

ORDINANCE 2026-24

AN ORDINANCE AMENDING THE PLEASANT VIEW MUNICIPAL CODE CHAPTER 18.66-‘ATTACHED ACCESSORY APARTMENTS’ TO ‘ACCESSORY DWELLING UNITS (ADUs) TO BROADEN THE APPLICATION OF HOUSING.

WHEREAS, The Utah State Legislature passed SB284, which requires every city with a population of 5,000 or more and having a lot size of 11,000 square feet or larger to permit detached accessory dwelling units (ADUs); and

WHEREAS, Pleasant View City’s population is 11,214; and

WHEREAS, Cities have until October 2026 to adopt an ordinance; and

WHEREAS, The Pleasant View City Planning Commission has made a positive recommendation of the proposed amendment; and

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City.

NOW THEREFORE, be it resolved by the Pleasant View City Council as follows:

1. Chapter 18.66-Accessory Dwelling Units (ADUs) be hereby amended as stated in “Exhibit A.” (attached).

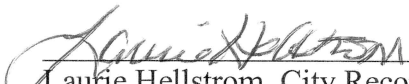
2. This ordinance shall take effect immediately upon approval and posting.

PASSED, APPROVED AND ADOPTED this 22nd day of September, 2026.

PLEASANT VIEW CITY, UTAH


Steve Gibson, Mayor

Attest:


Laurie Hellstrom, City Recorder

Posted September 24, 2026

This ordinance has been approved by the following vote of the Pleasant View City Council:

CM Arrington	<u>Yes</u>
CM Ferry	<u>Yes</u>
CM Marriott	<u>Yes</u>
CM Urry	<u>Yes</u>
CM Wilkinson	<u>Yes</u>



Chapter 18.66 - Accessory Dwelling Units (ADUs)

18.66.010 Definitions. Accessory Dwelling Unit means a second dwelling unit in an owner-occupied single family property that is clearly incidental and accessory to the main dwelling. ADUs can be internal, detached, or attached.

ADU (Attached). "Attached ADU" means a new ADU is constructed as a physical expansion of the primary dwelling and is attached to the single-family dwelling unit by one or more common wall(s).

ADU (Detached). "Detached ADU" means an ADU located in an accessory building on the property and not attached to or within the primary dwelling unit.

ADU (Internal). "Internal ADU" means an ADU created (a) within a primary dwelling unit; (b) within the footprint of the primary dwelling unit at the time the internal ADU is created; and (c) for the purpose of offering a long-term rental of 90 consecutive days or longer. Internal ADUs must meet the standards in Utah Code § 10-21-303.

18.66.020 Permitted Use An Accessory Dwelling Unit which meets ordinance requirements may be allowed as a permitted use in a zone which allows single-family dwelling units on lots greater than 11,000 square feet.

18.66.030 Permitting Process

A. Accessory Dwelling Units (Internal, Detached and Attached).

1. A notarized application by the property owner shall be filed with the Pleasant View City Recorder who forwards it to the Development Review Committee for consideration. A floor plan and site plan shall be submitted as part of the application. The application shall include a deed restriction to be recorded by the Weber County Recorder after City approval that states the owner shall occupy either the primary dwelling or the Detached Accessory Dwelling Unit. The statement shall also acknowledge that the Accessory Dwelling Unit use is temporary and only effective if the owner complies with all conditions set by Pleasant View City and remains the owner occupying the property. This deed restriction shall read as follows:

"An Accessory Dwelling Unit permit was issued by Pleasant View City to _____, the current owner of the property known on the Weber County Tax Rolls as Serial Number _____, and further described as being located at _____, in Pleasant View, as of the _____ day of _____, _____. This permit does not run with the land, and is automatically invalidated by the sale or other transfer of title to this particular parcel of land. Prospective purchasers or owners are advised that only one unit on this property may be occupied by persons other than the owner of the parcel. The owner of the property shall occupy either the primary dwelling or the Detached Accessory Dwelling Unit. Prospective purchasers may apply to Pleasant View City for an Accessory Dwelling Unit permit. If the ADU already exists and all conditions required by the zoning continue to be met, then a new permit MAY be granted."

2. Each ADU shall be re-evaluated every three years. If all conditions set by the City continue to be met and the owner submits a notarized statement that they still occupy the primary dwelling, then the City shall extend the ADU permit for another 3 year period.

3. An ADU permit may be revoked at any time for failure to meet any conditions set by the permit. A notice of violation stating the nature of the complaint shall be sent to the property owner that includes a 30 day time period for compliance. If the violation is not rectified within the

stated time period a hearing shall be held with the City Council. At the conclusion of the revocation hearing, the City Council may revoke the permit, modify the conditions of the permit, or continue the hearing to acquire more information or reaffirm the use. Revocation of the permit may require the property owner to fully remove any fixtures or structural modifications or conditions of the home or property that were installed to create the ADU.

4. Violations of this section are subject to the enforcement procedures and remedies otherwise authorized under the Pleasant View City Municipal Code and applicable Utah law, including notices of violation, administrative or civil penalties, suspension or revocation of applicable permits or licenses, injunctive relief, and any other lawful remedy. No lien shall be recorded against real property for a violation of this section except as expressly authorized by applicable state law and after compliance with all required notice, hearing, and other procedural requirements
5. Existing illegal ADUs may apply to the City Recorder for designation as ADU. If an applicant can substantially comply with the requirements of this section, a permit may be issued. In addition to the mentioned standards, this type of application shall also include a Building Code inspection identifying any life/safety hazards that should be corrected as a condition of approval.
6. An applicant may appeal any action by the DRC pertaining to a bonafide ADU or an application for an ADU, to the designated Appeal Authority. An application of appeal shall be filed with the City Recorder. Such appeals shall be accompanied by a letter that states the reasons that the applicant believes the DRC erred, and the reasons why the action(s) of the DRC should be modified.

18.66.040 Standards for Accessory Dwelling Units

A. General Standards for All Accessory Dwelling Units

1. A maximum of one (1) ADU is allowed per single-family lot.
2. ADUs shall meet all building codes and obtain all required permits prior to occupancy of the ADU.
3. The applicant shall have a fee simple title to the property
4. The ADU shall have a independent entrance that faces away from the street and does not disrupt the single-family appearance of the existing structure.
5. The ADU shall be completely independent of the Primary Structure with locked access
6. The ADU shall be a self-contained unit containing cooking, sleeping, and sanitary facilities
7. One (1) additional parking space shall be provided for the ADU. No vehicles shall be parked on the front lawn or other landscaped areas.
8. Owner Occupancy – The city shall only permit an Accessory Dwelling Unit permit when an owner-occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall not be required when:
 - a. The owner has a bona fide, temporary absence of three years or less for activities such as military service, temporary job assignments, or voluntary service (indefinite or unverifiable periods of absence shall not qualify for this exception); or
 - b. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement independent living facilities or communities.
9. The ADU must be rented for periods of 90 consecutive days or more.
10. All ADUs shall connect to the existing (water, sewer, gas, etc) utility service lines as the primary dwelling after the meter.
11. All ADUs shall be evaluated for adequate infrastructure to ensure capacity and service

capability to the ADU and Primary Dwelling Unit. The City may deny an ADU application based on insufficient infrastructure.

12. If it is determined that existing services are inadequately sized for any reason, the applicant would be required to pay any applicable fees and costs to increase that service before permit shall be granted.
13. The Primary Dwelling and an Internal ADU shall have the same address number. A Detached ADU shall have the same address as the Primary Dwelling and be referenced as "Unit B". Addresses must be in a visible location for emergency responders.
14. Accessory Dwelling Units shall comply with requirements outlined in Table 18.66.040-1

B. Internal ADU Standards

1. Internal ADUs shall have a minimum area of no less than 400 square feet nor a maximum area greater than 50% of the main dwelling.
2. Exterior alterations shall compliment and blend with the home in such a way that the Internal ADU is not apparent from the street.

C. Attached ADU Standards

1. Attached ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.
2. The total area of an attached ADU shall not exceed 50% of the square footage of the area of the building footprint of the primary dwelling unit.
3. An ADU created from the conversion of a garage shall provide additional parking equal to the original garage capacity.

D. Detached ADU Standards

1. The ADU shall be placed on a permanent foundation.
2. Shall have a similar appearance as the primary unit.
3. May not be built within a recorded easement
4. Maximum size limit shall not exceed 25% of the rear yard of the primary dwelling unit.
5. Shall not exceed the size of the primary dwelling unit.
6. Mobile homes, recreational vehicles, or shipping containers shall not be considered a detached ADU.
7. A Detached ADU shall not be sold separately or subdivided from the primary dwelling unit or lot unless compliant with subdivision regulations.
8. No basements are allowed in detached ADUs.
9. Fire Regulations:
 - a. No portion of a detached accessory dwelling unit shall be located more than 150 feet, measured along an approved route, from a public road or approved fire-apparatus access road. A detached accessory dwelling unit may be located more than 150 feet from a public road if an approved fire-apparatus access road is provided from the public road to a location approved by the Fire Code Official.
 - b. The fire-apparatus access road shall be designed and constructed in accordance with the adopted fire code and all requirements established by the Fire Code Official and City Engineer, including requirements governing width, vertical clearance, grade, turning radius, turnaround, drainage, all-weather surfacing, and load-bearing capacity. Plans and supporting engineering documentation shall be submitted with the building-permit application. The City may require certification from a licensed professional engineer that the completed access complies with the approved plans and is capable of supporting the imposed load of the applicable fire apparatus. No certificate of occupancy for the detached accessory dwelling

- unit shall be issued until the access has been inspected and approved.
- c. The property owner shall, at the owner's expense, continuously maintain the fire-apparatus access in an unobstructed and serviceable condition. The owner shall be responsible for repairing the access, including damage or deterioration resulting from ordinary use by emergency vehicles, except to the extent caused by the negligent or wrongful conduct of the City or responding agency. Failure to construct or maintain the access as required constitutes a violation of this chapter and grounds for withholding, suspending, or revoking the detached accessory dwelling unit permit or certificate of occupancy."
 - d. An access and maintenance obligation shall be included in the recorded ADU notice or in a separate recorded covenant to provide future purchasers notice that the access must remain available and that its maintenance is a continuing condition of the DADU approval.

18.66.040 Fees.

A. Application Fee

1. The application fee and renewal fee for an Accessory Dwelling Unit permit will be set annually by the City Council.

B. DADU Fees

1. A detached accessory dwelling unit shall be subject to applicable building permit fees, utility connection charges, and impact fees established by the City's duly adopted fee schedule and impact fee enactments, to the extent authorized by Utah law. Any impact fee shall be assessed in an amount proportionate to the public-facility impacts attributable to the detached accessory dwelling unit and in accordance with the applicable impact fee facilities plan and impact fee analysis.

18.66.050 Enforcement

- A. A violation of this chapter, any condition of an ADU approval, or any recorded notice or agreement required by this chapter constitutes a violation of Title 18 and is subject to the enforcement provisions and penalties contained in Chapter 18.60. In addition to any other available remedy, the City may withhold, suspend, or revoke an ADU permit, rental license, building permit, or certificate of occupancy after providing written notice of the violation and a reasonable opportunity to cure. Upon suspension or revocation of an ADU permit or certificate of occupancy, the ADU shall not be rented or separately occupied until the violation has been corrected and the City has reinstated the applicable approval. Each day that an unlawful rental or occupancy continues following expiration of the correction period constitutes a separate violation.

Table 18.66.040-1

	Internal ADU	Attached ADU	Detached ADU
Location	Part of Primary Dwelling	Attached to Primary Dwelling	Rear Yard
Minimum Lot Size	11,000 sf	11,000 sf	11,000 sf
Size Limit	50% of Primary Dwelling	50% of Primary Dwelling	May not exceed footprint of the Primary Dwelling
Maximum Height	Same Max Height Regulations for Single-Family Dwellings	Same Max Height Regulations for Single-Family Dwellings	24' at peak
Minimum Side Setback	Same as Primary Dwelling	Same as Primary Dwelling	10'
Minimum Rear Setback	Same as Primary Dwelling	Same as Primary Dwelling	10'
Off-Street Parking	1	1	1