



Washington City Planning Commission  
Regular Meeting Agenda  
January 7, 2026

**PUBLIC NOTICE** is hereby given that the Planning Commission of Washington City will host a public electronic meeting on **Wednesday, January 7, 2026** at 6:00 P.M. The Planning Commission will be held in the Council Chambers of Washington City Hall located at 111 North 100 East, Washington, Utah. The meeting will be broadcast via Youtube Live linked online at <https://washingtoncity.org/meetings>

**1. APPROVAL OF AGENDA**

**2. APPROVAL OF MINUTES**

- a. Approval of the Planning Commission Minutes from December 17, 2025.

**3. DECLARATION OF ABSTENTIONS & CONFLICTS**

**4. PUBLIC HEARINGS**

***\*\*Public comments will be accepted at: [washingtoncity.org/meetings](https://washingtoncity.org/meetings), until 5:00 pm the day before the meeting. After that time only in person comments will be taken.\*\****

- a. Public Hearing for consideration and approval of Conditional Use Permit C-25-15 for a 50' tall pole sign for Panera Bread located at 876 W Buena Vista Blvd. Applicant: John Sapp, Craig Road LLC.
- b. Public Hearing for consideration and recommendation to City Council for Zone Change Z-25-24 to change the existing zoning from A-20 to PUD/C located at approximately the northeast corner of Washington Fields Road and George Washington Boulevard. Applicant: Ian Lang.
- c. Public Hearing for consideration and recommendation to City Council amending Washington City Code Title 9-8A-8; Detached Accessory Dwelling Unit (DADU).
- d. Public Hearing for consideration and recommendation to City Council amending Washington City Code Title 9-8B-7; Detached Accessory Dwelling Unit (DADU).

## 5. ADJOURNMENT

POSTED this 31st Day of December 2025  
Bonnie Baker, Zoning Technician

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*In accordance with the Americans with Disabilities Act, Washington City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by calling the Zoning Technician at 656-6325 at least 24 hours in advance of the meeting to be held.*

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WASHINGTON CITY  
PLANNING COMMISSION MEETING  
STAFF REVIEW

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**HEARING DATE:** January 07, 2026

**ACTION REQUESTED:** C-25-15, A request for a Conditional Use Permit for an extension to the maximum allowable sign height, located at 876 W. Buena Vista Blvd.

**APPLICANT:** John Sapp, Craig Road LLC

**OWNER:** Craig Road LLC

**ENGINEER:** Galloway

**REVIEWED BY:** Eldon Gibb, Community Development Director

**RECOMMENDATION:** Recommend approval with conditions

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**Background**

The applicant is requesting approval of a Conditional Use Permit to extend the maximum height limit of a sign located at 876 West Buena Vista Blvd (Panera Bread site). The zoning at this location is C-2.

City ordinance allows for a maximum of thirty-five feet (35') for freestanding signs in the C-2 and C-3 zoning designations with the exception for properties that are located within 1,500 feet of a freeway exit can apply, through a conditional use permit, for an extension of height up to fifty feet (50').

The property described in this application is approximately two hundred and thirty feet (230') from the freeway exit. The applicant is asking for the maximum amount of height (50') for the pole sign as detailed in the exhibit and which sits in the South East corner of the property.

**Recommendation**

Staff recommends that the Planning Commission approve C-25-15, allowing an extension to the maximum allowable sign height, (as shown in the exhibits), with the findings and conditions outlined below

**Findings**

1. The proposed use, at the particular location, provides a service or facility which will

contribute to the general well being of the neighborhood and community; and

2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and

3. The proposed use will comply with the regulations and conditions specified in this title for such use; and

4. The proposed use will conform to the intent of the general plan.

### **Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.

2. A building permit (along with the associated engineer design) shall be obtained for the assembly/erection of the new sign prior to the commencement of any work.

3. All signage shall be in accordance with the current adopted city codes regulating signage including but not limited to sight distance requirements and following items below:

a. Electronic reader/animated signs shall not have flashing, spinning or rotating script, images or pictures.

b. Animated signs shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with the ambient light conditions.

c. No animated sign shall exceed a brightness level of 0.3 foot-candle above the ambient light as measured using a foot-candle (lux) meter at a preset distance depending on sign area. The measurement distance shall be calculated with the following formula:

The square root of the product of the sign area times (X) 100 (example, a sign 672 square feet in size would have a measured distance of 259 feet, which is the square root of 672 X 100

d. The change of message copy shall be limited to a minimum of 8 seconds, or in accordance with any present state laws regulating the time limit of message copy.

e. All other federal, state and city laws shall be complied with as they pertain to animated signs.

4. The sign shall comply with all other signage regulations by zone





**PROJECT FLOW CARD: C-25-15 Conditional Use Permit - Panera Bread Sign  
876 W Buena Vista Blvd.**

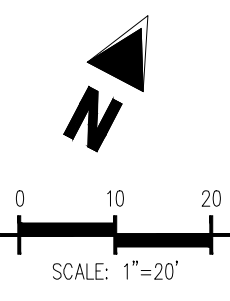
Planning	Reviewed. OK to move forward	
Public Works	Reviewed - Clarifications made, ready to move forward.	
Engineer	Reviewed no concerns	
Building Dept	Reviewed no concerns	
Washington Power	Approved as long as the foundation stays outside of the public utilities easement area and the existing underground power lines are not disturbed.	
Economic Dev	Reviewed. Approved.RLH	



Proposed Sign

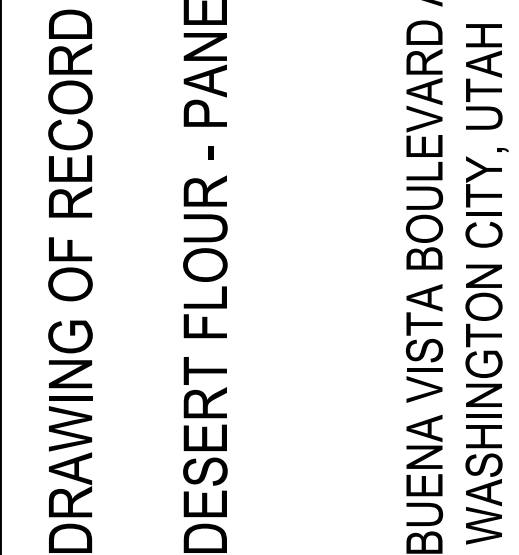






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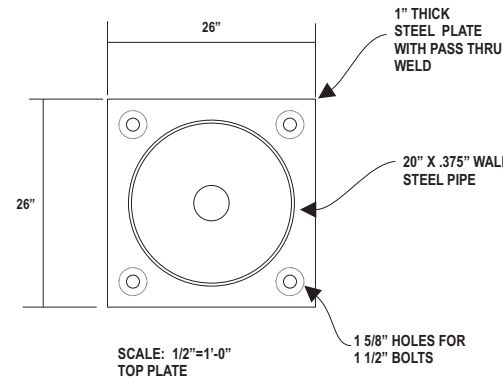
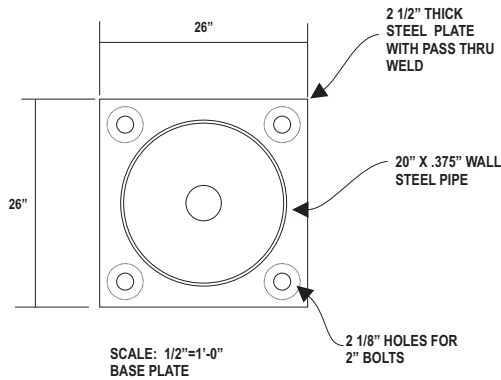
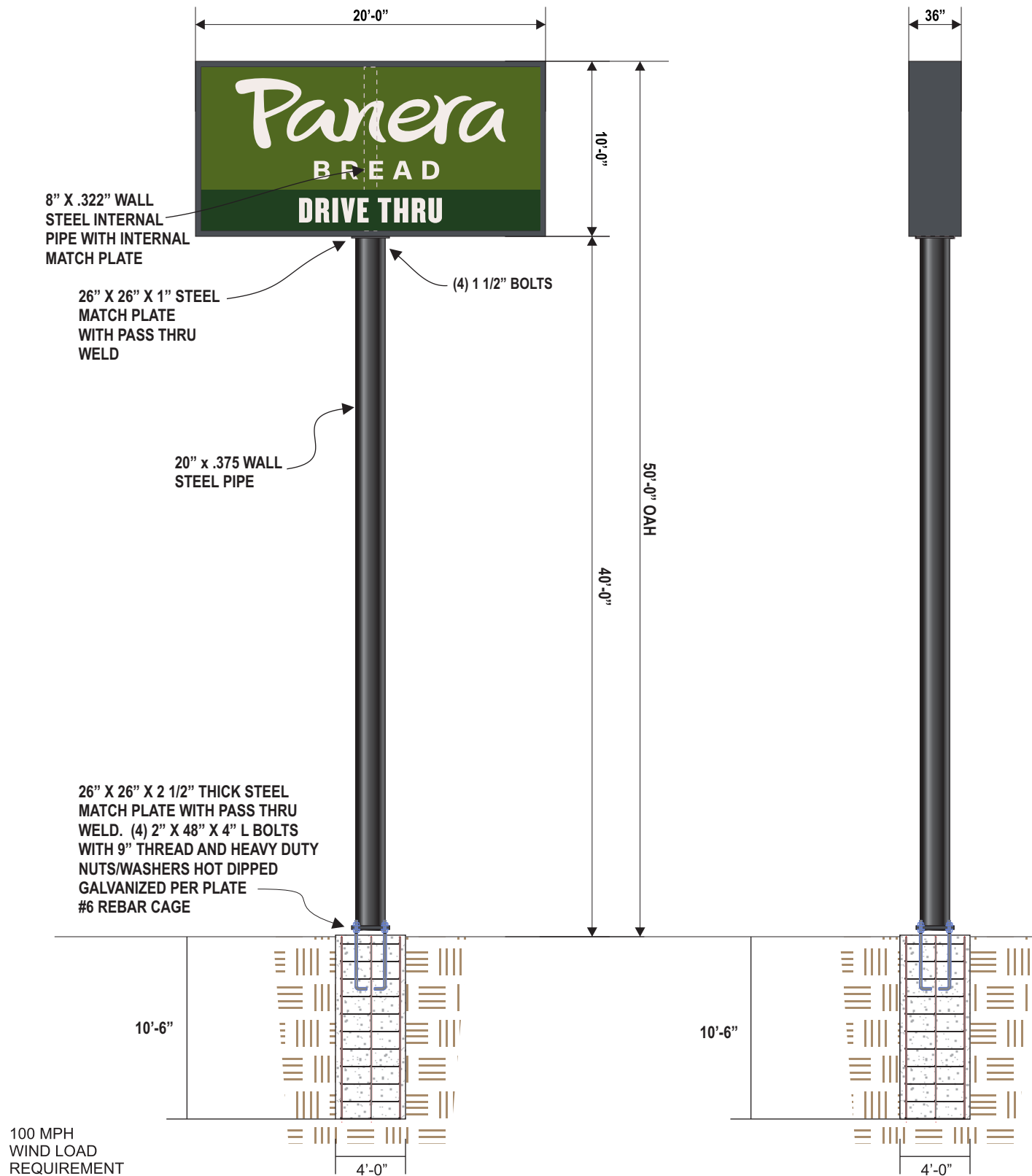


Project No:	DFL000001.20
Drawn By:	RC
Checked By:	DJS
Date:	04.07.2025

C4.0



Know what's below.  
Call before you dig.



#### DOUBLE FACE INTERNALLY ILLUMINATED PYLON SIGN

- 36" DEEP EXTRUDED CABINET PAINTED TO MATCH PMS 7540 C SLATE
- WHITE FLEX FACES WITH FIRST SURFACE DIGITALLY PRINTED COPY
- PMS 2280 C TOP SECTION BACKGROUND WITH PMS 9285 WHITE PANERA BREAD COPY
- 6500 WHITE LED LIGHTING
- STEEL POSTS ALL SIZES TBD PER ENGINEERING

SCALE: 1/8"=1'  
200.0 SQ FT

ALL FOOTING DETAILS TBD PER ENGINEERING

(1) 20 AMP CIRCUIT

ARTWORK EXCLUSIVE PROPERTY OF  
SINCE 1917



MANDEVILLE SIGN  
making your mark.

676 GEORGE WASHINGTON HIGHWAY  
LINCOLN, RI 02865-4255

401-334-9100 401-334-7799  
PHONE FAX

WEB www.mandevillesign.com

#### APPROVALS

Signatures Required Before Release to Production

##### Engineering

BY DATE

##### Sales

BY DATE

##### Estimating

BY DATE

##### Production

BY DATE

##### Quality Control

BY DATE

PDF NAME

#### REVISIONS

NO	BY	DESCRIPTION	DATE
1	JM	UPDATED STEEL SPECS	10/06/25
2	GC	UPDATED OAH	10/23/25
3	JM	UPDATED STEEL SPECIFICATIONS, ADDED BASE PLATE WITH ANCHOR BOLT ATTACHEMENT	10/23/25
4			
5			
6			

All electrical signs shall comply with the National Electric Code (Article 600) and be manufactured according to Underwriters Laboratories U.L. 48 standards and labeled accordingly.

60174



CUSTOMER

4568

STORE NUMBER

Prima Vera Road & Buena Vista Boulevard  
Washington UT

LOCATION

PROJECT MANAGER Carla M.

GC 08/20/25  
ARTIST DATE

60174

DRAWING NAME

WASHINGTON CITY  
PLANNING COMMISSION MEETING  
STAFF REVIEW

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<b>HEARING DATE:</b>	January 07, 2026
<b>ACTION REQUESTED:</b>	Z-25-24 - A request to rezone approximately 19.3 acres located at the Northeast corner of George Washington Boulevard and Washington Fields Rd, from the current A-20 zoning designation to PUD-C.
<b>APPLICANT:</b>	Evergreen-GW & Washington Fields, LLC - Ian Lang
<b>OWNER:</b>	Evergreen-GW & Washington Fields, LLC
<b>ENGINEER:</b>	Galloway - Brandon McCrary
<b>REVIEWED BY:</b>	Eldon Gibb, Community Development Director
<b>RECOMMENDATION:</b>	Recommend approval with conditions to the City Council

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### Background

The applicant is requesting approval to change the zoning of approximately 19.3 acres, located at the Northeast corner of George Washington Boulevard and Washington Fields Road. The requested change is from the current zoning designation of A-20 to a proposed PUD-C.

This particular location has a General Plan Land Use designation of CCOM which allows for AP, C-1, C-2 and PUD-C zoning designations. The surrounding zoning is A-20 to the north, RA-1 and PUD-R to the east, A-20 to the south and PUD-C to the west. The zone change request is for the purpose of developing the site into a commercial development. The applicant will be required, and fully understands, they will need to bring the specific site design plan back to the city for approval prior to any work beginning on the project.

The proposal is seeking approval to identify ingress / egress to the site and obtain an approved use list. The proposal is in line with the General Plan; however, staff is concerned with the proposed use of “storage units” as this use is better fit in areas that are closer to and identified in industrial zoned areas.

### Recommendation

Staff recommends the Planning Commission review the proposed use list and make a recommendation to the City Council, based on the following findings and conditions below.

**Findings**

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. The utilities that will be necessary for this type of development will be readily accessible to the site.

**Conditions**

1. This approval establishes ingress / egress to the site along with an approved use list as shown in the exhibits. The applicant is required to submit a zone change application for specific site design approval(s).

November 14, 2025

City of Washington  
111 North 100 East  
Washington, Utah 84780  
Attn: Planning and Zoning Department

**RE:    NEC Washington Fields Road & George Washington Boulevard (E3650) – PUD-C  
         Rezone Submission – Multi Tenant Commercial Development**

Dear City of Washington Planning Department:

On behalf of Evergreen-GW & Washington Fields, L.L.C. (“Evergreen”), I am submitting this narrative for the proposed multi-tenant commercial development at the northeast corner of Washington Fields Road and E. 3650 (George Washington Boulevard). This letter represents our second narrative submission and submittal for our PUD-C zone change. We appreciate the opportunity to move this project forward and value the feedback and guidance received to date from city staff.

### **Purpose of Submission**

This submission is for the proposed PUD-C (Planned Unit Development – Commercial) rezoning of the subject property in accordance with City of Washington requirements to facilitate its future development as a commercial shopping center. Once the PUD-C zoning is approved, each end user within the shopping center will be responsible for submitting its own PUD-C amendment application for their building-specific approvals.

### **PUD-C Rezone Submittal Specifics**

- This application does not include end user-specific site plans, landscape plans, or building elevations. These design elements will be submitted individually by each end user as part of their respective PUD-C amendment applications.
- The site plan submitted with this initial submittal only illustrates the future ingress and egress options to the surrounding streets that Evergreen intends to construct.
- We are submitting an “approved use list” as part of our initial PUD-C zone change application so that the commercial uses can be approved at the same time as the rezone. This will allow our future tenants to submit their individual PUD’s for site plan and design review approval only, while the use approval will already be completed with this PUD rezone.
- The current request is limited strictly to a PUD-C rezoning. We are not seeking any residential or mixed-use designations as part of this application.

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Evergreen



- We understand the city's current position no further entitlement or permit applications can proceed until this rezoning is approved. However, in an effort to expedite development of the shopping center and its resulting sales taxes and jobs, we would appreciate concurrent, "at risk" permit submittals while the rezone is under review by the city. Please let us know if this is possible.
- We acknowledge that Evergreen will be required to conduct a neighborhood meeting and obtain approvals from both the Planning Commission and City Council in order for the site to be successfully rezoned.

Thank you for your time and consideration. Please let us know if there are any additional materials or clarifications required for this phase of the process.

With Evergreen's best regards,



Ian Lang; Development Manager

[ilang@evgre.com](mailto:ilang@evgre.com)

2390 East Camelback Road, Suite 410

Phoenix, AZ 85016

Phoenix | Los Angeles | Denver | Salt Lake City

[\*evgre.com\*](http://evgre.com)

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Evergreen

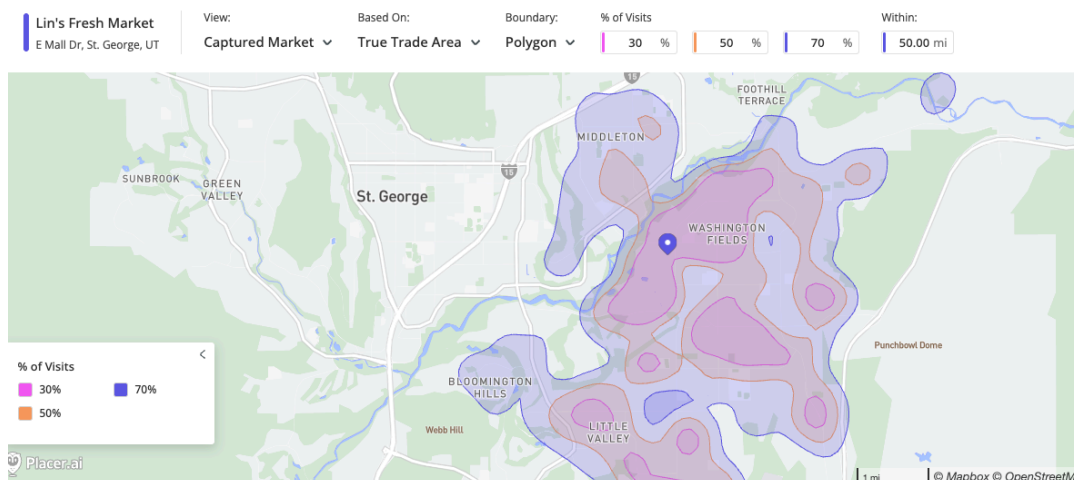




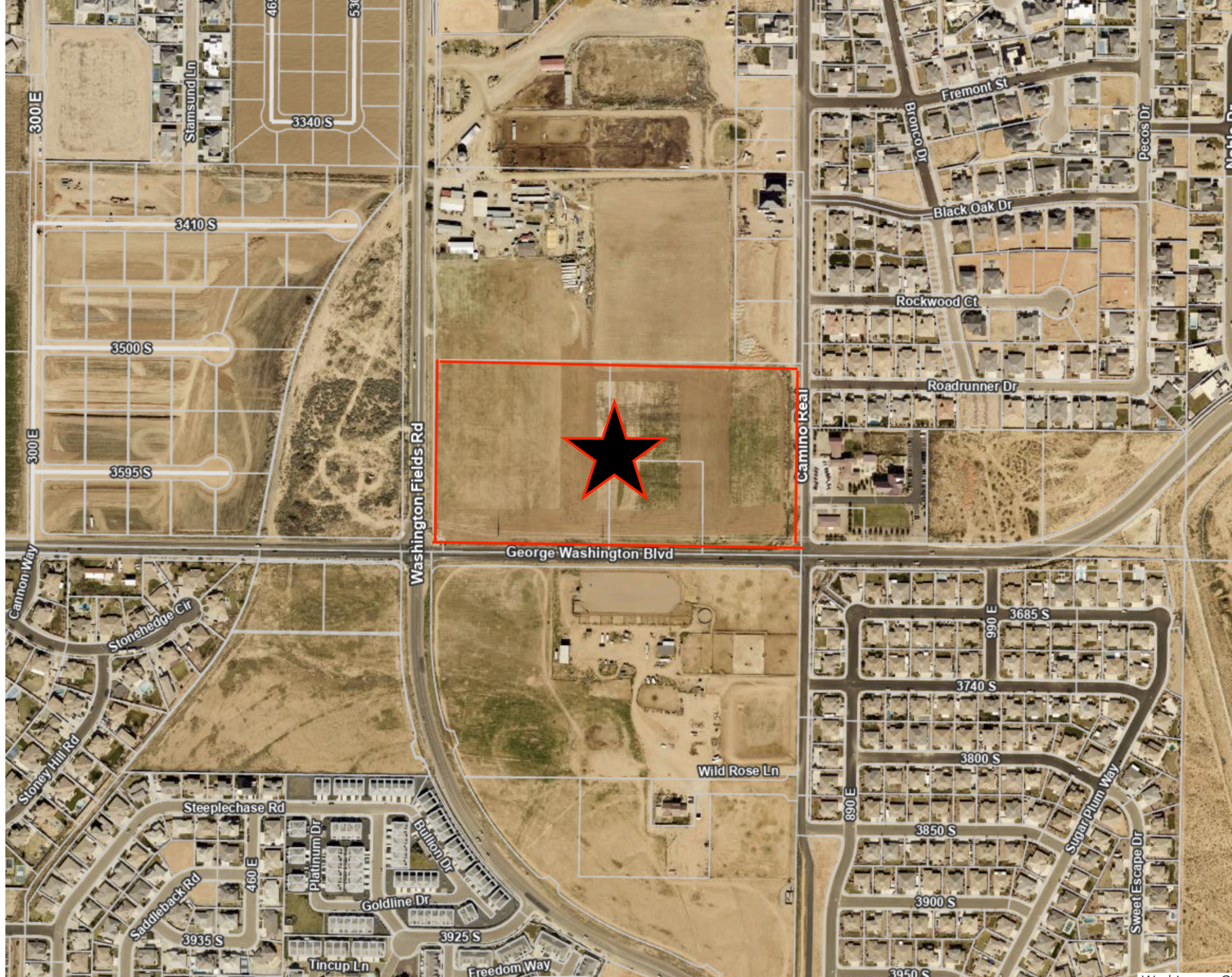
**PROJECT FLOW CARD: Z-25-24 - Zone Change PUD/C**  
**NEC Washington Fields Rd & George Washington Blvd**

Planning	OK to move forward. Recommend removing “storage units” from the use list as this use is better fit in areas that are closer to and identified in the industrial zoning designations.	
Public Works	Reviewed - Corrections and additional information regarding access points provided. Agree with ED comment regarding removal of storage sheds from approved uses list. OK to move forward.	
Engineer	Reviewed and no concerns with the accesses that they are now showing.	
Fire Dept.	Reviewed, no concerns	
Parks/Trails	Reviewed, Will contain a 10’ master-planned trail	
Building Dept	Reviewed, no concerns	
Dixie Power	Reviewed, no concerns	
Economic Dev	<p>Reviewed. Recommend removing storage shed use from the list of approved uses.</p> <p>The Economic Development Director strongly supports the proposed PUD-C zone change. This change strategically positions Washington City to capture sales tax revenues currently being invested in St. George. Data shows that most visits to Lin’s originate from neighborhoods south and east of the Virgin River within Washington City.</p> <p>These spending patterns indicate that residents in these areas lack convenient access to essential retail and service options within Washington City limits. Approving zone change Z-25-24 will help close that gap by creating an appropriately scaled commercial node that serves the daily needs of residents south of the river. Commercial development will enhance convenience for residents, reduce vehicle miles traveled, and strengthen Washington City’s local sales tax base. RLH</p>	

Audience Profile ?







300 E

Stamsund Ln

3340 S

3410 S

3500 S

3595 S

300 E

Washington Fields Rd

George Washington Blvd

Camino Real

Fremont St

Bronco Dr

Pecos Dr

Black Oak Dr

Rockwood Ct

Roadrunner Dr

Cannon Way

Stonehedge Cir

Stoney Hill Rd

Steeplechase Rd

Platinum Dr

Bullion Dr

Goldline Dr

Tincup Ln

Freedom Way

Wild Rose Ln

3685 S

3740 S

3800 S

3850 S

3900 S

3950 S

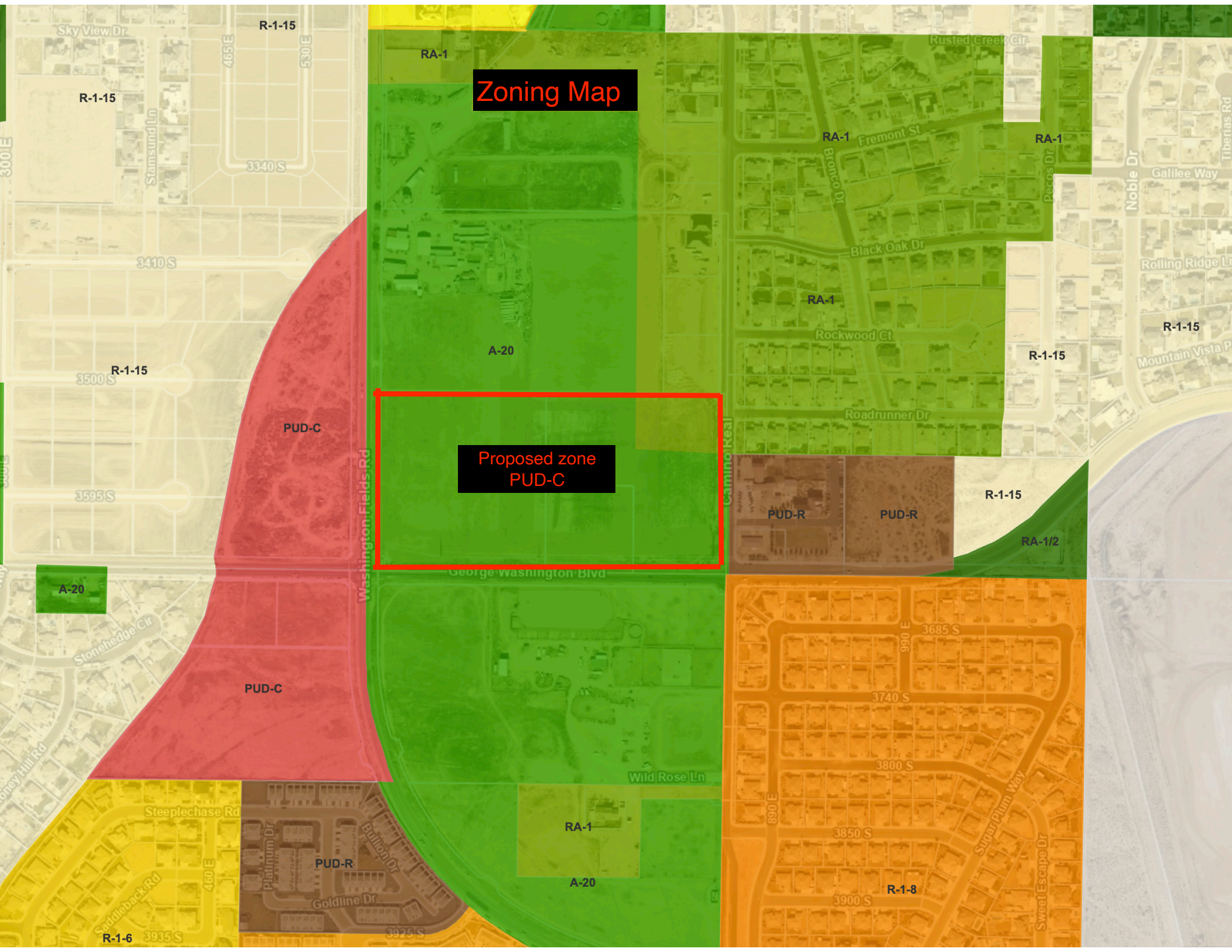
3935 S

3925 S

Sugar Plum Way

Sweet Escape Dr



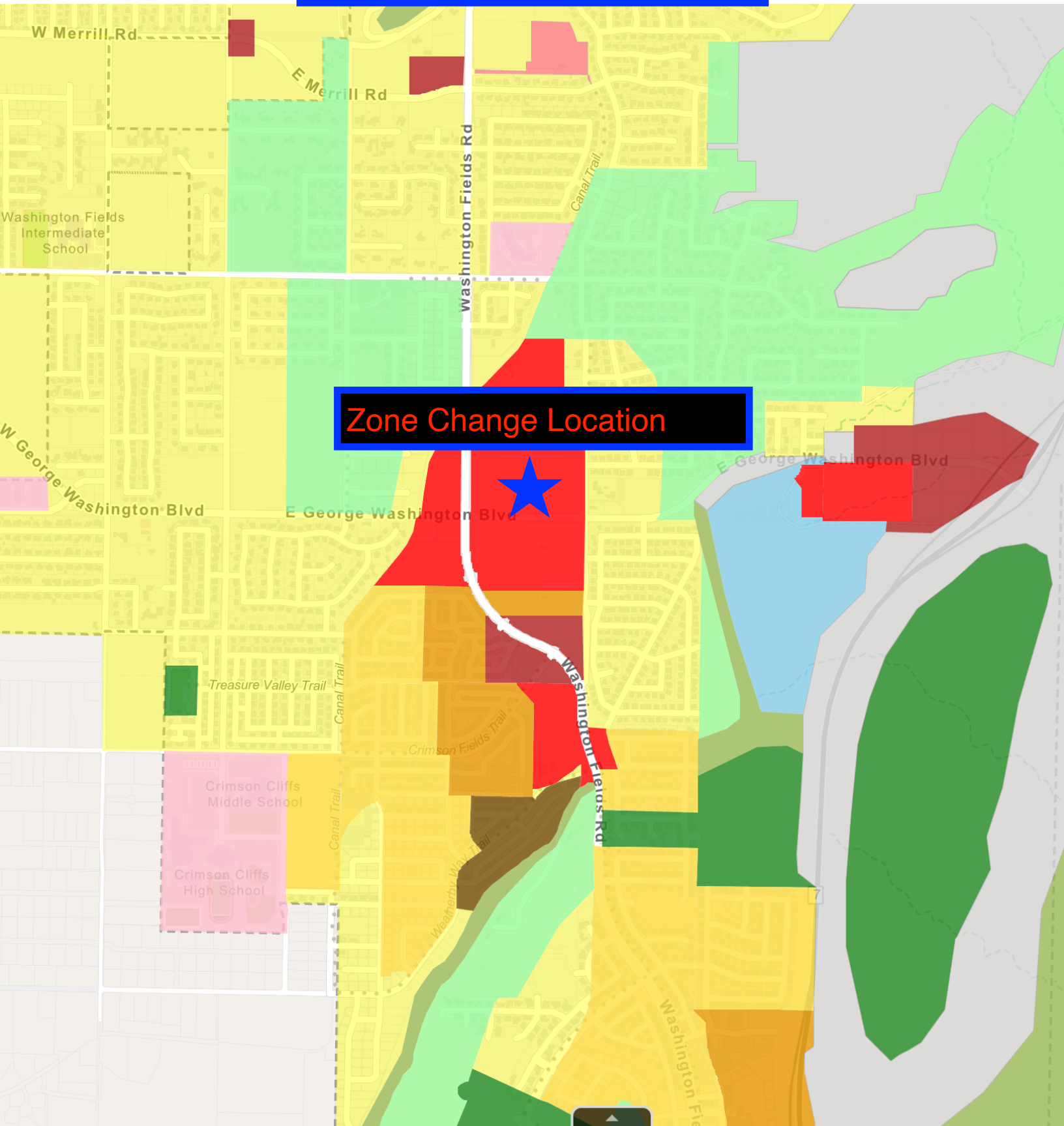


Zoning Map

Proposed zone  
PUD-C

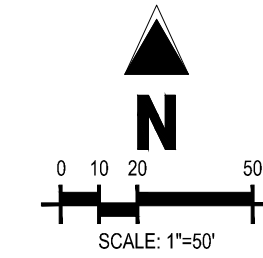


# General Plan Map





SITUATED IN THE SOUTHEAST QUARTER OF SECTION 35,  
TOWNSHIP 42 SOUTH, RANGE 15 WEST OF THE SALT LAKE BASE AND MERIDIAN.  
WASHINGTON CITY, WASHINGTON COUNTY, UTAH



**ZONING DATA:**

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CURRENT ZONING: AGRICULTURAL-20, RA-1  
PROPOSED ZONING: COMMERCIAL (PUD-C)

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 35,  
TOWNSHIP 42 SOUTH, RANGE 15 WEST OF  
THE SALT LAKE BASE AND MERIDIAN.  
WASHINGTON CITY, WASHINGTON COUNTY, UTAH

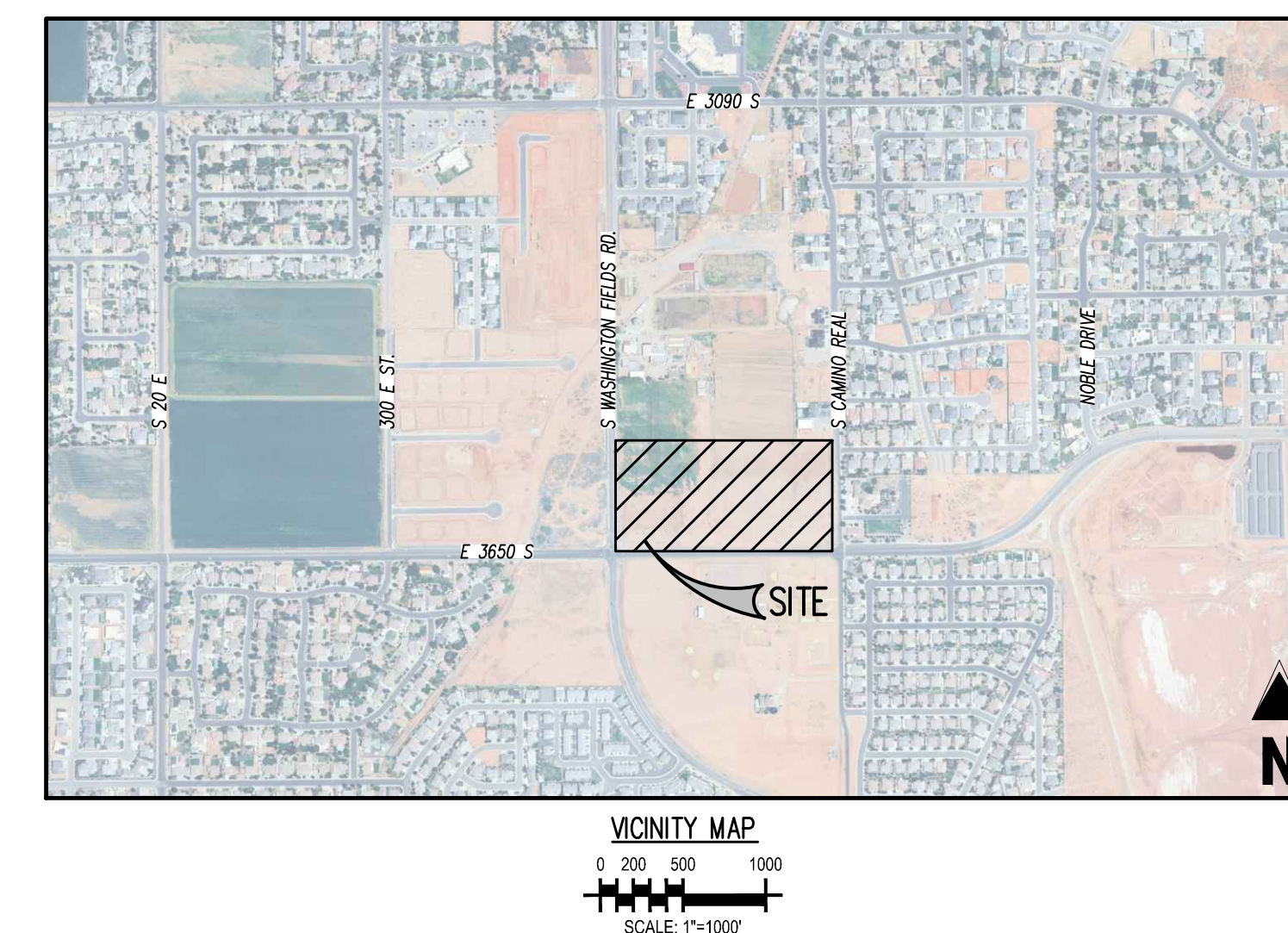
172 N. East Promontory, Suite 274  
Farmington, UT 84025  
801.953.1357  
[GallowayUS.com](http://GallowayUS.com)

NUMBER \_\_\_\_\_

ACCOUNT \_\_\_\_\_

SHEET \_\_\_\_\_ 1 \_\_\_\_\_

OF \_\_\_\_\_ 1 \_\_\_\_\_ SHEETS



WASHINGTON CITY CURRENT USES	ZONES WHICH EACH USE IS APPROVED IN	APPROVAL FOR USE IN THE GEORGE WASHINGTON AND WASHINGTON FIELDS PUD-C
Administrative, executive, professional, medical and research offices.	AP	Permitted
Banking and other financial institutions.	AP	Permitted
Automobile car wash, not to exceed four (4) bays.	C-1 with Conditional Use Permit Approval	Permitted
Automobile service stations, excluding major repair work such as engine or transmission rebuilding, body and collision repair, frame, and heavy-duty truck servicing.	C-1 with Conditional Use Permit Approval	Permitted
Child daycare or preschool center which meets all state and local regulations.	C-1 with Conditional Use Permit Approval	Permitted
Coffee Shops	C-1	Permitted
Commercial recreation and entertainment facilities, not to include sexually oriented businesses.	C-1 with Conditional Use Permit Approval	Permitted
Personal instruction services including gym, dance, Pilates, yoga, and professional schools	C-1 with Conditional Use Permit Approval	Permitted
Private business and technical schools.	C-1 with Conditional Use Permit Approval	Permitted
Reception center and/or wedding chapel.	C-1 with Conditional Use Permit Approval	Permitted
Restaurants; including full-service and quick-service dining	C-1	Permitted
Restaurants; including a drive-through facility as an accessory use	C-1	Permitted
Restaurants; including a drive-through facility as the primary use accompanied by a patio	C-2	Permitted
Bar Establishment	Commercial Zones with an Approved Alcohol Overlay	Permitted with condition of Alcohol Overlay Zone Approval
Retail operation of cleaning, laundry, cosmetic and repair services.	C-1	Permitted
Retail sale and/or rental of goods, merchandise and equipment conducted wholly within an enclosed building.	C-1	Permitted
Animal hospital and veterinarian clinic, including overnight care of large animals (no boarding)	C-2 with Conditional Use Permit Approval	Permitted
Hospital	C-2 with Conditional Use Permit Approval	Permitted
Hotel or motel	C-2 with Conditional Use Permit Approval	Permitted
Mobile food vendor	C-2	Permitted
Motor vehicle, trailer, camper, and recreational vehicle sales agency	C-2 with Conditional Use Permit Approval	Permitted
Retail and/or wholesale sale and/or rental of goods, merchandise, and equipment, which may include storage and display outside an enclosed building. Examples: art shop, bank, beauty shop, bookstore, clothing store, drugstore, florist, laundry, theater, and variety store	C-2	Permitted
State approved and operated liquor store	C-2 with Conditional Use Permit Approval	Permitted
Storage units	Industrial	Permitted



## 9-8A-8: DETACHED ACCESSORY DWELLING UNIT (DADU): Residential Agricultural

### A. Purpose and Intent:

1. The purpose and intent of detached accessory dwelling units (DADU) is to provide additional housing for the owners of qualifying single family dwelling units that are located in residential zoning districts. The separate sale of such detached accessory dwelling units is prohibited in order to protect the residential character of the neighborhoods in which they are located.

2. A detached accessory dwelling unit is defined as an adjunct living unit, with a sleeping area, a bathroom, acceptable kitchen facilities with a commercially-manufactured cooking appliance, ~~has no attached garage or carport~~, and is detached from the primary residence on the same lot.

3. The owner of the property containing a single-family residence and a detached accessory dwelling unit must reside in the primary residence or the detached accessory dwelling unit.

B. General Standards: The following standards shall be adhered to for all detached accessory dwelling units:

1. Only one (1) accessory dwelling unit, attached or detached, may be constructed on any qualifying residentially zoned lot.

2. The proposed lot for a detached accessory dwelling unit shall contain an already existing single-family dwelling unit, ~~and the lot must be a minimum of ten thousand (10,000) square feet in size.~~

3. ~~Any accessory dwelling unit on a qualifying residentially zoned lot being added to an existing single family residence, shall in no case be greater than one thousand (1,000) total square feet. The accessory dwelling unit square footage (added to all other existing or future structures), will not cover more than thirty percent (30%) of the rear yard area.~~

The square footage of detached accessory dwelling units shall meet the following criteria: Attached porches and/or garages are not calculated in the detached accessory dwelling unit square footage but are calculated towards the side and rear yard percentages. The detached accessory dwelling unit square footage when calculated together with all other existing or future structures, shall not cover more than thirty percent (30%) of the rear yard area and/or fifty percent (50%) of the side yard area.

R-1-6 R-1-8 R-1-10 R-1-12	Shall not exceed one thousand (1,000) square feet of floor area
R-1-15 and larger	Shall not exceed one thousand five hundred (1,500) square feet of floor area

~~4. All detached accessory dwelling units shall be limited to a maximum of seventeen feet (17') in height, and in no case shall the roof exceed the height of the existing residence.~~

The height of detached accessory dwelling units shall meet the following criteria:

R-1-6 R-1-8 R-1-10 R-1-12	Shall not exceed seventeen feet (17') in height
R-1-15 and larger	With a side / rear setback of three feet (3'), the detached accessory dwelling unit shall be limited to a maximum height of twenty feet (20'). Additional height may be acquired by moving the building into the lot. For each foot added to the side and/or rear yard setback (beyond three feet (3')), an additional foot may be added to the height of the building, but in no case shall the detached accessory dwelling unit be taller than twenty-five feet (25').

~~5. Detached accessory dwelling units shall be located at least ten feet (10') away from the existing single-family residence, and can be located no closer than five feet (5') to any side or rear property line~~

The setbacks of detached accessory dwelling units shall not be closer than three feet (3') to any side or rear property line and in accordance with the criteria in this chapter. Corner lots shall maintain the required street frontage setback applicable to the zoning designation at the proposed location.

~~6. One additional on-site parking space shall be provided in addition to the required parking standards for the single-family residential lot. The parking space shall be a minimum of nine feet (9') wide and nineteen feet (19') long.~~

On-site parking shall be provided in addition to the single-family residential requirements in accordance with the following criteria: One (1) additional space for units up to 1,000 square feet, and two (2) additional spaces for units exceeding 1,000 square feet.



7. Under no circumstances, shall accessory dwelling units, whether attached or detached, be used for nightly or vacation rental purposes (unless approved through a conditional use permit as outlined in this title).

8. Construction of all accessory dwelling units shall meet all applicable building codes adopted by the city.

C. Required Deed Restriction:

1. As a condition of securing a building permit for construction of a detached accessory dwelling unit being developed on a lot with an existing single-family residence; the property owner shall record against the deed to the subject property, a deed restriction, in a form provided by the city, and will contain the following language:

“A permit for an accessory dwelling was issued to \_\_\_\_\_, the current owner of this property located at \_\_\_\_\_. The Owner shall strictly adhere to the prohibition of the use of the accessory dwelling as a nightly, short-term or vacation rental.”

2. Proof that such a deed restriction has been recorded shall be provided to the Community Development Director prior to the issuance of the Certificate of Occupancy for the accessory dwelling unit.

D. Penalty: Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating ~~or causing~~ or permitting the violation of the provision of this section, shall be guilty of a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code. Any such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this ordinance is committed, continues or is permitted by such person, firm or corporation. (Ord. 2019-25, 12-11-2019; amd. Ord. 2022-42, 7-27-2022; Ord. 2023-21, 5-24-2023; Ord. 2024-25, 11-13-2024)

## **9-8B-7: DETACHED ACCESSORY DWELLING UNIT (DADU): Single Family Residential**

### **A. Purpose and Intent:**

1. The purpose and intent of detached accessory dwelling units (DADU) is to provide additional housing for the owners of qualifying single family dwelling units that are located in residential zoning districts. The separate sale of such detached accessory dwelling units is prohibited in order to protect the residential character of the neighborhoods in which they are located.

2. A detached accessory dwelling unit is defined as an adjunct living unit, with a sleeping area, a bathroom, acceptable kitchen facilities with a commercially-manufactured cooking appliance, ~~has no attached garage or carport~~, and is detached from the primary residence on the same lot.

3. The owner of the property containing a single-family residence and a detached accessory dwelling unit must reside in the primary residence or the detached accessory dwelling unit.

### **B. General Standards: The following standards shall be adhered to for all detached accessory dwelling units:**

1. Only one (1) accessory dwelling unit, attached or detached, may be constructed on any qualifying residentially zoned lot.

2. The proposed lot for a detached accessory dwelling unit shall contain an already existing single-family dwelling unit, ~~and the lot must be a minimum of ten thousand (10,000) square feet in size.~~

3. ~~Any accessory dwelling unit on a qualifying residentially zoned lot being added to an existing single-family residence, shall in no case be greater than one thousand (1,000) total square feet. The accessory dwelling unit square footage (added to all other existing or future structures), will not cover more than thirty percent (30%) of the rear yard area.~~

The square footage of detached accessory dwelling units shall meet the following criteria: Attached porches and/or garages are not calculated in the detached accessory dwelling unit square footage but are calculated towards the side and rear yard percentages. The detached accessory dwelling unit square footage when calculated together with all other existing or future structures, shall not cover more than thirty percent (30%) of the rear yard area and/or fifty percent (50%) of the side yard area.

R-1-6 R-1-8 R-1-10 R-1-12	Shall not exceed one thousand (1,000) square feet of floor area
R-1-15 and larger	Shall not exceed one thousand five hundred (1,500) square feet of floor area

~~4. All detached accessory dwelling units shall be limited to a maximum of seventeen feet (17') in height, and in no case shall the roof exceed the height of the existing residence.~~

The height of detached accessory dwelling units shall meet the following criteria:

R-1-6 R-1-8 R-1-10 R-1-12	Shall not exceed seventeen feet (17') in height
R-1-15 and larger	With a side / rear setback of three feet (3'), the detached accessory dwelling unit shall be limited to a maximum height of twenty feet (20'). Additional height may be acquired by moving the building into the lot. For each foot added to the side and/or rear yard setback (beyond three feet (3')), an additional foot may be added to the height of the building, but in no case shall the detached accessory dwelling unit be taller than twenty-five feet (25').

~~5. Detached accessory dwelling units shall be located at least ten feet (10') away from the existing single-family residence, and can be located no closer than five feet (5') to any side or rear property line~~

The setbacks of detached accessory dwelling units shall not be closer than three feet (3') to any side or rear property line and in accordance with the criteria in this chapter. Corner lots shall maintain the required street frontage setback applicable to the zoning designation at the proposed location.

~~6. One additional on-site parking space shall be provided in addition to the required parking standards for the single-family residential lot. The parking space shall be a minimum of nine feet (9') wide and nineteen feet (19') long.~~

On-site parking shall be provided in addition to the single-family residential requirements in accordance with the following criteria: One (1) additional space for units up to 1,000 square feet, and two (2) additional spaces for units exceeding 1,000 square feet.

7. Under no circumstances, shall accessory dwelling units, whether attached or detached, be used for nightly or vacation rental purposes (unless approved through a conditional use permit as outlined in this title).

8. Construction of all accessory dwelling units shall meet all applicable building codes adopted by the city.

C. Required Deed Restriction:

1. As a condition of securing a building permit for construction of a detached accessory dwelling unit being developed on a lot with an existing single-family residence; the property owner shall record against the deed to the subject property, a deed restriction, in a form provided by the city, and will contain the following language:

“A permit for an accessory dwelling was issued to \_\_\_\_\_, the current owner of this property located at \_\_\_\_\_. The Owner shall strictly adhere to the prohibition of the use of the accessory dwelling as a nightly, short-term or vacation rental.”

2. Proof that such a deed restriction has been recorded shall be provided to the Community Development Director prior to the issuance of the Certificate of Occupancy for the accessory dwelling unit.

D. Penalty: Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating ~~or causing~~ or permitting the violation of the provision of this section, shall be guilty of a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code. Any such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this ordinance is committed, continues or is permitted by such person, firm or corporation. (Ord. 2019-25, 12-11-2019; amd. Ord. 2022-42, 7-27-2022; Ord. 2023-21, 5-24-2023; Ord. 2024-25, 11-13-2024)