



**Memorandum**

**To: Planning Commission**  
**From: Thomas Dansie, Director of Community Development**  
**Date: August 11, 2023**  
**Re: Accessory Dwelling Unit Revisions**

---

The Planning Commission discussed potential changes to the Town’s regulations for Accessory Dwelling Units (ADUs) in the August work meeting. The Commission specifically discussed: 1) allowing external ADUs in the Foothill Residential (FR) zone, 2) allowing more than one ADU on a property, and 3) allowing caretakers to live in a dwelling unit on the property without going through the ADU process. The Commission did not make final decisions on any of these issues and agreed to continue discussions on the topic.

To assist the Commission’s continued discussion staff has prepared a draft revision to the ADU standards (attached). This document is a draft only, and is intended to help continue discussions on this topic. It is not a finished product, nor does it contain finalized policy. It is merely a tool to assist the Commission in discussion. The Commission should review the draft language with the goal of finalizing preferred policy. Staff can then finalize the ordinance language and produce a finished version of the revisions, if necessary.

In the last meeting the Commission referenced the City of Hurricane’s policy for allowing a second ADU on a property. Hurricane allows a second ADU through a conditional use process. Conditional uses are administrative in nature, meaning if an application meets all the required standards it must be approved. The Town of Springdale no longer uses a conditional use process.

Hurricane’s conditional use standards to allow a second ADU are listed below for the Commission’s information (obviously, several of these would not be applicable or appropriate in Springdale):

*(1) Multiple accessory dwelling units may be permitted based on the lot area of the property at a rate in the table below assuming all other conditions for an accessory dwelling unit are met.*

<i>Lot area</i>	<i>Number of accessory dwelling units</i>
<i>0.79 acres or smaller</i>	<i>1</i>
<i>0.8 acres and greater</i>	<i>2</i>

*(2) Fifty percent of the land area on the lot must be free of buildings.*

*(3) A parking plan must be provided that shows adequate off street parking on the lot at a rate of one space per bedroom.*

*(4) A landscape plan must be provided that shows how buildings will be shielded from other residential lots.*

*(5) Occupancy plan: no more than ten people can stay in one building.*

- (6) Only one accessory dwelling unit can be used as a short-term rental. All others must be for long term occupancy or as a guesthouse for non-paying guests.*
- (7) Separate conditional use permits must be received for every accessory building that does not meet the height or size requirements of 10-13-4.*

If the Commission wishes to allow a second ADU on a property and wishes to follow a similar model as the City of Hurricane (only allowing a second ADU under specific conditions), staff recommends the Commission discuss which conditions would be necessary. The intent of these conditions should be to help mitigate the potential negative impacts of multiple ADUs on adjacent single-family residential properties and neighborhoods.

---

## 10-22-9: ACCESSORY DWELLING UNITS:

- A. *Accessory dwelling units defined:* An accessory dwelling unit (ADU) is a second dwelling unit on an owner-occupied single-family property that is clearly incidental and accessory to the primary structure on the property. A dwelling unit on a single-family property occupied by a caregiver to a resident of a separate owner-occupied dwelling on the same property is not an ADU and is not subject to the requirements in this section.
- B. *Classes of ADUs:* ADUs can be either internal or external.
1. An internal ADU is a separate dwelling unit located entirely within the footprint of a single-family dwelling on a residentially zoned property. Internal ADUs must meet the standards in U.C.A. § 10-9a-530.
  2. An external ADU is a dwelling in a separate structure on the same residentially zoned property as a single-family dwelling, and which is detached from the single-family dwelling.
- C. *Allowed zones:* ADUs are allowed in all residential zones.
- ~~1. Internal ADUs are allowed in all residential zones.~~
  - ~~2. External ADUs are only allowed in the VR zone and VR subzones.~~
- D. *General standards:* All ADUs must conform to the following standards:
1. The ADU must contain complete cooking and bathroom facilities that are separate from the facilities located in the main residence.
    - a. The cooking facility in the ADU must contain:
      - (1) A sink and water faucet,
      - (2) Capacity for food refrigeration, and
      - (3) A permanent, built-in stove top, range, or other similar device for cooking food.
    - b. The bathroom facility in the ADU must contain:
      - (1) A sink and water faucet,
      - (2) A toilet, and
      - (3) A shower or bathtub.
  2. The owner of the property must occupy either the main residence or the ADU.
  3. One off-street parking space must be provided for the ADU, in addition to parking required for the primary dwelling on the property.
  4. ADUs must meet all applicable Fire and Building Codes.
  5. The property where the ADU is located must maintain the single-family appearance and character of the neighborhood. ADUs should be compatible in design and appearance with the main residence on the property.
  6. Only one ADU per property is permitted, unless all of the following standards are met to allow in which case a second ADU is permitted.
    - a. The property measures at least one acre in size.
    - b. Only one external ADU is allowed per property.
    - c. There is one additional off-street parking space for the second ADU.
-

- 
7. The ~~lot~~ property where the ADU is located must be at least 6,000 square feet in size.
  8. ADUs shall not be used for transient lodging.
  9. The total number of residents that reside in accessory dwelling unit may not exceed the number allowed for "family," as defined in section 10-2-2.
  10. If a garage or carport is converted to an ADU, the property owner must replace any parking spaces contained in the garage or carport which are required by code with an equal number of parking spaces elsewhere on the property in a manner that complies with all land use standards.
  11. An ADU shall not be permitted within a mobile home.
  12. A property owner may not install power or culinary water utility meters that serve only the ADU. The ADU must be served by the same power and culinary water utility meters as the primary dwelling on the property.
- E. *Specific standards:*
1. *Internal ADUs:* The following standards apply to internal ADUs only:
    - a. The ADU must be rented for periods of 30 consecutive days or more.
  2. *External ADUs:* The following standards apply to external ADUs only:
    - a. The ADU must be rented for periods of 90 consecutive days or more.
    - b. The structure containing the ADU is limited to 1,500 square feet in area, measured in the same manner as any other structure in the residential zones.
- F. *Permit required:* Prior to renting or offering to rent an ADU, a property owner must obtain an accessory dwelling unit permit from the Town.
1. The ADU permit is reviewed and approved by the DCD.
  2. The DCD shall issue the ADU permit, only after finding all of the standards in this section and all other applicable land use standards have been met.
  3. The Town shall record a notice of the permit with the Washington County Recorder, as detailed in U.C.A. § 10-9a-530(6).
- F. In addition to other remedies available to the Town, the Town may hold a lien against a property that contains an ADU if the property owner violates any standards for operation of an ADU. The amount, notice, and procedure for the lien shall be in accordance with state law.
-