



Planning Commission
June 25, 2026
6:00 p.m.
Minutes

Planning Commission Members Present: Aaron Stuart, Brandon Minster, Glenn Williams, Jake Wayman

Planning Commission Members Absent: Scott Dixon

Staff Present: Jeff Monroe and Secretary Joan Dailey

Attendees: Timothy Loftus, Don Pearson, Marilyn Pearson

AGENDA ITEMS:

1. **MEETING CALL TO ORDER:** Planning Commission Member Chair, Aaron Stuart, called the meeting to order at 6:01 pm

PLEDGE OF ALLEGIANCE: Led by Brandon Minster.

CONFLICT OF INTEREST: All members declared they had no conflicts of interest.

2. **PUBLIC COMMENT:** None.

3. **CONSENT AGENDA: Action Item**

Approval of Planning Commission Meeting Minutes – May 28, 2026

Motion was made by Glenn Williams

Motion was seconded by Jake Wayman.

All in favor; the motion carries.

4. **New Discussion/ Action: CUP for Timothy Loftus dog kennel.**

Presenter: Planning Commission Chair, Aaron Stuart.

The commission reviewed a detailed complaint tied to a CUP request for a dog kennel by Timothy Loftus. Property size of 0.17 acres per Weber County records. City ordinance requiring a minimum of 0.5 acres for a kennel, with strict dog limits scaling by lot size. Reports of six dogs were clarified to nine; all are fixed, not bred, and kept for family/friends facing hardships per the applicant. Setback standards require dog runs 100 feet from adjacent dwellings and streets which is impractical on the described lot. Fence integrity concerns were attributed to wind damage; the applicant stated the vinyl fence is intact and no dogs have escaped since moving in. The commission emphasized safety concerns inherent to housing nine dogs on a 0.17-acre lot, even with a secure fence, and reiterated the code limit of two

adult dogs without a CUP. The chair noted that residents must respect neighbor enjoyment and safety, and that larger dog counts raise risks if any breach occurs whether by damage or weather. Commissioners expressed willingness to support the applicant in finding lawful options and offered a reasonable timeframe to reduce the number of dogs, while underscoring that compliance is required.

Glenn Williams makes a motion to deny the CUP because of the number of dogs and lot size. Jake Wayman seconds the motion. All in favor, the motion carries.

5. Commissioner's Responsibility Reports and follow-up from previous meeting.

- **New Business Licenses** – Joan Dailey no new licenses. Ziegfeld Dance Academy: Fire department approvals are complete with regards to sprinklers and the alarm systems. However, they continue operating without a finalized business license. Notices were posted on their door due to possible missed mail, and similar postings are being used for other businesses active without licenses. Commissioners affirmed businesses should not operate without licenses and discussed enforcement approaches.
- **CUPs** – None.
- **Commercial Building** – Scott Dixon. – absent.
- **Training** – Glenn Williams – None.
- **Nuisance** – Jeff Monroe discussed a complaint with a horse stable on 2175 N, City has received ongoing complaints involving the flies, manure, and horses escaping. The stable sits about five feet from a property line, short of a current 25-foot requirement, but it was built in 1970 and is grandfathered in since the new ordinances enacted in 2002. Despite grandfathered placement, owners must address nuisances such as the flies and manure. Notices have been posted requiring remediation. Jeff Monroe also mentioned Redd's place, a complaint about gas-powered motorcycles riding in approximately four-foot-high grass led to fire risk concerns. The owner purchased a brush mower and is clearing the vegetation. The complainant was advised to contact the city again if issues persist.
- **Other** – Commissioners reinforced the need to use the shared Google Drive to monitor license renewals and other items.

2. MEETING ADJOURNMENT:

- Motion was made by Brandon Minster at 6:30 pm to end the PC Meeting.
- Motion was seconded by Aaron Stuart.
- All in favor; the motion carries.

Work Session: Developing an Accessory Dwelling Unit (ADU) Ordinance

Attendees: Aaron Stuart, Brandon Minster, Glenn Williams, Jake Wayman, Joan Dailey Secretary, Jeff Monroe, Don Pearson, Marilyn Pearson

The commission launched a detailed work session on ADU standards, drawing from state law and neighboring city ordinances to tailor rules for Uintah:

- Legal framework:
- Senate Bill 174 established interior ADUs within an existing home, as a property right, restricting cities from requiring CUPs.
- House Bill 284 expanded rights to detached ADUs, responding to cities placing barriers to approvals.
 - Uintah's population is under 5,000 so state mandates may be less stringent, but the commission intends to adopt clear guidelines.
- Core policy direction under consideration:
 - One ADU per property whether it is interior, attached, or detached.
 - Minimum rental term of 30 days; no short-term rentals.
 - Owner-occupancy requirement that the owner must live in the main dwelling or the ADU.
 - Exteriors must match the main dwelling; second doors facing the street should be prohibited to preserve single-family appearance.
 - ADUs share the primary address with a unit identifier (Unit A/Unit B), not a separate legal address.
 - ADUs must remain tied to the main parcel to prevent future subdivision into duplex/townhome configurations.
- Lot size and septic:
 - A minimum lot size of 0.5 acres was discussed, primarily to ensure septic capacity and leach field feasibility which needs approval from Morgan/Weber County health authorities before any building permit.
 - The commission noted practical constraints with older septic systems and leach line placement, making lots smaller than 0.5-acre ADUs essentially impractical without sewer.
- Utilities:
 - Interior ADUs often share meters due to cost and complexity; detached ADUs may warrant separate meters for code compliance and billing clarity.
 - The commission weighed risks of separate meters being used to argue for future subdivision but favored keeping ADUs permanently tied to the parcel and regulated via address rules to mitigate this.
 - Water service may need upsizing; teeing after the meter requires careful pressure/volume assessments. Separate service lines may be more practical in some cases, subject to city/utility policy.

- Size, setbacks, and height:
 - Existing manufacturing zone code sets a 600 sq ft minimum for detached dwellings; commissioners considered setting ADU minimums in the 600–800 sq ft range to ensure livability.
 - Maximums discussed ranged around 1,200–1,400 sq ft, bounded by the city's rear-yard coverage rule which is 25% of rear yard for accessory structures, which naturally caps footprint and encourages stacked designs if larger area is desired.
 - Height options included a 25-foot cap or tying ADU height to main house height, not to exceed the primary building height.
 - Side and rear setbacks: Accessory buildings currently allow five feet; commissioners recommended ten feet for ADUs as residential units, to reduce privacy/noise concerns. Parking could be accommodated in setback areas where feasible.
- Conversions and grandfathering:
 - Converting parts of an existing home to an ADU may invalidate certain grandfathered non-conformities. For example, basement windows may need to be upgraded to current egress requirements once the space is designated as an ADU.

The commission will hold a second work session to finalize language on size, height, setbacks, utilities, and other standards and then forward a proposal to the City Council. Glenn Williams will research further examples of other cities and integrate them into a draft ordinance, with support materials provided by the chair.

Work Session: Establishing Regulations for Shipping Containers (Conex Boxes)

The commission examined how to regulate shipping containers used for storage or as potential ADUs:

- Current landscape:
 - Containers range from approximately 100 sq ft to 416 sq ft.
 - Some cities allow containers if placed on a proper foundation and finished to match the home's exterior; others prohibit them unless entirely enclosed within an accessory building.
- Nearby practices:
 - South Weber City allows them in agricultural zones with conditions such as rear yard only; neutral paint; insignias masked; one-acre minimum; max two per lot; must comply with building codes. Temporary use for moving, construction and remodeling is allowed up to 14 days, with extensions up to 90 days by zoning admin.
 - Ogden City generally restricts containers, with limited temporary use allowances for things such as damaged buildings via special permits.
 - Provo City prohibits using containers as ADUs unless all building codes are met, and the structure is done with compatible materials.
- Aesthetic and placement concerns:

- The commission favored requiring containers to be obscured from view such as behind fencing and painted neutrally to reduce visual impact. Corner lots require careful property line measurement due to right-of-way; many owners mistakenly measure from the road.
- If used as permanent storage, containers would need to meet all accessory building standards such as setbacks, coverage limits, foundations, and finishes, and be processed through building permits/site plans.
- Underground containers:
 - Commissioners opposed underground container bunkers due to high risk of rust, moisture intrusion, and structural collapse, especially near rivers. Safer alternatives include engineered concrete shelters integrated with a home.

Commissions plan to draft a dedicated container ordinance segment covering permanent and temporary uses, agricultural/commercial contexts, and clear aesthetic/placement standards, consistent with building and accessory codes.

3. MEETING ADJOURNMENT at 7:16 pm

Joan Dailey, Planning Commission Secretary

Date



Planning Commission
July 23, 2026
6:00 p.m.
Minutes

Planning Commission Members Present: Aaron Stuart, Scott Dixon, Andrew Flegal

Planning Commission Members Absent: Glenn Williams, Brandon Minster, Jake Wayman

Staff Present: Secretary Joan Dailey and Ross Patterson

Attendees: Don Pearson, Marilyn Pearson

AGENDA ITEMS:

1. **MEETING CALL TO ORDER:** Planning Commission Member Chair, Aaron Stuart, called the meeting to order at 6:02 pm.
PLEDGE OF ALLEGIANCE: Led by Aaron Stuart
CONFLICT OF INTEREST: Scott Dixon and Andrew Flegal both stated they might have a conflict with the conex due to having one on their property.
2. **PUBLIC COMMENT:** None.
3. **CONSENT AGENDA: Action Item**
Approval of Planning Commission Meeting Minutes – June 25, 2026
Motion was made by Scott Dixon to table the minutes to be approved when we have a member of Planning Commission that was present for June 25, 2026, meeting.
Motion was seconded by Andrew Flegal.
All in favor; the motion carries.
4. **Discussion: Conex/ADU's:** Scott Dixon and Andrew Flegal disclosed potential conflicts of interest as they both currently have storage containers on their properties. It was noted that Glenn Williams, who is leading the research on ADUs and conex container regulations, was absent. The commission decided it was best to postpone the substantive discussion on ADUs and storage containers until Glenn could be present. The group briefly discussed the dual nature of the issue: using containers for temporary storage versus permanent structures or dwellings. Policy is being developed to address them separately, considering factors like placement, duration, color, and compliance with building codes for dwelling use. The discussion and any decisions on ADUs and conex containers will be postponed until the next meeting when Glenn is available.

5. Discussion/ Action: UDOT/Pitcher's Property easement.

Presenter: Planning Commission Chair, Aaron Stuart.

There are no new updates on the property easement issue. The primary goal is to establish ownership of the road to address liability concerns and maintenance responsibilities. The historical records are unclear, with county maps being unreliable showing the road going through buildings. While the state has verbally indicated responsibility, no official documentation has been produced. The group discussed that a formal survey is likely necessary to establish clear boundary lines. A suggestion was made to leverage the large, upcoming UDOT project. It was suggested that the Mayor could ask UDOT to include a survey of this disputed area as part of their project scope, framing it as helping to resolve an existing state road issue.

6. Commissioner's Responsibility Reports and follow-up from previous meeting.

- **New Business Licenses** – Joan Dailey – Taylor HVAC; no action required.
- **CUPs** – None.
- **Commercial Building** – Scott Dixon. – None.
- **Training** – The commission's annual training requirement was discussed. Scott Dixon will send out links to training videos to fulfill this requirement.
- **Nuisance** – Sorenson's Conex on the property was mentioned.
- **Other** – none.
- **MEETING ADJOURNMENT:**
 - Motion was made by Andrew Flegal to end meeting at 6:36 pm.
 - Motion was seconded by Scott Dixon.
 - All in favor; the motion carries.

Joan Dailey, Planning Commission Secretary

Date

CITY ORDINANCE COMPARISON

Accessory Dwelling Units (ADUs) & Connex Box / Shipping Container Regulations

State of Utah mandated ADU's requirements • Existing Uintah City Ordinances • Proposed New Uintah City ADU ordinances

Prepared for Uintah City Policy Review — July 2026

Color Legend

State of Utah ADU Codes

Existing Uintah City Ordinances

Proposed Uintah City Ordinances

1.(A) ADU Purpose

It is the purpose of this section to establish regulations controlling the use and construction of accessory dwelling units; to encourage individuals to become and remain homeowners by allowing limited opportunities for rental income; to allow provisions of security or services to owner occupants of the dwelling; to provide options for structures designed as single family dwellings to meet the needs of the owner occupants at a variety of stages in their life cycle; and to protect the stability of neighborhoods.

1.(B) ADU's Definition:

(1) For the purposes of this code, ADU is defined as a subordinate dwelling, which has its own kitchen, living/sleeping area, and sanitation facilities and that is: 1) , within or attached to a single-family residential building, or 2) a detached structure, or 3) above or behind a detached garage, associated with a single-family dwelling.

(2) There are three (3) separate types of ADU's.

a. Internal ADU's (IADU): an accessory dwelling unit within the footprint of the primary dwelling unit.

b. Attached ADU's (AADU): an accessory dwelling unit that constructed as a physical expansion or addition to the primary dwelling, sharing one (1) of more common walls or floor/ceiling space.

c. Detached ADU's (DADU): an accessory dwelling unit that is located on the residential property and not attached to the primary dwelling unit.

1.(C) ADU's Application Procedure:

(1) Any homeowner who resides in a single-family dwelling and whose property is in a residential zone and desires an accessory dwelling unit shall obtain an accessory dwelling permit. The accessory dwelling permit shall be in addition to any building permits that may be necessary to create the accessory dwelling unit. The applicant shall submit as part of the application for an accessory dwelling permit:

a. A site plan drawn accurately to scale that shows property lines and dimensions, the location of the existing buildings and building entrances, and proposed building and its dimensions from buildings and property lines, and the location of parking stalls.

b. Detailed floor plans drawn to scale with labels on rooms indicating uses and proposed uses.

c. Written verification that the applicant is the owner of the property and has permanent residency in the existing single-family dwelling where the request is being made. The verification also requires the applicant to acknowledge that they are the owner-occupant and will remain an owner-occupant in order for an accessory dwelling unit to be permitted.

(2) After review by the Building Services and Fire Division, the Planning Division shall approve or deny the application based on compliance with these regulations and issue a land use permit for an ADU, which shall include a legal description of the property.

(3) Noncompliance with these standards of this section shall be just cause for the denial of an application or revocation of an accessory dwelling unit if the original conditions are not maintained that allowed the accessory dwelling unit. Revocation shall be decided based upon the findings of facts at an administrative hearing before a Hearing Officer. If the permit is revoked the accessory dwelling unit shall be removed within thirty (30) days of the final determination.

(4) The approval of a land use permit for an accessory dwelling unit is valid for the duration of the period the owner who obtained the permit owns and occupies the property as their primary residence. Change in property ownership voids the accessory dwelling permit. A new permit must be applied for according to these requirements if the new owner desires an ADU.

(5) Upon issuing a certificate of an approved ADU, the city shall record a copy of the certificate with the office of the Weber County Recorder.

2. Comparison Matrix: Accessory Dwelling Units

Regulatory Topic	State of Utah ADU Codes	Existing Uintah City Ordinances	Proposed Uintah City Ordinance
Permitting & Approval			
Permit Type	State Senate Bill 174 requires all Utah municipalities to allow at least <u>1 IADU by right and prohibits cities from requiring discretionary CUP or Owner Occupancy for all ADUs.</u> State Senate Bill 284 requires municipalities with over 5,000 residents to allow DADU to be built in residential zones.	Conditional Use Permit; Planning Commission review required for all ADUs.	Type: ADU Application After review by the Building Services and Fire Division, the Planning Division shall approve or deny the application based on compliance with these regulations and issue a land use permit for an ADU, which shall include a legal description of the property.
Application Fee	No statewide fee for IADUs. <u>House Bill 82 exempts IADUs from impact fees such as school or Utility fees. Cities can charge permit fees etc.</u> My recommendation is to have a <u>\$250.00 filing fee for all ADU's application.</u>	Not specified in ordinance; set by resolution.	Recommendation: <u>\$250.00 filing fee for all ADU's application.</u>
Ownership & Occupancy			
Owner Occupancy (Different state code for owner occupied requirements)	<u>ASB 174, codified in Utah Code 10-21-303 does not require owner occupancy for IADUs.</u> <u>Opposite code: Owner occupancy is required for the primary residence to qualify as any ADU. Legal definition of an ADU under Utah Code Ann. 10-9a-530</u>	Primary owner must live on site; ADU must be on an owner-occupied lot.	Recommendation: <u>Owner of record of the main dwelling must be the primary owner or principal resident for an ADU.</u>

	(Recommendation: owner of record must occupy either the main dwelling or the ADU as the primary owners permanent and principal residence in order to qualify for an ADU.)		
Seasonal Absence	State of Utah does not have an absenteeism code for ADUs, My recommendation - (The owner is permitted to have a separate seasonal residence by during the time away for the permanent residence the owner is not allowed to rent out the vacant permanent residence unit. For the purpose of this section "seasonal residence" shall mean living in another location up to four (4) months in one (1) calendar year.	Not addressed.	My recommenda The owner is per separate season the time away fo residence the ov rent out the vaca residence unit. F section "season mean living in ar four (4) months i year.
Occupancy Limits	State of Utah does not set a statewide maximum occupancy limit but local governments can impose occupancy limits. Planning Commission needs to define Occupancy limits and a definition of a "family" if Uintah City does not already have a definition.	Not specified owner-occupancy.	
Change of Ownership	Utah law states you cannot sell an ADU off separately from the primary dwelling. SB 284 makes primary dwelling & ADU an single unit property.	Not specifically addressed; ADU cannot be sold separately.	An ADU cannot b from the primary c
Number & Location			
ADUs Per Lot	State law allows one 1 ADU per lot no matter what type of ADU was approved	Maximum 1 per lot with a single-family dwelling.	State law allows c matter what type c
Internal / Attached / Detached	Internal ADU is allowed by right under SB174 Attached ADU must meet all ROCZ and set backs requirements of original primary dwelling Detached ADU's are permitted in all cities by the 2026 SB 284 with over 5000 residents	Both attached and detached allowed.	Stated above in 1
Eligible Zones	ADUs are allowed only in residential zones by State Code with few exceptions. Utah State law generally preempts local restrictions on ADUs but Ag zoning in not a residential zone and therefore does not automatically allow ADUs under State law. Planning Commissions can include AG zones as allowable Zone for ADU's. Uintah Allowable Zones = RE-20, RE-20 R/R, RE-50	All residential zones where ADUs are listed as conditional use (R-1-10, RE20, R-1-8, RE-15, AA-1).	Uintah Allowable R/R, RE-50 Uintah Unallowa Discussion Item AG = Allowable I Planning Commi

	Uintah Unallowable Zones = RMH District AG = Allowable by ordinance by Planning Commission inclusion.		
Minimum Lot Size			
Lot Size Threshold	Internal ADU is allowed by right under SB174 on lots larger than 6,000 SF Attached ADU must meet all ROCZ and setbacks requirements of original primary dwelling Detached ADU's are permitted in all cities by SB 284 with over 5000 residents and on lots larger than 11,000 SF	Not specified; defers to zone minimums.	Internal ADU is a SB174 on lots larg Attached ADU m setbacks require dwelling Detached ADU's cities by SB 284 v and on lots larger
Size & Dimensional Standards			
Minimum Size	State of Utah allows the actual building size limits to be determined by the local city as long as they meet state and local building codes. (My Recommendation is 600 SF)	Not specified; defers to accessory building requirements	Discussion Item Minimum livable S is 600 SF on the r
SFMaximum Size	State of Utah allows the actual building size limits to be determined by the local city as long as they meet state and local building codes. (My recommendation is 1400 SF of total living space whether single or two store structure or 30% of the rear yard area of the lot.)	Not specified; defers to accessory building requirements and 25% of rear yard coverage	Discussion Item Single or 2 story A Discussion Item Recommendation space whether sir structure or 30% c of the lot whichev
Height	DADUs Building Height: State of Utah has a maximum height of no more than 10% taller than the primary residence up to 24' max heights. (Cities can set more restrictive height limits than the 24') ADUs Minimum Ceiling height: State International Residential Code (IRC) requires a minimum of 7'. Decision by Planning Commission to allow single (1) or two (2) story ADU's and establish height restriction for one (1) story.	Max 25 feet (accessory building limit).	DADUs Building H State of Utah has more than 10% ta residence up to 2 Discussion Item Cities can set mo than the 24' Decision by Plan allow single (1) c and establish he (1) story.
Setbacks	In Utah, setback requirements for ADUs are set by local ordinances but the state does set a baseline for <u>DADU. 8' side and rear property lines and 6' from the primary residence. (Recommendation is 12' between primary dwelling and DADU's).</u> <u>Planning Commission in other cities have modified the setback requirements. Most cities have increased the rear and side yard regulations.</u>	Must comply with zoning setbacks for accessory buildings (e.g., R-1-10: 10 ft side, 1 ft rear, 30 ft front).	<u>DADU. 8' side ar</u> <u>and 6' from the p</u> <u>(Recommendatio</u> <u>between primary</u> <u>DADU's).</u> Discussion Item Planning Commis modified the setba cities have increa yard regulations.

Lot Coverage	State allows local cities to determine lot coverage rules. My recommendation – (maximum of 30% of the side and rear yard area of the lot or 1400 SF total living space whichever is less. 2 story with have a footprint of 700 SF.)	Accessory buildings: max 25% of rear yard.	Recommendation Maximum of 30% yard area of the lot space whichever have a footprint of
Design & Appearance			
Architectural Match	State allows local cities to determine architectural design for AADU, DADU. There is no Utah State Code that directly regulates an ADU's exterior finishes. Local planning, by ordinance, can require the dwelling to retain the single-family appearance unless meeting required code requirements and to use matching materials as close as possible. (Concern – matching issues if exact match of exterior is no longer available)	Not explicitly required in ADU chapter.	ADU exterior match character and appearance family dwelling and materials and design
Entrances	State allows exterior doors to be part of the design process with several general rules. Door must have its own external connection, match primary dwelling, meet state statute and local zoning. Egress, RCOZ, 15' translucent window, USBC Chapter 10, ADA	ADU must have its own entryway.	Exterior ADU door external connection dwelling, not visible and meet state statute (Egress, RCOZ, 15' USBC Chapter 10
Parking			
Parking Required	IADUs require 1 additional parking beyond primary residence requirements DADU & AADUs require 1 stall per ADU bedroom Required ADU parking stalls may NOT be located in a front yard and must meet the off-street parking requirements of the city code.	At least 1 stall on-site; no off-street parking for ADUs.	ADU's require 1 beyond primary requirements. Required ADU parking be located in a front meet the off-street requirements of Discussion Item Some cities require AADUs is 1 additional ADU bedroom
Rental & Use Restrictions			
Short-Term Rentals	State law 10-9a-530 sets a minimum rental period of 30 days – No short term rentals allowed	ADUs shall not be used for short-term rentals.	State law 10-9a-5 rental period of 30 rentals allowed in
Long-Term Rentals	State allows local cities to determine long term rental licensing and fee's rules.	Allowed (conditional use permit required for all rentals per Ch. 23).	State allows local term rental licensing city ordinance.
Utilities & Infrastructure			
Utility Connections	State allows local Planning Commissions to determine single (IADU's) or multiple (AADU's & DADU's) utility connections with a maximum of two (2) utility	Must be approved by Public Works and/or Building Official.	Single utility connection primary dwelling. Recommendation

	connections for primary dwelling & ADU's. Most cities required single billing on multiply meter connections to reinforce that the site remains a one parcel/ single ownership and that the service be in the name of the property owner. IADU – Utility are most commonly off the main dwelling connections. AADU's & DADU's are most commonly a new utility connection (dual metering) for ADU's.		multiple utility connections for primary dwelling & ADU's with a multiply meter connection for primary dwelling & ADU's. Most cities require single billing on multiply meter connections to reinforce that the site remains a one parcel/ single ownership and that the service be in the name of the property owner.
Mailing Address	State allows local cities to determine long term rental licensing and fee's rules. Recommendation: Primary dwelling keeps original mailing address and the ADU is listed as the same mailing address but uses the Unit B as a distinction between primary dwelling and ADU'	Not addressed.	Recommendation: Primary dwelling keeps original mailing address and the ADU is listed as the same mailing address but uses the Unit B as a distinction between primary dwelling and ADU'
Other Requirements			
Separate Tax ID / Parcel	Original county parcel number for the lot is specific and inclusive for primary dwelling and IADU's, AADU's & DADU's.	Prohibited; must share same tax ID/parcel as main structure.	Original county parcel number for the lot is specific and inclusive for primary dwelling and IADU's, AADU's & DADU's.
Engineering Plans	No State wide engineering code that governs all ADU's.	Engineered building plans required.	All ADU are subject to building permit and engineering requirements for the building permit prior to construction.
Permit Recording	Not specified. See application procedures in 1(c)	Not specified.	Upon issuing a certificate of occupancy for an ADU, the city shall file the certificate with the County Recorder.
Revocation / Enforcement	Not specified. See application procedures in 1(C)	Not addressed in ADU chapter (general CUP provisions apply).	Noncompliance with the provisions of this section shall result in the denial of an application for an accessory dwelling unit. If the conditions are not met, the accessory dwelling unit shall be decided by the city. If the city finds that the facts at an administrative hearing support the revocation of the accessory dwelling unit, the accessory dwelling unit shall be removed within 30 days of the final determination.
Septic / Failing Infrastructure	Utah State Code 10-9a-530(4), a municipality may not allow a ADU to be created if the primary dwelling is served by a failing septic tank. Utah Administrative Code R317-4 applies	Not addressed.	A municipality may not allow a ADU to be created if the primary dwelling is served by a failing septic tank.

3. Comparison Matrix: Connex Boxes / Shipping Containers

Regulatory Topic	State of Utah ADU Codes	Existing Uintah City Ordinances	Proposed Uintah City Ordinances
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Explicit Container Provisions

Specific Ordinance	Placement requires permitting approval for both temporary and permanent placement. Identification plate ISO 6346 that includes manufacturer ID, date of manufacture, safety approval number, and load specs is required for approval.	None. No mention of shipping containers, cargo containers, or Connex boxes in the municipal code.	
Residential Zones	Metal shipping containers can be used as an ADU if they meet both the State ADU requirements.	Not explicitly addressed. General nuisance, outdoor storage, and accessory building provisions apply indirectly.	Metal shipping containers can be used as an ADU if they meet both the State ADU requirements.
Agricultural Zones	Agricultural zones are not mandated by the state to allow ADU's. This is a decision made by local Planning Commissions for their city.	Not addressed.	Discussion Item: Agricultural zones are not mandated by the state to allow ADU's. This is a decision made by local Planning Commissions for their city.
Commercial / Industrial	More flexible for storage or business use, but still must comply with visibility, screening, structural rules, permitting requirements.	Not addressed.	

Temporary Use Provisions

Temporary Containers	Placement requires permitting approval for temporary placement.	Not addressed. General provision allows temporary construction trailers during active building permits.	
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Accessory Building Design Standards (Affecting Container Reuse)

Design Requirements	Not specified. Planning Commission needs to set ordinances, requirements and regulations for metal storage containers within the city.	Minimal. Accessory building defined broadly as subordinate to main building. No specific design standards beyond height/coverage.	Discussion Item: Planning Commission needs to set ordinances, requirements and regulations for metal storage containers within the city.
Exterior Materials	Not specified. Planning Commission needs to set ordinances, requirements and regulations for metal storage containers within the city.	Not specified for accessory buildings.	
Metal Buildings	Not specified. Planning Commission needs to set ordinances, requirements and regulations for metal storage containers within the city.	No specific restrictions.	

Coverage & Quantity

Lot Coverage	Not specified. Planning Commission needs to set ordinances, requirements and regulations for metal storage containers within the city.	Accessory buildings: max 25% of rear yard.	
Screening	Utah law does not set specific landscaping screening requirements for ADU's	Outdoor storage must be enclosed by 6-ft sight-impervious fence if visible from street.	

Enforcement

Enforcement Mechanism	Not specified. See application procedures in 1(C)	General nuisance and code enforcement. No container-specific guidance; enforcement relies on interpretation.	
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4. Recommendations

4.1 Recommendations for Uintah City

ADU Ordinance

1. **Adopt a Tiered Permitting Model.** Consider South Weber's hybrid: IADUs permitted by right, EADUs by conditional use. This encourages lower-impact internal conversions while maintaining oversight on detached new construction.
2. **Define Explicit Size Standards.** Add explicit minimum/maximum square footages directly in the ADU chapter. Evaluate a range between Ogden's 800 SF and South Weber's 1,250 SF caps based on Uintah's typical lot sizes.
3. **Set Minimum Lot Size Requirements.** Adopt South Weber's minimum lot size thresholds (6,000 SF for internal, 0.33 acres for external) to ensure ADUs only appear on parcels with adequate capacity.
4. **Adopt Architectural Compatibility.** Require the ADU to match the primary dwelling in materials, color, and design character, similar to both Ogden and South Weber provisions.
5. **Add Occupancy Limits.** Add a cap (e.g., 2 adults as in Ogden, or 1 family unit as in South Weber) to manage density and parking impacts.
6. **Require Separate Utility Metering & Addresses.** Adopt South Weber's model: separate utility meters for detached ADUs, shared meter for internal; separate mailing addresses for all ADUs.
7. **Clarify Ownership Transfer & Recording.** Adopt Ogden's approach of voiding permits upon sale, and South Weber's business license requirement before leased occupancy. Record permits with the county recorder.
8. **Add Seasonal Absence, Revocation & Infrastructure Rules.** Add a seasonal absence provision (like Ogden's 4-month rule), a clear revocation process with defined timelines, and South Weber's failing-septic prohibition.

Shipping Container / Connex Box Regulations

9. **Adopt Explicit Container Ordinance.** This is the most critical gap. Use South Weber's Section 10-11-3(K) as a template: prohibited in residential zones, conditionally allowed in agricultural zones with specific conditions, and allowed in commercial/industrial through site plan review.
10. **Include Temporary Use Rules.** Model on South Weber: 14-day limit for moving, 90-day extension by Zoning Administrator, location on private driveway, ROW prohibition.
11. **Set Agricultural Zone Conditions.** Adopt South Weber's framework: rear yard only, neutral color masking insignia, storage-only use, 1-acre minimum per container, max 2 per lot, building code compliance.
12. **Define Key Terms.** Define "shipping container" broadly (including intermodal containers, PODS) and add "screening" as a defined term, as South Weber does.
13. **Strengthen Accessory Building Standards.** Add detailed exterior material and design standards for all accessory buildings (similar to Ogden's Section 15-13-33) to address container reuse and overall accessory structure quality.

9-24-1: ADU Purpose and Intent

- A. It is the purpose of this section to establish regulations controlling the use and construction of accessory dwelling units; to encourage individuals to become and remain homeowners by allowing limited opportunities for rental income; to allow provisions of security or services to owner occupants of the dwelling; to provide options for structures designed as single-family dwellings to meet the needs of the owner occupants at a variety of stages in their life cycle; and to protect the stability of neighborhoods.**

9-24-2: ADU's Definition

A. For the purposes of this code, ADU is defined as a subordinate dwelling, which has its own kitchen, living/sleeping area, and sanitation facilities and that is: 1) within or attached to a single-family residential building but are a separate area and facilities from the primary dwellings or 2) a detached structure, or 3) above or behind a detached garage, associated with a single-family dwelling.

B. There are three (3) separate types of ADU's.

1. Internal ADU's (IADU): an accessory dwelling unit within the footprint of the primary dwelling unit.

2. Attached ADU's (AADU): an accessory dwelling unit that constructed as a physical expansion or addition to the primary dwelling, sharing one (1) of more common walls or floor/ceiling space.

3. Detached ADU's (DADU): an accessory dwelling unit that is located on the residential property and not attached to the primary dwelling unit.

9-24-3: ADU's Application Procedure

A. Any homeowner who resides in a single-family dwelling and whose property is in a residential zone and desires an accessory dwelling unit shall obtain an accessory dwelling permit prior to any construction or occupation of the unit. The accessory dwelling permit shall be in addition to any building permits that may be necessary to

create the accessory dwelling unit. The applicant shall submit as part of the application for an accessory dwelling permit:

1. A site plan drawn accurately to scale that shows property lines and dimensions, the location of the existing buildings and building entrances, and proposed building and its dimensions from buildings and property lines, and the location of parking stalls.

2. Detailed floor plans drawn to scale with labels on rooms indicating uses and proposed uses.

3. Written verification that the applicant is the owner of the property and has permanent residency in the existing single-family dwelling where the request is being made. The verification also requires the applicant to acknowledge that they are the owner-occupant and will remain an owner-occupant in order for an accessory dwelling unit to be permitted.

B. After review by the Building Services and Fire Division, the Planning Division or Staff shall approve or deny the application based on compliance with these regulations and issue a land use permit for an ADU, which shall include a legal description of the property.

C. Noncompliance with these standards of this section shall be just cause for the denial of an application or revocation of an accessory dwelling unit if the original conditions are not maintained that allowed the accessory dwelling unit. Revocation shall be decided based upon the findings of facts at an administrative hearing before a Hearing Officer. If the permit is revoked the accessory dwelling unit shall be removed within thirty (30) days of the final determination.

D. The approval of a land use permit for an accessory dwelling unit (ADU) is valid for the duration of the period the owner who obtained the permit owns and occupies the property as their primary residence. Change in property ownership voids the accessory dwelling permit. A new permit must be applied for according to these requirements if the new owner desires an ADU.

E. The ownership of the ADU shall not be separate from the principal dwelling and can not be sold off separately.

F. Upon issuing a certificate of an approved ADU, the city shall record a copy of the certificate with the office of the Weber County Recorder.

9-24-4: Owner Occupied

- A. Property owners as shown on Weber County Recorder's Office shall occupy either the primary dwelling or the accessory dwelling unit as the primary residence. In no case, shall the property owner rent out both the primary dwelling and the ADU. A letter of agreement shall be signed by the property owner(s) stating that the property will be used as their primary residence. The letter shall be recorded with the Weber County Recorder's Office by Uintah City staff.**
- B. Owner-occupancy may be temporarily waived when:**
 - a. The owner is absent due to a bona fide temporary absence of three years or less for a job assignment, sabbatical, or voluntary service; or**
 - b. The dwelling was the owner's primary residence immediately before leaving for the temporary job assignment, sabbatical, or voluntary assignment; and**
 - c. The owner intends to make either the primary or accessory dwelling their primary residence upon returning from the temporary job assignment, sabbatical, or voluntary service.**

9-24-5: Dwelling Unit Occupancy

- A. The occupants of an accessory dwelling unit shall fall into one of the following categories:**
 - a. Three individuals non-related: or**
 - b. An individual or single family related by blood, marriage, legal guardianship, fostership, or adoption; and**
 - c. For reference, the term "related" refers to a spouse, parent, child, stepchild, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, first cousins, great grandparents, and great grandchildren. The term "related" does not include other, more distant relationships.**

9-24-6: General Regulations and Development Standards-

A. Lot Requirements

- a. IADU lot size must be 6000 SF or large to qualify for an IADU and meet all other city, county, fire and health department permitting requirements and standards.
- b. AADU lot size must meet ROCZ and setback requirements of the primary dwelling and meet all other city, county, fire and health department permitting requirements and standards.
- c. DADU lot size must be a 11,000 SF or large to qualify for an DADU and meet all other city, county, fire and health department permitting requirements and standards.

B. Zones.

- a. An ADU is allowed as an accessory use within the following Uintah residential zones **RE-20, RE-20 R/R, RE-50.**
- b. An ADU is not allowed as an accessory use within the following Uintah residential zones **RMH District.**
- c. An ADU is allowed as an accessory use within the following Uintah residential zones **AG = Allowable by ordinance by Planning Commission inclusion.**
- d. ADUs shall not be allowed on lots or units which are part of a PRUD, apartment building, group dwelling, mobile home park or a condominium project.

C. Location and Livable Square Footage

- a. IADU location is inside one single-family detached dwelling original footprint;
 - i. No size restriction for a IADU within the primary dwelling footprint.
- b. AADU location is an addition to a one single-family detached dwelling; provided, that the addition will not alter the one family character of the building and meet the city's original setback and height requirements of the original dwelling.
- c. DADU location is a detached accessory structure or within a detached accessory structure located in the rear and/or side yard in accordance with Uintah City side yard and rear yard setback requirements for an accessory building in the specific zone in which it is located.
 - i. Minimum livable SF for a DADU is **600 SF** and a maximum of **1400 SF** or thirty percent **(30%)** of the

total rear/side yard area **with 50% of the DADU located in the rear yard.**

- ii. Landings in side or rear yards shall be setback 10' to the side or rear property line for DADU's.
- iii. Outdoor living space shall not be within 10' of a side or rear property line. Balconies, decks or similar built 4' above finish grade shall be setback 15' from rear property line. All setbacks shall be measured from the fascia.

D. Appearance

- a. There shall be no obvious evidence that more than one family is living on the property containing the ADU. The ADU shall be clearly incidental to the primary dwelling and the property on which it is located.
 - i. Exterior IADU & AADU doors must have their own external connection, match primary dwellings design as close as possible, not be visible for the main street and meet state statute and local zoning requirements. (**Egress, RCOZ, 15' translucent window, USBC Chapter 10, ADA**)
 - ii. DADU's shall retain the character and appearance of the single-family dwelling and use matching materials and design as close as possible.

E. Height Requirements

- a. IADU's and AADU's must meet the height requirements of the primary building and not exceed the height of the primary dwelling measured roof peak.
- b. **DADU's minimum height shall not be less than ten feet (10') and the maximum height shall not exceed nineteen feet (19') subject to the following exceptions:**
 - i. **Height may be increased up to twenty-four feet (24') for a pitched roof or twenty feet (20') for a flat roof provided the side and rear yard setbacks are increased one foot (1') for each additional foot in building height above 17 feet (17').**

F. No ADU or primary dwelling with an approved ADU shall be used as a short-term rental which is defined as a rental period of 30 days or less.

G. A maximum of one (1) ADU is allowed per single-family lot or parcel in conjunction with the primary family dwelling.

- H. Primary dwelling will retain the original mailing address and the ADU is listed as the same mailing address but uses the Unit B as a distinction between primary dwelling and ADU.
- I. A municipality may not allow an ADU to be created if the primary dwelling is served by a failing septic tank.
- J. ADU's approval require 1 additional parking stall beyond the primary residence requirements.

- a. ADU parking stall may not be located in the front yard and must meet off-street parking requirements by the city code.
- b. Garage and carport stalls count as approved parking spaces.

K. Utility connections:

- a. IADU's shall have a single utility connection common with the primary dwelling and be in the name of the primary property owner's name.
- b. AADU's and DADU's should have multiple utility connections with a maximum of two (2) utility connections per Utility Provider. One is dedicated to the primary dwelling and the other to the ADU.
 - i. All utilities serving the primary dwelling and the applicable ADU shall be in the name of the property owner only.
- c. Exceptions are allowed based on utility providers requirements for service.

- L. ADU's must include a kitchen and sanitation facilities (minimum $\frac{3}{4}$ bath) separate from the primary dwelling.
- M. Connex Boxes / Shipping containers may be used as ADUs as long as they meet all the provisions, codes and requirements required for application and building code approvals by the City of Uintah.
- N. All construction and remodeling to accommodate the ADU shall be in accordance with all local and State building codes, as amended and in effect at the time of construction or remodeling and shall obtain a building permit as applicable.
- O. The property owner shall obtain an Uintah City Rental Dwelling business license for the ADU for which they receive any monetary compensation.

- P. ADU's may be inspected upon receipt of complaints by any appropriate department of Uintah City or other government agency to ensure compliance with building, fire, health and safety codes.**
- Q. No ADU shall be approved without all required inspections and approvals of the City Building Inspector in compliance with **UCA 10-9a-511.5** and its subsequent amendments.**
- R. No Rental Dwelling Business license shall be granted to an ADU without providing evidence of a Certificate of Occupancy.**
- S. Prior Uses: No ADU existing prior to the enactment of this Section shall be "grandfathered" or considered legal solely based on the fact they were used as such. No ADU dwelling is allowed except as provided in this section.**
- T. After a Residential Rental Dwelling License has been approved by the City, staff shall record a notice with the Weber County Recorder's Office the an ADU has been permitted for the property. The notice shall include:**
 - a. A description of the primary property.**
 - b. A statement describing what type of ADU has been approved.**
 - c. A statement that the ADU may only be used if the owner lives in either the primary dwelling or the ADU.**
 - d. A statement the ADU may only be used in accordance with Uintah City's land use regulations.**
 - e. After recording the notice, staff shall delivery a copy of the notice to the property owner of the ADU.**