

Kaysville City — DADU Ordinance Council Work Session Guide

Regulatory Point for Council Consideration	What State Law Requires / Allows	Planning Commission Recommendation	Council Input to Date	Additional Points / Staff Input	Council Decision Tracker
Minimum Lot Size	SB 284 / Utah Code §10-21-304 requires an ordinance by Oct. 1, 2026 and requires DADUs on qualifying lots larger than 11,000 SF with a detached single-family dwelling in a primarily residential zone. The City may choose a lower threshold.	10,000 SF. The Planning Commission voted 6-0 to recommend reducing the draft from 11,000 SF to 10,000 SF.	Council work-session issue: whether to retain the Planning Commission's 10,000-SF recommendation or use the state minimum.	State threshold could fall in the future. City could wait to see what happens with new state legislation and continued resident input. Staff could identify the number/share of Kaysville lots affected at 8,000, 10,000 and 11,000 SF, etc.	
Maximum DADU size	The City may regulate DADU size individually or in relation to the main dwelling. The state framework does not prohibit a reasonable maximum size.	50% of the primary dwelling footprint or 1,200 SF, whichever is smaller. Planning Commission voted 6-0 to recommend this change.	Council should decide whether 'footprint' or 'floor area' is the appropriate measure and whether the garage is included. If basements are allowed in a DADU, does that square footage count towards the 1,200 SF maximum?		
Minimum DADU size	State law says the City cannot impose a minimum square footage over 1,000 SF , and cannot impose minimum building dimensions. A modest minimum below that may require careful legal review.			Avoid a minimum that unnecessarily constrains housing choices. Building, health and fire codes already provide minimum habitability requirements. Council should decide whether a minimum is necessary at all.	

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Height — maximum feet	The City may regulate DADU height and dimensions.	Planning Commission discussion favored stronger controls for two-story DADUs; Layton-based table proposes 16' to roof peak for one story and 25' for two stories.	Council should decide maximum height and whether a two-story DADU should be capped below the primary dwelling.	Propose that a DADU never exceed the primary dwelling's roof-peak height. Staff should test the proposed 16'/25' standards against Kaysville lots and existing accessory-building rules.	
Height — number of stories	The City may regulate height and dimensions, so it may distinguish one- and two-story DADUs.	Two-story DADUs contemplated, with greater setbacks. No recommendation to prohibit two stories.	Council should decide whether two stories are permitted citywide, only on larger lots, or subject to additional setbacks.	A two-story allowance gives flexibility while graduated setbacks address privacy/massing. Consider whether attic/loft space counts as a story. Dwelling space above a detached garage would be a second story.	
Side setbacks	The City may regulate setbacks.	Planning Commission recommendation: side-yard DADU — one story same as primary dwelling; two story 10'. Rear-yard DADU — one story 5'; two story 10'.	Council should confirm whether side-yard placement should be allowed at all and whether the proposed graduated setbacks are appropriate.		

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Rear setbacks	The City may regulate setbacks.	Planning Commission recommendation: rear-yard DADU — one story 10'; two story 20'. For side-yard DADUs, rear setback remains same as primary dwelling.		Test the standard on representative Kaysville lots. A larger setback may be justified for privacy/massing but could make some otherwise eligible lots undevelopable.	
Special consideration for odd-shaped lots	The City has discretion to make special considerations for setbacks and related issues with odd-shaped lots			The City may consider a special review and approval process for unusual lots.	
Clean up of potential ambiguities and contradictions within existing code				The existing code refers to "other main buildings" on a lot not having less than a 20' side yard setback (e.g. Sec. 17-12-6-4). In context with the preceding paragraph, this appears to be referring to a required side yard for "any dwelling". A 20' side yard for a DADU would be quite restrictive for most, 11,000 SF lots. For example, an 80-foot wide lot with 20' required side yards on both sides would leave only 40' for the DADU.	

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Window placement / orientation / privacy	The City may regulate setbacks taking window orientation into account. However, state law specifically limits regulation of the location, design, placement or architectural styling of windows, doors and garage doors.	Planning Commission discussion supported privacy protection, particularly for two-story units, but did not establish a final window rule.		Window regulation may not be an issue if setbacks are adequate. Mainly a concern with two-story DADUs. A safer approach may be objective setbacks/privacy measures for two-story DADUs rather than subjective window design review.	
Architectural design / neighborhood compatibility	State law allows a DADU design consistent with the main dwelling , but also prohibits numerous specific design standards , including exterior color, cladding style, roof style/pitch/materials, ornamentation, and window/door/garage-door placement or styling.	Planning Commission generally supported neighborhood compatibility. Recommended using exact language from SB 284 (DADU must be "consistent with the main dwelling".)	Council should decide how to reconcile the statute's permission for consistency with its prohibitions on detailed design regulation.	Focus on the statutory allowance and avoid standards that effectively recreate prohibited color, material, roof, or window controls. Use exact language from SB 284 and wait until legislature provides further clarification.	

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Eligible zoning districts	Any residential zone so long as the state criteria is met that lots over 11,000 SF are allowed.	Draft recommendation: allow ADUs as an accessory use to detached single-family dwellings within all primarily residential zoning districts (so long as minimum lot size met).	Council should confirm which Kaysville zones are 'primarily residential' and whether any zone-specific exclusion is legally supportable.	Define 'primary residential zone' within the section and list excluded zones such as commercial, industrial and mixed-use. Specify detached single-family dwelling to avoid an argument that a townhome qualifies. Caution that DADUs should not be limited to only one residential zone if that inadvertently excludes other primarily residential zones covered by state law.	
Lot coverage	The City may regulate maximum lot coverage.		Council should decide whether existing Kaysville lot-coverage rules apply unchanged or whether DADUs receive a specific treatment.	Clarify interaction between DADU footprint, primary dwelling, garages, accessory structures and total lot coverage. Consider a worksheet/example for staff and applicants.	

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Existing accessory structures / nonconforming structures	The ordinance must include a process for conversion of legal accessory structures to DADUs, subject to setback requirements and applicable codes.	Planning Commission supported a conversion pathway but the exact treatment of existing nonconformities requires policy direction.	Council should decide whether a legal existing accessory structure must meet every new DADU standard or can retain some existing nonconformities.	A rigid requirement could make the statutory conversion pathway ineffective. Consider allowing existing legal structures to convert where health/fire/building requirements are met and privacy/setback impacts are addressed.	
One ADU per lot / DADU vs. IADU	The City may limit the number of accessory units per lot. State law therefore allows the City to prohibit having more than one ADU.	One total ADU per lot — either an IADU or a DADU.	One total ADU per lot — either an IADU or a DADU.	One total ADU per lot — either an IADU or a DADU.	

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Owner occupancy	The City may require owner occupancy.	Owner occupancy required	Owner occupancy required	Require owner to state that the property is their primary residence, with a notice recorded at the Davis County Recorder before permit issuance. This could strengthen enforcement. Council should determine whether the owner must occupy the primary dwelling specifically or may occupy either the primary dwelling or DADU.	
Minimum rental period / short-term rentals	The City may prohibit a DADU from being rented for fewer than 90 days.	Minimum rental period of 90 consecutive days.	Minimum rental period of 90 consecutive days.	Consider a clear rental-license condition, documentation of lease term, and whether the same rule should apply to IADUs. Additional code enforcement may be needed.	
Parking — number of spaces	The City cannot require more than one parking space for a DADU under 650 SF and cannot require more than two parking spaces for any DADU.	Follow state requirement	Follow state requirement		

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Parking — location / paving / obstruction	The City may regulate parking consistent with applicable law and may require replacement parking when a garage is converted to a DADU.			Define parking-space dimensions, tandem parking, driveway parking, accessibility, and whether a garage can count. Clarify what must be replaced when an existing garage is converted.	
Garage conversion / replacement parking	The City may require replacement of parking spaces when a garage is converted to a DADU. The ordinance must include a process for legal accessory structures to convert to DADUs, subject to setback requirements.	Allow conversion subject to the adopted DADU standards/setbacks.	Council should decide how much flexibility (if any) to provide for existing legal accessory structures that do not meet new DADU setbacks.	This is a major implementation issue. Initially, could allow conversion subject only to the adopted DADU standards/setbacks. Allowing conversion that would create nonconformities should be considered carefully and down the road when the City has time.	
Outdoor living space / decks / balconies	The state framework allows setback regulation and allows the City to regulate dimensions/lot coverage.			Should decide whether elevated decks/balconies need additional setbacks. Layton-based table proposes no restriction in side yards, but 10' from side/rear property lines for DADU outdoor living space more than 4' above finished grade.	

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Public utility easements / utility capacity	The City may prohibit DADUs in public utility easements and where utility access is insufficient or existing infrastructure lacks capacity.	No specific Planning Commission recommendation identified.	Council should decide how utility-capacity review will work in practice.		
Permit / approval process — no CUP	The City cannot require a conditional use permit for a DADU.			ADU registration and permit issuance through Community Development. Avoid discretionary standards that could function as a de facto CUP.	