Business License Official.
- xiii. For the Owner: Yearly rental license from the City will be required for all IADUs. If the unit is being rented as a long-term rental, a rental license from the City must be obtained by the owner prior to renting out the unit.

e. Parking Requirements:

- i. A single-family dwelling with an IADU shall provide at least one (1) additional off-street parking space for the IADU. In no case shall the number of off-street parking spaces be less than the number of vehicles being maintained on the premises. This shall include covered parking, garages and tandem parking in driveways. Tandem parking within a driveway is allowed to meet the parking requirement. No parking spaces may be located within the front yard or side yard setbacks adjacent to a street, except for within an approved driveway. At a minimum, all parking areas and driveways shall be paved with concrete, asphalt, masonry, or concrete pavers. Permitted accessory parking standards must meet minimum parking requirements. No IADU may be allowed on any lot that cannot satisfy the parking requirements.
- ii. Any parking spaces contained within a garage or carport should be replaced if an IADU is created within that space.

- f. IADU Permit Required: All IADUs must be fully permitted and licensed before being occupied. Citations shall be issued after ninety (90) days if land use has not been permitted.
 - i. Application must include detailed floor plans and payment of initial permit fee.
 - ii. Before a permit will be issued, evidence of payment of all other required fees and certificates of inspections must be submitted.

(Ord. 2024-05, 11-19-2024)

F. Attached ADU Standards.

- a. Attached ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.
- b. The total area of an attached ADU shall not exceed 50 percent of the square footage of the habitable area of the building footprint of the primary residence and in no case exceed 800 square feet.

c.

External Attached ADU	
Location	Attached to Primary Dwelling Unit
Minimum Lot Size	6,000 square feet
Size Limit, Habitable	50% up to 800 square feet
Maximum Height Limit	Same as Primary Dwelling Unit
Maximum Side Setback	Same as Primary Dwelling Unit
Minimum Rear Setback	Same as Primary Dwelling Unit

d. Fire Regulations.

- i. External Attached ADUs will remain subject to the same fire regulations as the primary dwelling.