



**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, OCTOBER 1, 2026**

Holladay Council Chambers - 3330 S 1300 E

5:30 p.m. **Council Dinner** – *Council members will be eating dinner. No city business will be discussed.*

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting on **Thursday, October 1, at 6:00 pm.** Members of the Council may participate electronically if needed. The Council Chambers shall serve as the anchor location.

** Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents available to the City Council are accessible on the City's website or in this agenda. Interested parties are encouraged to watch the **live video stream** of the meeting - [agendas/https://holladayut.gov/government/agendas_and_minutes.php](https://holladayut.gov/government/agendas_and_minutes.php)

To provide a public comment or make a comment during any public hearing, may do so in the following ways:

1. **In-person attendance:** at Holladay City Hall
2. **Email** your comments by 5:00 pm on the date of the meeting to scarlson@holladayut.gov

AGENDA

- I. **Welcome** – Mayor Fotheringham
- II. **Pledge of Allegiance** -
- III. **Public Comments**
Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council before 5:00 p.m. on the day of the meeting to scarlson@holladayut.gov with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below
- IV. **Public Hearing on Proposed Text Amendment to Title 13 Regarding Accessory Dwelling Units**
(modifying standards currently regulating approval process, building design, and placement)
- V. **Consideration of Ordinance 2026-15 Amending Sections 13.71.045, 13.100 and 13.04 to Accessory Dwelling Units**
- VI. **Consent Agenda**
a. Approval of Minutes- April 23, July 16, August 6, Aug.20 & Sept. 17
- VII. **City Manager Report** – Gina
- VIII. **Council Report & District Issues**

a. **Calendar**

Council Meetings –Oct. 22, November 5 & 19, Dec. 3 & 10, 2026

IX. ***Closed Session For the Purpose(s) Described in U.C.A. 52-4-204 and 205***

X. ***Adjourn***

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

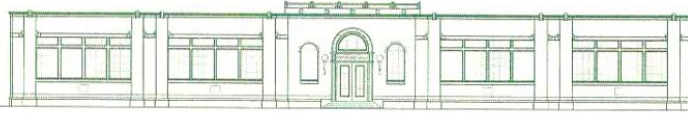
CERTIFICATE OF POSTING

I certify that the above agenda notice was posted at Holladay City Hall, the City website www.holladayut.gov, the Utah Public Notice website www.utah.gov/pmn, and the Holladay Library.

DATE POSTED: Monday, September 28, 2026

Stephanie N. Carlson, MMC, City Recorder

City of Holladay



City of Holladay
HOLLADAY CITY COUNCIL

COUNCIL STAFF REPORT

MEETING DATE: October 1st 2026

SUBJECT: Ordinance Amendment - Statutory Compliance Amendments: External Accessory Dwelling Units

SUBMITTED BY: Jonathan Teerlink, CED Director

ACTION:

Legislative. Ordinance amendments are to be reviewed and considered during a public hearing prior to a motion of final decision/action.

SUMMARY:

Review and consideration of a recommendation made by the Planning Commission to adopt needful amendments to Holladay's external accessory dwelling unit ordinances. Amendments proposed align current Holladay code with adopted Utah Code §10-21-304 (SB284, 2026).

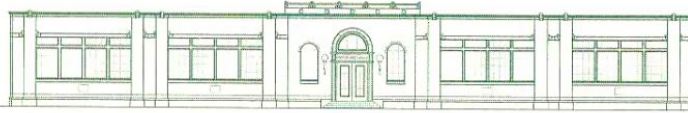
PROPOSED ORDINANCE, CONSIDERATIONS:

In 2024 the Planning Commission and City Council enacted new standards that allow external accessory dwelling units (EADUs) as part of the city's effort to address moderate income housing options within the city. The city worked diligently to review and adopt new standards for both interior and exterior ADUs along with applicable standards of development. During the 2026 legislative session, SB284 passed new EADU mandates and development standards for all cities. As Holladay's currently ADU ordinance is largely in alignment with this statute, some minor changes are required. Complaint standards are due to be adopted by October 1st. Those changes are provided in this report.

SUMMARY OF CHANGES:

State standards for external accessory dwelling units in all municipalities are found in Utah code [10-21-304](#). The section is organized in areas where a municipality *may* and *may not* regulate an EADU. A summary of proposed changes required to align Holladay's code with state provisions are as follows. Amended text is attached as an exhibit.





City of Holladay
HOLLADAY CITY COUNCIL

UTAH CODE REFERENCE	HOLLADAY CODE REFERENCE
§10-21-304 (1) A regulation shall, • (a): adopt a EADU regulation for all zones that allow a detached single-family home lot	§13.32.060 • (D): As the R-2 and RM zone both allowed single family home construction, EADU development standards need to be added to this section. Current standards established for the R-1 zone are proposed to be adopted
§10-21-304 (3) A regulation may NOT, • (b-c): require more restrictive parking requirements than those in this reference • (d): include design standards that conflict with Utah Code Section 10-20-618.	§13.14.031 • (A5): amend current minimum parking requirements to match • (7, 8); amend building design standards to match.

While the full statute of requirements is extensive, the commission and council should be commended as planning decisions for accessory dwelling units made in 2024 largely align with this state statute and only minor amendments are needed.

RECOMMENDATION:

City Council should hold the required public hearing and review the recommendation of the Planning Commission to amend various chapters and sections of Title 13 of the Holladay Municipal Code, as shown in Exhibit "A".

Planning Commission findings:

1. The amendments are consistent with the goals of the General Plan as providing affordable housing options, and
2. A municipality is a political subdivision of the State of Utah and shall apply all provisions adopted in Title 10 of the Utah Code (§10-1-106).

ATTACHMENTS:

Title 13 Amendments

FISCAL IMPACT:

None

SUGGESTED MOTION:

Approval



CHAPTER 13.14

R-1 Zones

13.14.031: ACCESSORY DWELLING UNITS:

Accessory Dwelling Units are meant to assist in the creation of new housing units; support a more efficient use of existing housing stock and infrastructure; and provide housing that responds to changing family needs, smaller households, and increasing housing costs within the City and not a response to supplemental income or vacation rental opportunities.

Existing or new construction of Accessory Dwelling Units of any type may only be established on a parcel with a single-family detached structure within all residential zones when the following standards are met. In addition to applicable remedies for correction of non-compliance set forth in Chapter 13.94 of this Title, pursuant to Utah Code Ann. § 10-9a-530(5), the City may hold a lien against any property in violation of any provision of this Title relating to the creation and/or maintenance of an Internal Accessory Dwelling Unit. The City shall follow the provisions of Utah Code Ann. § 10-9a-530(5) in the creation and filing of any lien.

A. Accessory Dwelling Unit as defined in section 13.04.040, shall:

1. Comply with applicable building, health, and fire codes.

2. Be subject to approval of a Building Permit (section 13.08.100) and issuance of a Certificate of Occupancy (sections 13.04.050, 13.01.060).

3. If rented, be rented for a minimum of thirty (30) consecutive days. A rented ADU is subject to annual approval of a License (section 5.68.020). The licensing fee can be found in the Consolidated Fee Schedule.

4. Owner Occupied: No accessory dwelling unit shall be created, established, maintained or occupied in a single-family dwelling unless the owner of the property or an immediate family member, defined as the spouse, parent, child, sibling, grandparent, or grandchild, occupies either a portion of the main dwelling or a detached accessory unit on the same single-family lot. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by the property owner(s) as shown on the County tax assessment rolls. Owner occupancy requirement shall not apply to the accessory dwelling unit when:

a. The owner cannot live in the dwelling because of a bona fide temporary absence of three (3) years or less (i.e: military, job assignment, sabbatical, or voluntary service);

b. The owner was living in the dwelling immediately prior to leaving for temporary job assignment, sabbatical, or voluntary service; and

c. The owner resumes primary occupancy of residence upon returning from the temporary military, job assignment, sabbatical, or voluntary service absence;

d. Dwelling Unit Occupancy: The occupants of an accessory dwelling unit shall be limited to a single family, defined as (in accordance with Utah Code § 10-91-505.5):

(1) One person living alone; or

(2) Any number of persons related by blood, marriage, adoption, or other legal relationship living together as a single housekeeping unit; for purposes of this definition of family, the term "related" shall mean a spouse, parent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great-grandparent, and great-grandchild. The term "related" does not include other, more distant relationships.

(3) Up to four (4) unrelated persons living as a single-family housekeeping unit.

5. Onsite Parking

a. Internal Accessory Dwelling Units:

a. Provide one additional onsite parking stall above the minimum required according to provisions set forth in section 13.80.040; and replace any parking spaces displaced by the construction of an ADU from an attached garage or carport.

b. External Accessory Dwelling Units:

a. Two assigned to an EADU that is 650 square feet or larger

b. One assign to an EADU that is smaller 650 ~~If an accessory dwelling unit is being added outside of the existing footprint of the home, onsite parking must meet the minimums required in section 13.80.040, determined by the number of bedrooms in the accessory dwelling unit.~~

c. Parking reductions may be allowed ~~provisions~~ according to Section 13.80.040.B.

6. Maintain the same address as the primary dwelling with the addition of "Unit B".

7. Not operate on separate utility meters from the primary dwelling. The ADU tenant shall have unobstructed access to utility connections, i.e. water and gas shutoff, electrical panel and HVAC equipment, etc.

8. ADU shall not be permitted on a property with a failing septic tank.

B. Internal Accessory Dwelling Unit as defined in section 13.04.040, shall:

1. Comply with all provisions set forth in section 13.14.031 A of this chapter.

2. Provide egress window(s) for existing and new construction which meet minimum size standards as per Chapter 15.08 Building Codes.

C. External Accessory Dwelling Unit, as defined in section 13.04.040, shall:

1. Comply with all provisions set forth in section 13.14.031 A of this chapter.

2. Provide a footprint size of a minimum of two hundred (200) square feet and maximum footprint as per Chart 13.14.101.

3. Structures shall comply with setbacks for accessory buildings as per section 13.14.110, chart 13.14.101. Setbacks may reduced according to the setback reduction chart, not to exceed the “no closer than (feet)” distance required for accessory buildings. The property owner of the proposed setback reduction shall file a signed agreement detailing the context/treatment applied and the resulting setback distance with the Community and Economic Development department.

Chart 13.14.032:

Context/Treatment	Setback Reduction
Context/Treatment	Setback Reduction
No lights on sides abutting residential properties	10%
Fencing: 1. 8' fence height agreement or 6' masonry wall 2. 8' masonry wall	1. 30% 2. 50%
Single floor structure with maximum 10' wall height	50%
Immediately adjacent to an existing accessory building on a neighboring property	80%
Below grade living space only	100%
Additional/upgraded certified energy efficient material/construction designed to reduce sound	100%
Coordination with abutting property owner to build adjacent ADUs	100%
Immediately adjacent to a non-residential land use	100%
Other proposed buffering treatment (additional vegetation, screening/acoustic walls, window treatments, architectural feature, color choice , biophilic elements etc.)	10% per item

4. Height does not exceed twenty-five feet (25') in height above existing grade.

5. The height of accessory buildings containing a dwelling unit shall comply with graduated height standards as per section 13.14.070.2.

6. Comply with Lot Coverage maximums as per section 13.14.080.

7. Design standards of any EADU shall include the following. These standards are intended to increase privacy and minimize impact to neighboring residents.

1 a. Security and/or building lighting shall be "dark sky" compliant, to include the
2 following:

3 (1) Only LED, incandescent light sources in the spectrum of white or off white (light
4 yellow tones in the kelvin scale of 5,000k or lower, i.e. warmer).

5 (2) Fixtures shall feature a "full cut-off" type hood and mounted in such a manner
6 that the cone of light does not cross any property line of the site.

7 (3) Lighting installations shall include timers, dimmers and/or sensors to reduce
8 overall energy consumption and eliminate unneeded lighting.

9 ~~b. Primary and secondary access points including but not limited to doors, windows,~~
10 ~~patios, garage doors, etc. shall not open into a required setback.~~

11 be. Required setbacks shall be maintained with landscaping which provides a buffer
12 to neighboring properties.

13 8. Conversion of existing accessory buildings, including non- conforming structures, to
14 EADUS is allowed with standards.

15 a. ~~Shall meet all design standards within section 13.14.031.C6.~~

16 ab. Structures that do not conform to the building footprint sizes shown in Chart
17 13.14.101 must apply for a conditional use permit for a footprint that exceeds the allowed
18 size.

19 be. Structures that do not conform to setbacks in Chart 13.14.101 shall select setback
20 reduction measures in chart 13.14.032.

21 cd. A second level above twelve (12) feet may not be added or converted to living
22 space when the accessory structure does not meet the required accessory structure
23 setbacks per section 13.14.110, chart 13.14.101.

24 de. Any in-line addition over fifty (50) percent of the linear measurement of a non-
25 conforming setback shall comply with all applicable setback and height requirements. (Ord.
26 2024-18, 11-7-2024)

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CHAPTER 13.32

R-2-8, R-2-10, R-M MULTIPLE-FAMILY RESIDENTIAL ZONES

13.32.050: PRIMARY USES:

A. Primary Uses Allowed: The permitted and conditional uses allowed in the multiple-family residential (R-2 and R-M) zones shall be as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this title. Any primary land use not shown as a permitted or conditional use in chapter 13.100, "Appendix A - Allowed Uses", of this title shall be prohibited.

B. Combined Uses: Any combination of uses may be established within the same building or on the same lot or parcel. If any of the proposed uses is a conditional use, that use shall be reviewed and approved by the planning commission as required by section 13.08.040 of this title. (Ord. 2012-15, 9-20-2012)

13.32.060: ACCESSORY USES:

Permitted and conditional uses set forth in chapter 13.100, "Appendix A - Allowed Uses", of this title shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such primary uses allowed by chapter 13.100, "Appendix A - Allowed Uses", of this title.

A. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the zone except as otherwise expressly provided in this title.

B. No accessory use, building or structure shall be allowed on a lot or parcel unless a primary permitted or conditional use is currently established on the parcel, except as allowed by section 13.09.020 of this title.

C. Specific accessory uses allowed in the Multiple-Family Residential (R-2 and R-M) Zones are as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this title. (Ord. 2012-15, 9-20-2012)

13.32.065: ACCESSORY DWELLING UNITS

An External Accessory Dwelling Unit may be established on a lot in the R-2 or RM zone with one, existing Primary, Single-Family Dwelling.

Development of an External Accessory Dwelling Unit shall comply will all standards and provisions as provided in 13.14.031 of this Title.

CITY OF HOLLADAY

ORDINANCE No. 2026-15

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING
PORTIONS OF TITLE 13 RELATING TO ACCESSORY DWELLING UNITS**

WHEREAS, the Utah State Legislature, during the 2026 General Session, adopted Senate Bill 284 modifying standards and regulations for accessory dwelling units; and

WHEREAS, the City Council of the City of Holladay desires to amend its Ordinances to be consistent with the provisions of Senate Bill 284;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Adopted. Section 13.32.065 of the City of Holladay Municipal Code is hereby adopted and codified to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Amendment. Section 13.14.031 of the City of Holladay Municipal Code is hereby amended to read in its entirety as set forth in Exhibit B, attached hereto and incorporated herein by reference.

Section 2. Amendment. Section 13.14.032 of the City of Holladay Municipal Code is hereby amended to read in its entirety as set forth in Exhibit C, attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Clerical Corrections. The City Recorder, under the supervision of the City Manager and in consultation with the City Manager and City Attorney, is authorized to make non-substantive corrections to any portion of this Ordinance for grammatical, typographical, or numbering errors, or for consistency purposes that do not alter the substance of the Ordinance.

Section 5. Impact on Families. The City Council has considered the impact on families should the proposed ordinance be adopted and finds that the impact will be positive.

Section 6. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this ____ day of October, 2026.

HOLLADAY CITY COUNCIL

By: _____
Paul Fotheringham, Mayor

[SEAL]

VOTING:

David Sundwall	Yea	Nay ____
Matt Durham	Yea	Nay ____
Natalie Bradley	Yea	Nay ____
Drew Quinn	Yea	Nay ____
Emily Gray	Yea	Nay ____
Paul Fotheringham	Yea	Nay ____

ATTEST:

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this ____ day of October, 2026.

RECORDED this ____ day of October, 2026.