

KAYSVILLE CITY COUNCIL
WORK SESSION
September 4, 2026

Minutes of a special Kaysville City Council work session held on Thursday, September 4, 2026, at 9:20 a.m. at Kaysville City Hall, 23 East Center Street, Kaysville, Utah.

Council Members present: Mayor Tamara Tran, Council Member John Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson, and Council Member Joshua McBride

Staff Present: City Manager Jaysen Christensen, Assistant City Attorney Katie Ellis, City Recorder Annemarie Plaizier, Community Development Director Brad McIlrath, Building Official Jim Day

CONTINUED DISCUSSION REGARDING AMENDMENTS TO KAYSVILLE CITY CODE §17-31-3, INTERNAL ACCESSORY DWELLING UNITS, TO COMPLY WITH SENATE BILL 284 REGARDING DETACHED ACCESSORY DWELLING UNITS

Mayor Tamara Tran opened the budget work session and explained that the meeting start time had been delayed due to technical difficulties.

City Manager Jaysen Christensen explained that Senate Bill 284 required the City to adopt regulations allowing detached accessory dwelling units (DADUs) by October 1, 2026. Because of the number of policy decisions involved, staff prepared a work session guide identifying regulatory issues for the Council to review individually, including lot size, DADU size, height, setbacks, architectural compatibility, parking, conversions of existing structures, and other development standards. Mr. Christensen noted that the City was working under a limited timeframe and suggested that the Council could initially adopt more restrictive standards and revisit them after gaining experience with the ordinance and receiving any additional direction from the Legislature. Mayor Tran and Council Member Jackson expressed support for retaining flexibility for two-story DADUs, noting that some property owners had constructed accessory buildings with the expectation that living space might eventually be permitted above them.

The Council first discussed minimum lot size. The Planning Commission had recommended reducing the threshold from 11,000 to 10,000 square feet, while state law required DADUs to be allowed on qualifying lots larger than 11,000 square feet and permitted cities to establish a lower threshold. Council Member Hunt favored reconsidering smaller lots in the future if they could otherwise comply with the City's requirements. After discussing the number and location of potentially affected properties and whether an exception process could be created for lots slightly below the threshold, the Council agreed to begin with an 11,000-square-foot minimum and revisit the issue if warranted.

The Council next considered DADU size and agreed that the maximum should be the lesser of 50 percent of the footprint of the primary dwelling, including its garage, or 1,200 square feet of livable area, whichever was less. The discussion clarified that the 1,200-square-foot limitation applied to

livable space and could therefore allow a DADU configuration with non-livable space, such as a garage, beneath the dwelling area. The size of the DADU would nevertheless remain limited in relation to the footprint of the primary dwelling. The Council did not substantively discuss establishing a separate minimum DADU size and relied instead on applicable building, health, and fire code requirements.

The Council discussed height, number of stories, and setbacks together and agreed to permit two-story DADUs. Following extensive discussion of building mass, privacy, existing accessory structures, and different lot configurations, the Council settled on a maximum height of 25 feet or the height of the primary dwelling, whichever was less, measured to the roof peak. The Council discussed the need for the primary dwelling to remain the visually predominant structure on the property. The Council also agreed that two-story DADUs would require a minimum 15-foot setback from both side and rear property lines. Single-story DADUs would follow the applicable dwelling setbacks for the zone. The Council viewed the additional setback for two-story units as a means of addressing privacy and massing concerns while retaining the ability to construct a second story. The overlapping recording confirms the Council's discussion of 15-foot side and rear setbacks for two-story DADUs and the distinction between those requirements and the setbacks for single-story units. Staff also clarified that these standards would apply specifically to DADUs and would not change the City's existing standards for accessory structures such as detached garages.

Staff noted that requiring DADUs to meet the new setbacks could prevent some existing accessory buildings from being converted because accessory structures had historically been allowed closer to property lines. After discussing the conversion requirement in state law, the Council agreed that an existing accessory structure could be converted to a DADU only if it met the adopted DADU setbacks and other applicable standards. The Council also considered whether odd-shaped lots should receive special consideration but determined that existing City Code already established how side and rear yards were identified. No separate exception or special review process was proposed for unusual lot configurations.

The Council discussed whether additional window restrictions were necessary to address privacy, particularly for two-story units. Frosted windows and window orientation were considered; however, Staff explained that state law limited the City's ability to regulate window location, design, placement, and architectural styling of windows, doors, and garage doors, although setbacks could account for issues such as window orientation and massing. With the increased setbacks established for two-story DADUs, the Council did not identify a need for a separate window-placement requirement.

Regarding architectural design, staff explained that state law allowed the City to require a DADU to be consistent with the main dwelling while also restricting the City's ability to regulate specific design features such as exterior color, cladding, roof style and materials, and window and door design. The Council agreed to use the statutory language requiring a DADU to be "consistent with the main dwelling" and recognized that additional legislative clarification might be necessary regarding how that standard could be applied. Staff and the Council also discussed private covenants and HOA requirements. The Council did not want the City to enforce private restrictions but supported ensuring that applicants were advised that issuance of a City permit did not supersede applicable covenants, easements, architectural requirements, or other private agreements. Existing permit language addressing those restrictions was reviewed, along with the

possibility of requiring applicants to affirmatively acknowledge them during the application process.

The Council briefly reviewed eligible residential zones and lot coverage. Because the Council had established an 11,000-square-foot minimum lot size and substantial size and setback requirements, the discussion did not identify a need for an additional DADU-specific lot-coverage limitation. The Council then confirmed that only one accessory dwelling unit would be allowed per property, either an internal accessory dwelling unit or a detached accessory dwelling unit, but not both.

The Council agreed to require a minimum rental period of 90 consecutive days. Parking requirements would follow state law, with one required parking space for a DADU under 650 square feet and up to two required spaces for larger DADUs. The Council and staff also discussed whether a maximum number of vehicles should be established because of concerns about properties becoming parking areas. Members recognized, however, that such a restriction could move vehicles onto public streets and could be difficult to enforce. No separate maximum vehicle restriction was established during the work session. Staff further clarified that if an existing garage used to satisfy required off-street parking were converted to a DADU, the required parking would need to be provided elsewhere on the property.

Council Member Blackham raised a related concern regarding the City's definition of "family," which allowed up to five unrelated persons to occupy a dwelling, and questioned whether a different occupancy standard should apply to DADUs. Council members discussed the desire to avoid a small DADU functioning as a group rental while still accommodating couples and other legitimate household arrangements. Staff raised potential legal, Fair Housing, definitional, and enforcement concerns. The Council did not establish a new occupancy standard and asked staff to further research into whether a legally supportable restriction could address the concern.

The Council also considered patios, decks, balconies, and similar outdoor living areas. The discussion generally distinguished uncovered ground-level patios and landings from elevated decks, balconies, and covered improvements. Ground-level uncovered areas could extend into the setback where otherwise permitted, while the outside edge of an elevated deck or balcony would need to meet the applicable setback. Staff and the Council also discussed how covered patios and structurally independent covers would be treated under existing building and setback requirements.

Regarding public utility easements, the Council agreed that a DADU could not be constructed within an easement. Council Member Blackham explained that existing City Code allowed some accessory structures within utility easements at the owner's risk, but the Council agreed that a dwelling presented different concerns because of the difficulty of relocating or removing it. The Council clarified that the utility easement itself could be located within the required DADU setback.

Staff explained that DADU applications would be processed administratively through a land use permit process using objective standards, similar to the process for internal accessory dwelling units. If an application met the standards established by ordinance, it would be approved without individualized conditions or discretionary Council review, thereby avoiding a process that could function as a conditional use permit.

Council Member McBride raised a concern regarding existing requirements for structures used for

the care and keeping of farm animals to be located at least 50 feet from dwellings on adjacent properties. The Council discussed the possibility that construction of a DADU could unintentionally affect a neighboring property owner's ability to maintain or construct an animal structure. Staff suggested revising the applicable provision to measure the separation from the primary dwelling rather than any dwelling on the adjacent property, and the Council supported that approach.

The Council briefly discussed the temporary land use regulation affecting accessory structures. Staff noted that applicants were waiting to proceed with accessory-building projects and that some had already incurred expenses for plans, engineering, and contractors. Mayor Tran clarified that the work session was intended specifically to address DADUs, and the Council agreed that the broader accessory-structure regulations should be addressed separately. Staff also confirmed that the DADU ordinance would require a permanent structure and would not permit recreational vehicles, camping trailers, or other temporary structures to be used as DADUs.

At the conclusion of the work session, Mr. Christensen stated that staff would use the Council's feedback to prepare a draft ordinance. The Council recognized that some provisions could require future adjustment as the City gained experience implementing the regulations or received additional legislative clarification. Staff was also asked to further review the unresolved issue regarding occupancy by unrelated persons.

Following the discussion, Mayor Tran closed the meeting at 10:56 p.m.