



PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON JULY 22, 2026 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.

Centerville City Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Commission reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.

The full agenda packet and backup materials can be found on the Centerville City website at:

<https://centervilleutah.gov/129/Agendas-Minutes>

A. CALL TO ORDER

- 1. ROLL CALL**
- 2. LEGISLATIVE PRAYER OR THOUGHT - Commissioner Gary Woodward**
- 3. PLEDGE OF ALLEGIANCE**

B. BUSINESS ITEMS

Business action or discussion items to be considered by the Planning Commission.

1. Discussion - Review of draft code concepts for Detached Accessory Dwelling Units (DADU) to be located in Chapter 12 of the Centerville Zoning Code and scheduling of a public hearing.
Discussion regarding draft code concepts and a summary of code ideas for Detached Accessory Dwelling Units (DADU), to be located in Chapter 12 of the Centerville City Code. Also, discuss establishing a public hearing date regarding proposed draft code language additions.
2. Discussion - Review of draft code concepts for Boundary Line Adjustments processing in replacement of Exchange of Title codes, as found in CMC 15.09.140 and scheduling of a public hearing.
Discussion regarding draft code concepts and a summary of code ideas for Boundary Line Adjustments processing in replacement of existing Exchange of Title codes found in CMC 15.09.140. Also, discuss establishing a public hearing date regarding proposed draft code language additions.

C. COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Community Development Director's Report

D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. Minutes Review and Approval - July 8, 2026
Consideration of Planning Commission meeting minutes from July 8, 2026.

E. ADJOURNMENT

CERTIFICATE OF POSTING

I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

**Jennifer Robison
Centerville City Recorder**

CENTERVILLE
PLANNING
COMMISSION

Staff Report
7/22/2026

Item No. 1.

Title: Discussion - Review of draft code concepts for Detached Accessory Dwelling Units (DADU) to be located in Chapter 12 of the Centerville Zoning Code and scheduling of a public hearing.

Initiated By: Mike Eggett, Community Development Director

Staff Representative: Mike Eggett, Community Development Director, Lisa Romney, City Attorney

SUBJECT:

Discussion regarding draft code concepts and a summary of code ideas for Detached Accessory Dwelling Units (DADU), to be located in Chapter 12 of the Centerville City Code. Also, discuss establishing a public hearing date regarding proposed draft code language additions.

RECOMMENDATION:

Discussion item only. However, staff recommends that the Planning Commission complete the review of this language and prepare a recommendation to the City Council by or before the August 26th Planning Commission meeting.

BACKGROUND:

During the most recent Utah Legislative Session, the State Legislature approved Senate Bill 284 *Local Land and Water Modifications*. Within this approved bill is significant language regarding a requirement for Utah cities (including Centerville) to establish City land use regulations for the allowance of Detached Accessory Dwelling Units (DADUs) within the City's municipal boundaries. This Senate Bill language has further been memorialized in Utah State Codes 10-21-101 and 10-21-304 respectively. Additionally, Senate Bill 284 requires that Utah State Code 10-21-304 go into effect on October 1, 2026. Therefore, City staff has prepared a summary of City Codes from Utah jurisdictions reflecting their take on addressing the Detached ADU requirement. Additionally, staff has prepared a discussion starting point by completing and providing a draft concept land use Code for Detached ADUs (to be included in the Centerville Zoning Code (Title 12)). Please see the attachments for the noted documents, State Code language, and City Codes for Internal ADUs.

ATTACHMENTS:

1. USC 10-21-304 DADUs
2. USC 10-21-101 ADUs Definitions
3. USC 10-21-303 IADUs
4. CZC 12.60 IADUs
5. ULCT Detached-ADU-One-Pager - 20260715
6. DADU Municipal Code Analysis [June 2026]
7. Proposed Draft DADUs Code [202606] - working draft
8. Proposed Draft DADUs Code [202606] - clean draft

9. DADU Code variation ideas - 20260708

Effective 10/1/2026

10-21-304 Detached accessory dwelling units.

- (1)
 - (a) A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel.
 - (b) This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet.
- (2) A land use regulation described in Subsection (1) shall:
 - (a) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and
 - (b) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable:
 - (i) dwelling and accessory structure setback requirements; and
 - (ii) building, health, and fire codes.
- (3) A land use regulation described in Subsection (1) may not:
 - (a) require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone;
 - (b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;
 - (c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet; or
 - (d) include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618.
- (4) A land use regulation described in Subsection (1) may:
 - (a) require a detached accessory dwelling unit to:
 - (i) conform to applicable land use regulations that regulate structure size, dimension, height, and maximum lot coverage;
 - (ii) conform to setback requirements, that may take into account proximity to property lines and other structures, easements, window orientation, massing, or other elements; and
 - (iii) be designed consistent with the design of the single-family dwelling;
 - (b) prohibit a detached accessory dwelling unit from being:
 - (i) larger in size than the single-family dwelling located on the same lot or parcel;
 - (ii) located within a public utility easement or other recorded easement;
 - (iii) located in a front-yard area of a lot or parcel; or
 - (iv) rented for less than 90 consecutive days;
 - (c) require that the owner of a lot or parcel where a detached accessory dwelling unit is located reside in the detached single-family dwelling or detached accessory dwelling unit located on the lot or parcel;
 - (d) require that when a detached garage is converted to a detached accessory dwelling unit, any parking spaces required for the single-family dwelling that were located within the detached garage are replaced on-site;
 - (e) prohibit more than one accessory dwelling unit on a lot or parcel; and
 - (f) prohibit a detached accessory dwelling unit if:
 - (i) the detached accessory dwelling unit will not have adequate access to a required utility service that is a project improvement, including sanitary sewer, culinary water, electrical, or storm water; or

- (ii) a utility service that is a system improvement, including sanitary sewer, culinary water, electrical, or storm water, to which the detached accessory dwelling unit is required to connect does not have sufficient capacity to support the addition of the detached accessory dwelling unit to the utility service system improvements.
- (5) This section does not supersede:
 - (a) a land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit;
 - (b) prohibitions or restrictions on detached accessory dwelling units in a development agreement signed by a municipality on or before May 6, 2026; or
 - (c) a land use regulation or administrative action that:
 - (i) is not prohibited by law; and
 - (ii) relates to a detached accessory dwelling unit.

Enacted by Chapter 166, 2026 General Session

Effective 7/1/2026

10-21-101 Definitions.

As used in this part:

- (1) "Accessory dwelling unit" means a habitable living unit added to, created within, or detached from a single-family dwelling and contained on one lot or parcel.
- (2) "Accessory structure" means a detached structure located on the same lot or parcel as a principal structure and is incidental and subordinate to the size and use of the principal structure.
- (3) "Affordable housing" means housing offered for sale at 80% or less of the median county home price for housing of that type.
- (4) "Agency" means the same as that term is defined in Section 17C-1-102.
- (5) "Applicable metropolitan planning organization" means the metropolitan planning organization that has jurisdiction over the area in which a fixed guideway public transit station is located.
- (6) "Applicable public transit district" means the public transit district, as defined in Section 17B-2a-802, of which a fixed guideway public transit station is included.
- (7) "Base taxable value" means a property's taxable value as shown upon the assessment roll last equalized during the base year.
- (8) "Base year" means, for a proposed home ownership promotion zone area, a year beginning the first day of the calendar quarter determined by the last equalized tax roll before the adoption of the home ownership promotion zone.
- (9) "Detached accessory dwelling unit" means an accessory dwelling unit that is not attached to or within a primary detached single-family dwelling and located on the same lot or parcel as the primary detached single-family dwelling.
- (10) "Division" means the Division of Housing and Community Development within the Governor's Office of Economic Development.
- (11) "Existing fixed guideway public transit station" means a fixed guideway public transit station for which construction begins before June 1, 2022.
- (12) "Fixed guideway" means the same as that term is defined in Section 59-12-102.
- (13) "Home ownership promotion zone" means a home ownership promotion zone created in accordance with Title 63N, Chapter 23, Part 5, Home Ownership Promotion Zone for Municipalities.
- (14) "Implementation plan" means the implementation plan adopted as part of the moderate income housing element of a specified municipality's general plan as provided in Subsection 10-21-201(4).
- (15) "Initial report" or "initial moderate income housing report" means the one-time report described in Subsection 10-21-202(1).
- (16) "Internal accessory dwelling unit" means an accessory dwelling unit created:
 - (a) within a primary dwelling;
 - (b) within the footprint of the primary dwelling described in Subsection (16)(a) at the time the internal accessory dwelling unit is created; and
 - (c) for the purpose of offering a long-term rental of 30 consecutive days or longer.
- (17) "Moderate income housing strategy" means a strategy described in Subsection 10-21-201(3)(a)(iii).
- (18) "New fixed guideway public transit station" means a fixed guideway public transit station for which construction begins on or after June 1, 2022.
- (19) "Participant" means the same as that term is defined in Section 17C-1-102.
- (20) "Participation agreement" means the same as that term is defined in Section 17C-1-102.
- (21)

- (a) "Primary dwelling" means a single-family dwelling that:
 - (i) is detached; and
 - (ii) is occupied as the primary residence of the owner of record.
- (b) "Primary dwelling" includes a garage if the garage:
 - (i) is a habitable space; and
 - (ii) is connected to the primary dwelling by a common wall.
- (22) "Project improvements" means the same as that term is defined in Section 11-36a-102.
- (23) "Qualifying land use petition" means a petition:
 - (a) that involves land located within a station area for an existing public transit station that provides rail services;
 - (b) that involves land located within a station area for which the municipality has not yet satisfied the requirements of Subsection 63N-23-104(1)(a);
 - (c) that proposes the development of an area greater than five contiguous acres, with no less than 51% of the acreage within the station area;
 - (d) that would require the municipality to amend the municipality's general plan or change a zoning designation for the land use application to be approved;
 - (e) that would require a higher density than the density currently allowed by the municipality;
 - (f) that proposes the construction of new residential units, at least 10% of which are dedicated to moderate income housing; and
 - (g) for which the land use applicant requests the municipality to initiate the process of satisfying the requirements of Subsection 63N-23-104(1)(a) for the station area in which the development is proposed, subject to Subsection 63N-23-104(2)(d).
- (24) "Report" means an initial report or a subsequent progress report.
- (25) "Specified municipality" means:
 - (a) a city of the first, second, third, or fourth class; or
 - (b) a city of the fifth class with a population of 5,000 or more, if the city is located within a county of the first, second, or third class.
- (26)
 - (a) "Station area" means:
 - (i) for a fixed guideway public transit station that provides rail services, the area within a one-half mile radius of the center of the fixed guideway public transit station platform; or
 - (ii) for a fixed guideway public transit station that provides bus services only, the area within a one-fourth mile radius of the center of the fixed guideway public transit station platform.
 - (b) "Station area" includes any parcel bisected by the radius limitation described in Subsection (26)(a)(i) or (ii).
- (27) "Station area plan" means a plan that:
 - (a) establishes a vision, and the actions needed to implement that vision, for the development of land within a station area; and
 - (b) is developed and adopted in accordance with this section.
- (28) "Subsequent progress report" means the annual report described in Subsection 10-21-202(2).
- (29) "System improvements" means the same as that term is defined in Section 11-36a-102.
- (30) "Tax commission" means the State Tax Commission created in Section 59-1-201.
- (31)
 - (a) "Tax increment" means the difference between:
 - (i) the amount of property tax revenue generated each tax year by a taxing entity from the area within a home ownership promotion zone, using the current assessed value and each taxing entity's current certified tax rate as defined in Section 59-2-924; and

- (ii) the amount of property tax revenue that would be generated from that same area using the base taxable value and each taxing entity's current certified tax rate as defined in Section 59-2-924.
- (b) "Tax increment" does not include property revenue from a multicounty assessing and collecting levy or a county additional property tax described in Section 59-2-1602.
- (32) "Taxing entity" means the same as that term is defined in Section 17C-1-102.

Amended by Chapter 393, 2026 General Session

Effective 11/6/2025

10-21-303 Internal accessory dwelling units.

- (1) In any area zoned primarily for residential use:
 - (a) the use of an internal accessory dwelling unit is a permitted use;
 - (b) except as provided in Subsections (2) and (3), a municipality may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling, including a restriction or requirement governing:
 - (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;
 - (ii) total lot size;
 - (iii) street frontage; or
 - (iv) internal connectivity; and
 - (c) a municipality's regulation of architectural elements for internal accessory dwelling units shall be consistent with the regulation of single-family units, including single-family units located in historic districts.
- (2) An internal accessory dwelling unit shall comply with all applicable building, health, and fire codes.
- (3) A municipality may:
 - (a) prohibit the installation of a separate utility meter for an internal accessory dwelling unit;
 - (b) require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;
 - (c) require a primary dwelling:
 - (i) regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space contemplated under this Subsection (3)(c)(i); and
 - (ii) to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport and is a habitable space;
 - (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as defined in Section 57-16-3;
 - (e) require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit;
 - (f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:
 - (i) 25% or less of the total area in the municipality that is zoned primarily for residential use, except that the municipality may not prohibit newly constructed internal accessory dwelling units that:
 - (A) have a final plat approval dated on or after October 1, 2021; and
 - (B) comply with applicable land use regulations; or
 - (ii) 67% or less of the total area in the municipality that is zoned primarily for residential use, if the main campus of a state or private university with a student population of 10,000 or more is located within the municipality;
 - (g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank;
 - (h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size;
 - (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days;

- (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;
 - (k) hold a lien against a property that contains an internal accessory dwelling unit in accordance with Subsection (4); and
 - (l) record a notice for an internal accessory dwelling unit in accordance with Subsection (5).
- (4)
- (a) In addition to any other legal or equitable remedies available to a municipality, a municipality may hold a lien against a property that contains an internal accessory dwelling unit if:
 - (i) the owner of the property violates any of the provisions of this section or any ordinance adopted under Subsection (3);
 - (ii) the municipality provides a written notice of violation in accordance with Subsection (4)(b);
 - (iii) the municipality holds a hearing and determines that the violation has occurred in accordance with Subsection (4)(d), if the owner files a written objection in accordance with Subsection (4)(b)(iv);
 - (iv) the owner fails to cure the violation within the time period prescribed in the written notice of violation under Subsection (4)(b);
 - (v) the municipality provides a written notice of lien in accordance with Subsection (4)(c); and
 - (vi) the municipality records a copy of the written notice of lien described in Subsection (4)(a)(v) with the county recorder of the county in which the property is located.
 - (b) The written notice of violation shall:
 - (i) describe the specific violation;
 - (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity to cure the violation that is:
 - (A) no less than 14 days after the day on which the municipality sends the written notice of violation, if the violation results from the owner renting or offering to rent the internal accessory dwelling unit for a period of less than 30 consecutive days; or
 - (B) no less than 30 days after the day on which the municipality sends the written notice of violation, for any other violation;
 - (iii) state that if the owner of the property fails to cure the violation within the time period described in Subsection (4)(b)(ii), the municipality may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
 - (iv) notify the owner of the property:
 - (A) that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and
 - (B) of the name and address of the municipal office where the owner may file the written objection;
 - (v) be mailed to:
 - (A) the property's owner of record; and
 - (B) any other individual designated to receive notice in the owner's license or permit records; and
 - (vi) be posted on the property.
 - (c) The written notice of lien shall:
 - (i) comply with the requirements of Section 38-12-102;
 - (ii) state that the property is subject to a lien;
 - (iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
 - (iv) be mailed to:

- (A) the property's owner of record; and
- (B) any other individual designated to receive notice in the owner's license or permit records; and
- (v) be posted on the property.
- (d)
 - (i) If an owner of property files a written objection in accordance with Subsection (4)(b)(iv), the municipality shall:
 - (A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (4)(b) has occurred; and
 - (B) notify the owner in writing of the date, time, and location of the hearing described in Subsection (4)(d)(i)(A) no less than 14 days before the day on which the hearing is held.
 - (ii) If an owner of property files a written objection under Subsection (4)(b)(iv), a municipality may not record a lien under this Subsection (4) until the municipality holds a hearing and determines that the specific violation has occurred.
 - (iii) If the municipality determines at the hearing that the specific violation has occurred, the municipality may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
- (e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (4)(b), the municipality may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (4)(b).
- (5)
 - (a) A municipality that issues, on or after October 1, 2021, a permit or license to an owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to an owner of a primary dwelling to create an internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the primary dwelling is located.
 - (b) The notice described in Subsection (5)(a) shall include:
 - (i) a description of the primary dwelling;
 - (ii) a statement that the primary dwelling contains an internal accessory dwelling unit; and
 - (iii) a statement that the internal accessory dwelling unit may only be used in accordance with the municipality's land use regulations.
 - (c) The municipality shall, upon recording the notice described in Subsection (5)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

12.60 Internal Accessory Dwelling Units

12.60.010 Purpose

12.60.020 Scope

12.60.030 Definitions

12.60.040 Approval And Authorization

12.60.050 Use Allowed

12.60.060 Limitations, Termination, And Exemptions

12.60.070 General Development Standards

12.60.080 Design Standards

12.60.090 Occupancy Requirements, Licenses, And Owner Affidavits

12.60.100 Violations And Enforcement

12.60.110 Other Applicable Regulations And Codes

12.60.010 Purpose

The purpose of this Chapter is to establish the use and development regulations for the allowance of internal accessory dwelling units (Internal ADUs) within the City. These regulations are intended to provide opportunity for an internally located secondary separated living quarters (i.e., dwelling unit) within a primary single-family dwelling in accordance with applicable State law, including, but not limited to Utah Code § 10-21-303.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Amended by Ord. [2026-01](#) (LUDMA renumbering) on 2/3/2026

12.60.020 Scope

The requirements of this Chapter shall apply to any Internal ADU created or established within the City. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, the Centerville Municipal Code, or other laws.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

12.60.030 Definitions

Certain words and phrases in this Chapter, including uses, are defined in CZC 12.12 (Definitions). In addition to the definitions set forth in CZC 12.12 (Definitions), the following words and phrases shall have the following meanings:

- (a) Internal Accessory Dwelling Unit (Internal ADU). An internal accessory dwelling unit means an accessory dwelling unit created within a primary dwelling as more particularly defined in Utah Code § 10-20-612.
- (b) Primary Dwelling or Primary Single-Family Dwelling. Primary dwelling or primary single-family dwelling means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record as more particularly defined in Utah Code § 10-20-612.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Amended by Ord. [2026-01](#) (LUDMA renumbering) on 2/3/2026

12.60.040 Approval And Authorization

The Zoning Administrator is authorized to issue permits for Internal ADUs in accordance with the procedures and objective standards for review as set forth in this Chapter and as set forth in CZC

12.21.090 (Permitted Use Review). Decisions regarding the review, approval, or denial of Internal ADUs are administrative proceedings and shall be made in accordance with the provisions of this Chapter and CZC 12.21.060 regarding decision-making standards for administrative proceedings.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

12.60.050 Use Allowed

Internal ADUs are allowed in residential zones as set forth in CZC 12.36 (Table of Uses). Permitted and conditional uses are indicated by “P” or “C,” respectively. Uses not permitted are indicated by “N.”

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

12.60.060 Limitations, Termination, And Exemptions

- (a) Use in Combination. An Internal ADU shall be established as an internally located secondary accessory dwelling unit and shall only be established in combination within a primary single-family dwelling.
- (b) Owner Occupancy Required. An Internal ADU shall only be established for a primary single-family dwelling that is occupied by an owner in accordance with the “Owner Occupancy” requirements of CZC 12.60.090.
- (c) Number allowed. Only one Internal ADU is allowed for:
 - (1) A lot, parcel, or tract of land greater than 6,000 square feet; and
 - (2) A primary single-family dwelling located within a primarily residential use zone as more particularly designated in CZC 12.36 (Table of Uses).
- (d) Location or Placement. An Internal ADU may be integrated within or as a part of the primary single-family dwelling structure and shall maintain the character of the primary single-family dwelling structure and such neighborhood context.
- (e) Separate Dwelling Units. Any portion of a primary single-family dwelling that has been sectioned off, mechanically, physically, or by other means, so that any occupant in the primary single-family dwelling does not have full and free access to the separated portion of the dwelling and such separated area contains living quarters which provide sleeping, sanitary, and fixed kitchen facilities, or any separate accessory building or structure containing the same, shall be subject to the provisions of this Chapter, regardless of the relationship of the occupants.
- (f) No Short-Term Rental. An Internal ADU may not be used as a short-term rental for fewer than 30 consecutive days as more particularly defined and regulated pursuant to Utah Code § 10-8-85.4. In order to regulate and prohibit short-term rentals, the City shall require and record a notice for any approved Internal ADU with the Davis County Recorder’s Office in accordance with Utah Code § 10-20-303.
- (g) Termination of Internal ADU Use. The approval permit for an Internal ADU shall become null and void if the occupancy requirements of this Chapter are not satisfied, or the owner declares termination through writing or through neglect or any other confirmed non-corrected action that violates the provisions of this Chapter. Upon such termination of an Internal ADU use, the owner shall remove one or more features that make up an Internal ADU including but not limited to living, sleeping, or kitchen facilities, including electrical, gas, or plumbing, as deemed acceptable to the City to render the Internal ADU removed or unusable.
- (h) Exemptions. Internal ADUs shall not be included in the gross density calculations for primarily single-family zoning districts.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Amended by Ord. [2026-01](#) (LUDMA renumbering) on 2/3/2026

12.60.070 General Development Standards

The development standards set forth in this Section shall apply to any Internal ADU that is created or established within the City. The purposes of these development standards are to ensure that the Internal ADU is clearly and distinctly an accessory use and internally located as part of the approved primary single-family dwelling use located on the property.

(a) Creation. An Internal ADU shall only be established through the following methods:

- (1) Converting existing living area, attic, basement, or other area of a primary single-family dwelling. The conversion of the primary single-family dwelling's garage space is prohibited without providing the required parking stalls in another appropriately City approved location;
- (2) Adding floor area to the primary single-family dwelling; or
- (3) Integrating an Internal ADU into the design plan for new construction of a primary single-family dwelling.

(b) Minimum Lot Size. The minimum lot size for establishing an Internal ADU shall be 6,000 square feet or more within a primary single-family dwelling.

(c) Setbacks. An Internal ADU created within or attached to the primary single-family dwelling shall meet the applicable front, side, and rear yard setbacks for "main buildings" as listed in the development standards of the respective zone.

(d) Heights. An Internal ADU created within or attached to the primary single-family dwelling shall meet the applicable height requirement for primary or main buildings as listed in the development standards of the respective zone.

(e) Parking. At least one additional parking space shall be provided for an Internal ADU; provided, however that the existing parking requirements for the primary single-family dwelling are to remain in place or restored if missing. The Internal ADU parking space may be located in tandem with other required parking spaces. All required parking spaces must be located behind the front yard setback line of the lot.

(f) Bulk Yard Area Limitation. The combined building footprint coverage of a lot area for the primary single-family dwelling and the Internal ADU shall not exceed the impervious surface allowance for the respective zoning district in which it is located.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

12.60.080 Design Standards

The design standards set forth in this Section are to apply to any Internal ADU that is created or established within the City. The purposes of these design standards are to ensure Internal ADU compatibility with the general pattern, character, and livability of Centerville's typical low density single-family neighborhoods.

(a) Exterior Finish Materials. The exterior finish materials should be compatible with, or visually appear to be harmonious with the type, size, and colors of the finish materials utilized on the primary single-family dwelling on the lot or parcel.

- (b) Location of Entrances. Only one additional entrance may be located on the wall facade that can be viewed from the public street directly adjacent to the same lot or parcel in which the Internal ADU is located. All other entrances must be located on wall facades facing interior to the lot.
 - (1) Ground Entrance Restrictions. Ground entrances and coverings are prohibited on a wall facade facing a perimeter lot line, unless such wall facade is at least 10 feet from a perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.
 - (2) Upper Story Entrance Restrictions. Upper story entrances and coverings (e.g., access from balconies and decks) having no other ground entrances are prohibited on a wall facade facing a perimeter lot line unless such wall facade is located 10 feet from the perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.
- (c) Roof Pitch. The roof pitch should be compatible or visually appear to be harmonious with the roof pitch style of the primary single-family dwelling on the lot or parcel in which the ADU is located.
- (d) Windows. Windows should be compatible or visually appear to be harmonious in proportion (i.e., width to height) and orientation (i.e., horizontal, or vertical) to windows used for the primary single-family dwelling.
- (e) Eaves. Building eaves for Internal ADUs should meet one of the following designs:
 - (1) The eaves are to project from the walls the same distance as the eaves on the primary single-family dwelling.
 - (2) The eaves are to project from the walls at least one foot on all elevations.
 - (3) If the primary single-family dwelling style has no eaves, then eaves are not required for the Internal ADU.
- (f) Design. The Internal ADU shall be designed and maintained in a manner that does not change the appearance of the primary single-family dwelling.
- (g) Exceptions. If there is a conflict between these design standards and the adopted Construction Codes of the City, then the applicable Construction Code shall govern that particular design element.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

12.60.090 Occupancy Requirements, Licenses, And Owner Affidavits

The occupancy requirements set forth in this Section shall apply to any ADU that is created or established within the City. The purposes of these occupancy requirements are to accommodate internal secondary separated living quarters (i.e., dwelling unit) with reasonable limitations on their use and to minimize the impact on neighboring properties and the desired setting of the City's single-family neighborhoods.

- (a) Definitions and Terms. The following definitions or terms are applicable to the creation and use of Internal ADUs;
 - (1) Owner. An owner is defined as a person occupying the premises as their sole primary residence and having at least 50% or greater ownership interest in the property.

- (2) Full-Time Residency. Full-time residency means the owner must live in a dwelling for at least 183 consecutive calendar days of each calendar year.
 - (3) Internal ADU Occupation. The Internal ADU is exclusively used for other family members or for long-term rental with a minimum rental period of 30 days or more.
 - (4) Owner Occupancy Affidavit. A signed and notarized owner-occupancy acknowledgement for the property for sanctioning an Internal ADU and filed with the City Recorder's Office and/or recorded at the Davis County Recorder's Office.
 - (5) Temporary Owner Absence Waiver. An approval granting a waiver of the occupancy requirement due to specific short-term or temporary absences.
- (b) Full Time Owner Residency. Either the primary single-family dwelling or the Internal ADU is to be occupied by a full-time residency property owner as shown on the Davis County Tax Assessment rolls.
- (c) Owner Occupancy Affidavit and License. An Internal ADU owner must apply for an Internal ADU License and sign an "owner occupancy affidavit" with the City and have it filed with the City Recorder and/or recorded at the Davis County Recorder's Office prior to receiving authorization of constructing and/or use of an Internal ADU. Such license and affidavit shall at minimum establish the following:
- (1) That he/she/they are owner(s) of the property located in Centerville, Utah.
 - (2) That he/she/they applied and intend to receive approval to construct or use an Internal ADU pursuant to Centerville City ordinances.
 - (3) That the owner(s) of the property confirm that the Internal ADU will be used for the purpose of offering a long-term rental of at least 30 days or more to any occupant of the Internal ADU.
 - (4) That an owner with at least a 50% interest in the property will occupy either the primary single-family dwelling or Internal ADU for six months of each calendar year, except where a "temporary owner absence waiver" is granted in accordance with Subsection (d).
 - (5) That if the owner(s) of property are unable or unwilling to fulfill the requirements for use of an Internal ADU, then the owners agree to remove one or more features that make it an Internal ADU, including but not limited to living areas, sleeping areas, or kitchen facilities, including electrical, gas, or plumbing and further agree to terminate, in writing, the Internal ADU permit and approval.
 - (6) That the license and affidavit shall run with the land and be binding upon all owners, heirs, and assigns, and upon all parties acquiring any right, title, or interest in the property.
 - (7) That the owners and their heirs, successors, and assigns will inform all prospective purchasers of the property of the terms and conditions of the permit authorizing the ADU.
- (d) Recorded Notice of Internal ADU. On or after October 1, 2021, the City may record against the property a notice of any approved Internal ADU in the Davis County Recorder's Office in accordance with Utah Code § 10-20-303.
- (e) Temporary Owner Absence Waiver. The owner(s) shall comply with the Full-Time Owner Residency Requirements, or such absence or abandonment shall terminate the Internal ADU permit, as approved by the City. Nonetheless, an owner may receive a one-time waiver of the occupancy requirement upon submitting in writing evidence showing good cause of temporary absence, such as:

- (1) A job re-location;
- (2) Military assignment;
- (3) Medical or other care of others;
- (4) Sabbatical leave;
- (5) Educational pursuits; or
- (6) Personal Illness.

A one-time waiver of the occupancy requirement will then be authorized, by the City's Zoning Administrator, up to a maximum of three years and one month. Thereafter, if not re-occupied by the property owner, then the Internal ADU permit shall be deemed null and void and one or more features constituting the Internal ADU shall be removed immediately, upon notice from Centerville City, or the property will subject to applicable enforcement measures.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Amended by Ord. [2021-25](#) on 11/16/2021

Amended by Ord. [2026-01](#) (LUDMA renumbering) on 2/3/2026

12.60.100 Violations And Enforcement

The applicable enforcement procedures for violations of these Internal ADU ordinance provisions shall be subject to the civil or criminal penalties of CZC 12.23 (Enforcement). Additionally, the City may utilize the enforcement provisions of Utah Code § 10-20-303 (Internal Accessory Dwelling Units) regarding violations and holding liens against the property.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Amended by Ord. [2026-01](#) (LUDMA renumbering) on 2/3/2026

12.60.110 Other Applicable Regulations And Codes

The creation and use of Internal ADUs are subject to other pertinent codes, restrictions, and regulations that address applicable life, safety, and welfare concerns. Any Internal ADU shall comply with the following:

- (a) Construction and Fire Codes. An Internal ADU shall be subject to all related regulations regarding the building construction and fire codes, as adopted by the City and State.
- (b) Utilities and Charges. An Internal ADU shall provide the necessary utilities and services such as, but not limited to, sewer, water, gas, electricity, and garbage collection. All City provided utilities shall be established in the property owner(s) name and the property owner shall be responsible for the payment of such utility services.
- (c) Development and Impact Fees. Internal ADUs meeting the development standards of this Title shall be exempt from payment of additional impact fees beyond the establishment of the primary single-family dwelling for the property.
- (d) Street Addressing. An Internal ADU will not be given a new distinct address by the City. Such Internal ADUs may refer mail/parcel packages to be delivered separately by the same address as the primary building using a subsidiary numerical or alphabetical reference (e.g., 1390 West #A), as approved by the Public Works Director, local postmaster, and emergency service agencies, or by securing a separate postal box.

(e) Second Kitchen in Single-Family Dwelling. An Internal ADU is separate and distinct from a second kitchen authorization pursuant to CZC 12.55.160. If a property owner has an approved second kitchen that the property owner wants to convert into or eliminate to allow for an Internal ADU, the property owner shall notify the City of the second kitchen authorization as part of the application process for approval of an Internal ADU. Any document recorded against the property regarding conversion of or limitations on the second kitchen shall be vacated or removed from the property title prior to approval or as a condition of approval of the Internal ADU.

HISTORY

Adopted by Ord. [2021-18](#) on 9/7/2021

Detached Accessory Dwelling Unit (DADU) Roadmap

July 15, 2026

Statutory Requirements

SB 284 (2026) enacted Utah State Code [§10-21-304](#), which requires all cities that submit MIHP reports to adopt a detached accessory dwelling unit (DADU) ordinance **by October 1, 2026**. ULCT negotiated this language so that key legislative priorities were spelled out in statute, but the majority of implementation details are left to the discretion of individual municipalities.

To be compliant with state law, your city's DADU ordinance **MUST**:

- Allow DADUs on lots larger than 11,000 sq. ft. with single family dwellings
- Require DADUs to comply with all applicable building, health, and fire codes
- Include a process for conversion of a legally constructed accessory structure to a DADU, subject to dwelling and accessory structure setback requirements

To be compliant with state law, your city's DADU ordinance **MUST NOT**:

- Require a conditional use permit for a DADU proposed in a primarily residential zone
- Require more than one parking spot for a DADU less than 650 sq. ft., or more than two parking spots for all DADUs
- Include designs standards that conflict with [§10-20-618](#)

Additional Policy Considerations

Your city has the discretion to include any other regulations in its DADU ordinance so long as these additional regulations don't conflict with the statutory requirements outlined above. However, as you create or modify your DADU ordinance, please consider how your policies may be seen from a state legislator's perspective. Are the regulations necessary? Do the additional regulations effectively eliminate a property owner's ability to construct a DADU on their lot?

Other regulations your city may consider including in its DADU ordinance are:

- Prohibiting DADUs in areas with inadequate access to utilities and/or insufficient infrastructure capacity, on the project and system level, for sanitary sewer, culinary water, electric, or storm water
- Regulating size (individually or in relation to the single-family dwelling), dimension, height, maximum lot coverage, and setback requirements

- Requiring DADUs to have a consistent design with the single-family dwelling
- Prohibiting DADUs from being in front yards and public utility easements
- Prohibiting DADUs from being rented for less than 90 consecutive days
- Requiring the owner to live in the single-family dwelling or the DADU
- Requiring replacement of on-site parking spaces when a garage is converted to a DADU
- Limiting a property owner from having both a DADU and an internal ADU on the same lot (giving the property owner the choice to have one or the other). Both DADUs and IADUs must still be permitted per city code, but the city code may require a property owner to choose either one or the other.
- Requiring compliance with all other land use ordinances of the city, including business licensing, utility meters, mailing addresses, and more

Please remember that just because you CAN include additional regulations in your DADU ordinance does not always mean that you SHOULD. Be deliberate and thoughtful in how you approach your DADU policies.

Example DADU Ordinances

You can find links to detached ADU ordinances from twenty Utah cities below. **Please note that most of these examples require modifications to fully comply with all requirements of §10-21-304.** Therefore, these examples should be used by city decision makers as a reference for formatting and policy considerations instead of a comprehensive template.

- | | |
|---|---|
| 1. Brigham City Code Title XV 156.360 | a. See 18.71.130(C) for an example of a DADU conversion process |
| 2. Clinton City Code 28-3-27 | |
| 3. Draper City Code 9-31 | 12. Murray City Code 17.78 |
| 4. Farmington City Code 11-28-200 | 13. Ogden City Code 15-13-39 |
| a. Farmington's ADU toolkit | 14. Providence City Code 10-12-4 |
| 5. Grantsville City Code Land Use Ordinances Chapter 25 | 15. Riverton City Code 18.225.080 |
| 6. Holladay City Code 13.14.031 | 16. Salt Lake City Code 21A.40.200 |
| 7. Hurricane City Code 10-41 | 17. Smithfield City Code 17.92 |
| 8. Ivins City Code 16.12.103 | 18. Springville City Code 11-6-134 |
| 9. Layton City Code 19.06.300 | 19. St. George City Code 10-17A-3 |
| 10. Midvale City Code 17-7-1.8 | 20. Washington City Code 9-8A-8 |
| 11. Millcreek City Code 18.71 | |

Disclaimer: This document is not intended to be legal advice and should not be relied upon as such. We encourage you to seek your own legal advice and read applicable state statute to determine how to comply with legal requirements referenced in this document.

DETACHED ACCESSORY DWELLING UNIT – CODE

RESEARCH OF OTHER JURISDICTIONS

BOUNTIFUL CITY 14-14-124 “Accessory Dwelling Units”

14-14-124 ACCESSORY DWELLING UNIT

A. Purpose: The City recognizes that accessory dwelling units in single-family residential zones can be an important tool in the overall housing plan for the City. The purposes of the accessory dwelling unit standards of this Code are to:

1. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable.
2. Provide for affordable housing opportunities.
3. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the City.
4. Provide opportunities for additional income to offset rising housing costs.
5. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
6. Preserve the character of single-family neighborhoods by providing standards governing development of accessory dwelling units.

B. Detached Accessory Dwelling Units.

1. A detached accessory structure located on an owner-occupied property.
2. A detached accessory dwelling unit is a conditional use, reviewed and considered for approval by the Bountiful City Administrative Committee.

C. A detached accessory dwelling unit shall not be approved, and shall be deemed unlawful, unless it meets all the following criteria:

1. Shall be a conditional use only within the Single-Family Residential zone, Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.
2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.

3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.

4. A maximum of one (1) accessory dwelling unit shall be permitted on a qualifying lot.

5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.

6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director, and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to issuance of the building permit.

7. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other similar means required by the Planning Department.

8. Separate utility meters shall not be permitted for the accessory dwelling unit.

9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.

10. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked offstreet in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.

11. Shall be at least three hundred fifty (350) square feet in size and shall not exceed one thousand two hundred fifty (1,250) square feet.

12. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.

13. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.

14. Shall meet all the setbacks required of an accessory structure.

15. Shall be located behind the front building line of the principal unit.

16. The separate entrance of the accessory dwelling unit may be visible from the front or corner lot side yard based on proximity and appropriate mitigation proposed by the applicant and approved by the Administrative Committee.

D. Internal Accessory Dwelling Units.

1. An internal accessory dwelling unit is an accessory unit created:

- a. within a primary dwelling;
- b. within the footprint of the primary dwelling at the time the internal accessory dwelling is created; and
- c. For the purpose of offering a long-term rental of 30 consecutive days or longer.

2. An internal accessory dwelling unit is a permitted use within a primary dwelling, reviewed and considered for approval by Bountiful City Staff. A primary dwelling is a single-family dwelling that is detached and is occupied as the primary residence of the owner or record.

E. An internal accessory dwelling unit shall not be approved, and shall be deemed unlawful, unless it meets all the following criteria:

1. Shall be permitted only within the Single-Family Residential Zone, the Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.

2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.

3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a permit or without written authorization from the Bountiful City Planning Department.

4. A maximum of one (1) accessory dwelling unit shall be permitted per lot.

5. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director, and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to issuance of the building permit.

6. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other similar means required by the Planning Department. Effective April 1, 2022, short term rentals of 30 days or less are prohibited.

7. Separate utility meters shall not be permitted for the accessory dwelling unit.

8. Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family dwelling. Except as provided below, a separate entrance to the accessory dwelling unit shall not be allowed on the front or corner lot side yard. A separate entrance shall be located to the side or rear of the principal residence.

a. An accessory dwelling unit in a basement may share a common entrance with the principal unit, provided each unit has a separate interior door.

9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.

10. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.

11. Shall have its own dedicated separate entrance from the principal unit in compliance with section 14-14-124(E)(8) and shall not have the appearance of a two-family dwelling (duplex). The separate entrance shall have a walkway in compliance with applicable building codes.

F. Internal Accessory Dwelling Unit Violation.

1. In addition to any other legal or equitable remedies available to Bountiful City, the City may hold a lien against a property that contain internal accessory dwelling unit subject to state law.

NORTH SALT LAKE CITY 10-19-17 “Residential (Accessory Dwelling Unit)”

10-19-17: RESIDENTIAL:

A. Accessory Dwelling Units:

1. Definition of Accessory Dwelling Unit: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is: 1) within or attached to a single-family residential building, or 2) within a detached accessory structure associated with a single-family dwelling.

2. Purpose and Intent: The purpose and intent of this section is to recognize the residential character of the City of North Salt Lake and to provide for supplementary living accommodations in the community, as well as provide for supplementary income opportunities of property owners. These provisions are intended to provide for affordable housing with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory dwelling units.

3. Owner Occupied: No accessory dwelling unit shall be created, established, or occupied in a single-family dwelling unless the owner of the property 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 bona fide property owner(s) as shown on the Davis County tax assessment rolls. Owner occupancy for a dwelling with an accessory dwelling unit shall not be required when:

a. The owner cannot live in the dwelling because of a bona fide temporary absence of three years or less for a temporary job assignment, sabbatical, or voluntary service;

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

c. The owner intends to make the dwelling his/her primary place of residence upon returning from the temporary job assignment, sabbatical or voluntary service.

4. Dwelling Unit Occupancy: The occupants of an accessory dwelling unit shall be limited by one of the following family categories:

a. One person living alone; or

b. Two (2) or more persons all related by blood, by marriage, by adoption; by legal guardianship or foster children; or

c. Up to four (4) unrelated persons living as a single housekeeping unit.

d. Any of the above categories plus a temporary guest. A "temporary guest" is defined as a person who stays with a family for a period of less than thirty (30) days within any rolling one year period and does not utilize the dwelling as a legal address for any purpose.

e. For purposes of the 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.

5. Zones: An accessory dwelling unit which meets ordinance requirements may be allowed in a single-family dwelling unit or in a detached accessory structure within any zone upon a single family lot. No accessory dwelling unit may be allowed in any multi-family dwelling or multifamily lot, or on any lot that cannot satisfy the parking, setback, or lot coverage requirements.

6. Number Of Accessory Dwelling units: A maximum of one accessory dwelling unit shall be allowed in each owner occupied single-family dwelling, or in a detached accessory structure associated with a single-family dwelling.

7. Location & Type:

a. Within or Attached to Main Dwelling: Accessory dwelling units may be allowed within or attached to the main residential dwelling (basement or addition), over the garage (attached or detached), or in a detached accessory structure (cottage home, guest house, or tiny home).

b. Setback Standard Compliance: Accessory dwelling units as an addition to a primary dwelling shall meet all minimum setback standards required for the primary dwelling.

c. Behind the Primary Dwelling: An accessory dwelling unit within an accessory structure must meet the minimum of side yard required by the zone for the primary dwelling and a rear yard setback of ten (10) feet, unless no windows, doors, or

other openings are adjacent to the property line, in which case the allowed setback shall be five (5) feet.

d. Adjacent to the Primary Dwelling: An accessory dwelling unit within the side yard of the primary dwelling are required to meet the same front, side, and rear yard setback as the primary dwelling.

e. Second Story Accessory Dwelling Units: An accessory dwelling unit located in an accessory structure may only be located on a second story if the structure meets the same minimum standards in the zone for height, as well as front, side, and rear setback as the primary dwelling.

8. Appearance: Single family residences with interior accessory dwelling units shall retain the appearance of a single family home. An accessory dwelling unit in an accessory structure shall be designed so that, to the degree reasonably feasible, the appearance of the building is compatible with the architectural components of the primary dwelling unit (e.g., exterior materials, color, and roof pitch).

9. Size:

a. Basement Dwelling Units: Shall be permitted to occupy the entirety of the basement of the primary home regardless of area or bedroom count.

b. Accessory Dwelling Units (Detached Structures): The size of an accessory dwelling unit shall be at least three hundred (300) square feet and shall not exceed twelve hundred (1200) square feet and be limited to no more than two (2) bedrooms.

10. Lot Coverage: The combined building coverage for the detached accessory dwelling units, main dwelling and additional accessory buildings may not be larger than the maximum coverage allowed in the zone for the lot and rear yards per section 10-10-3.

11. Building Entrances: A new single-family structure approved with an accessory dwelling unit attached to or detached from the main dwelling unit, shall have a separate, accessible entrance or stairway. An accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure that faces a street, or a side or rear entrance. Dwellings with two (2) front doors side by side may not be used to provide separate entrances for each unit with the exception of dwellings where the second door provides direct access to the dwelling basement. The purpose of this requirement is to preserve the single-family residential appearance of the building.

12. Address: The principal dwelling unit and the accessory dwelling unit shall have the same address number, but shall refer to the accessory dwelling unit as unit B. Addresses must be located in a visible location on the street frontage side of the home.

13. Parking:

a. A single-family dwelling with an accessory dwelling unit shall provide at least one (1) additional off street parking spaces for the accessory unit, above the minimum spaces required for a single family dwelling. Accessory dwelling unit parking may not be in tandem with required parking of the main dwelling. One additional off street parking space shall be required for accessory dwelling units with 2 or more bedrooms. ADU's located within one quarter (1/4) mile of a bus rapid transit route shall be permitted to reduce the parking requirement by one (1) space for the main dwelling unit.

b. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway.

c. The minimum width of parking areas and driveways shall be paved with concrete or asphalt,

14. Separate Living Areas: An accessory dwelling unit must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.

15. Building Code: All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah state code section 10-9a-511.5, changes to dwellings - egress windows.

16. Utility Meters: A single-family dwelling with an accessory dwelling unit may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name and the property owner shall be responsible for payment of all utilities. No additional water development or connection fee shall be required, unless a separate utility connection is requested and installed by the property owner.

17. Interior Access: An interior access between the main living area and an attached accessory dwelling unit must be maintained, unless sufficient means of egress have been determined during an inspection by the fire department.

18. Not Intended For Sale: The accessory dwelling unit shall not be intended for sale or detached by deed and shall only be rented.

19. Accessory Dwelling Unit Permit: Any person owning an existing accessory dwelling unit that has not previously been permitted by the city, or any person constructing or causing the construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall obtain a land use permit for the accessory dwelling unit from the community development department. This shall be in addition to any required building permit for the

work to be performed. In order to meet the requirements of the land use permit, the applicant shall:

a. Submit a completed application form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters,

b. Include detailed floor plans with labels on rooms indicating uses or proposed uses,

c. Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges,

d. Make all corrections identified as necessary to comply with building code requirements, as identified by the chief building official or his designee, and provide photos of the life safety items required by building code, including carbon monoxide detectors, smoke detectors, and earthquake strapping on water heaters, and

e. Demonstrate and affirm that their property is otherwise in compliance with all other provisions of the zoning ordinance.

20. Exceptions to Standards: The Planning Commission may issue a conditional use permit for ADU's which modify the requirements for an ADU with respect to maximum size, minimum parking, or setback.

a. In approving a conditional use permit the Planning Commission may require additional conditions to mitigate the impact of the ADU on surrounding properties. Specifically the Planning Commission may require: (1) For ADU's that exceed the maximum size of 1,200 sq. ft.: increased setbacks, privacy fencing, limitation on windows and doors adjacent to abutting property lines, and additional parking. (2) For ADUs with reduced or no additional parking: restrictions on occupancy to tenants without vehicles. (3) For ADU's with reduced setbacks: privacy fencing and limitation on windows and doors adjacent to abutting property lines.

21. Failure To Complete Or Obtain A Land Use Permit: If the property owner does not obtain a land use permit as outlined above, the accessory dwelling unit shall not be considered legal nor approved. Failure to obtain a land use permit for an existing accessory dwelling unit may result in a citation for a code violation as governed by the process in North Salt Lake City Title 12, Administrative Code Enforcement Hearing Program.

22. Home Occupation Businesses: Home occupation businesses in an accessory dwelling unit shall be restricted to a home office use which creates no customer traffic. No home occupation business shall be established within an accessory dwelling unit without the express written permission of the property owner.

23. Accessory Dwelling Units, Tiny Homes:

a. Only one tiny home shall be permitted as an accessory dwelling unit per residential lot.

b. The tiny home shall be properly connected to water and sewer facilities.

c. The tiny home dwelling structure must be located on a dedicated parking location of asphalt or concrete and have the wheels and axel underbody skirted from view..

d. Building inspections are required for construction of the foundation, as well as to ensure the correct installation of the structure, and to approve the correct connection to the utilities.

e. All manufactured home running gear, tongues, axles and wheels must be removed at the time of installation.

f. The dwelling structure shall be constructed with materials that are weather resistant and aesthetically consistent with the main dwelling.

g. The community development director may approve deviations from the architectural standards on the basis of a finding that the architectural style proposed provides compensation design features and that the proposed dwelling will be compatible and harmonious with existing structures in the vicinity.

h. The parking shall be the same as subsection 13 of this section.

WEST POINT CITY 17.70.060 “Accessory Dwelling Units”

17.70.060 Accessory dwelling units.

A. *Purpose.* Accessory dwelling units (ADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the city and allow for alternative and flexible housing options in owner-occupied single-family residences.

B. *Accessory Dwelling Units Defined.* An accessory dwelling unit (ADU) is a second dwelling unit in an owner-occupied single-family property that is clearly incidental and

accessory to the main dwelling on the property. ADUs can be either internal, detached or attached.

1. *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 30 consecutive days or longer. Internal ADUs must meet the standards in Utah Code § [10-9a-530](#).

2. *ADU (Detached)*. “Detached ADU” means an ADU located in an accessory building on the property and not attached to or within the principal dwelling unit.

3. *ADU (Attached)*. “Attached ADU” means a new ADU is constructed as a physical expansion (i.e., addition) of the primary dwelling and is attached to the single-family dwelling unit by one or more common walls.

C. Permitted and Conditional Uses. See use table in WCPP [17.60.050](#) for specific zoning designations that include permitted and conditional uses. If the ADU is not designated within a particular zone on the table, then it is prohibited.

D. General Standards.

1. ADU permit application shall be required for all internal, attached, and detached units. Only applications deemed complete by the community development director or designee will be processed. Complete applications include appropriate application forms reflecting the standards of the city, plans, texts, and signatures as required on the form available in the community development department and on the city’s website. A letter or email confirming the completeness of the application may be requested by the applicant. All applications shall be accompanied by the appropriate fee as established from time to time by resolution of the city council.

2. Only one ADU per property is permitted.

3. ADUs shall meet all building codes and obtain all required permits prior to occupancy of the ADU.

4. The applicant shall have a fee simple title to the property.

5. The ADU shall have a separate entrance that faces away from the street and that does not disrupt the single-family appearance of the existing structure.

6. The ADU shall have a minimum of one bedroom and a three-quarter bath.

7. The ADU shall have a kitchen.

8. No vehicles shall be parked on the front lawn or other landscaped areas.

9. The property shall be neatly maintained and shall meet all current codes regarding property maintenance and public health standards.

10. The applicant has not been notified or fined by the city for any code violations relating to this property or any other property within the previous 12 months.

11. *Owner Occupancy.* The city shall only permit an accessory dwelling unit 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, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling 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 living facilities or communities.

12. The ADU must be rented for periods of 30 consecutive days or more.

13. All ADUs shall connect to the same (water, gas, sewer, etc.) utility lines as the primary dwelling.

E. *Internal ADU Standards.*

1. Internal 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.

F. *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 percent of the square footage of the habitable area of the building footprint of the primary residence and in no case exceed 800 square feet.

G. *Detached ADU Standards.*

1. Detached ADUs shall be placed on a permanent foundation.

2. Detached ADUs shall have a similar appearance as the primary unit.

3. Detached ADUs may not be built within a recorded easement.

4. For detached ADUs, the maximum size limit shall be based on the minimum lot size as specified in Table 17.70.060-1.

5. Mobile homes, recreational vehicles, or shipping containers shall not be considered a detached ADU.

6. An ADU shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.

7. Detached ADUs shall follow the same regulations for lot coverage as outlined in WPC 17.70.030(A)(4).

8. No basements are allowed in detached ADUs.

9. *Fire Regulations.*

a. The maximum distance from a fire hydrant to the front entrance of the detached ADU shall not be greater than 500 feet as the “hose lies.”

b. No portion of the detached ADU shall be further away than 150 feet from the public road.

Table 17.70.060-1.

Internal ADU	Attached ADU	Detached Single-Story ADU	
Location	Part of Primary Dwelling	Attached to Primary Dwelling	Rear Yard Area
Minimum Lot Size	6,000 sf	6,000 sf	10,000 sf
Size Limit, Habitable	No Limitation	50% up to 800 sf	650 sf (on lots less than 12,000 sf) 800 sf (on lots greater than 12,000 sf)
Maximum Height Limit	Same Max Height Regulations for Single-Family	Same Max Height Regulations for Single-Family	No Taller Than the

	Dwellings (see WPCC 17.70.020)	Dwellings (see WPCC 17.70.020)	Primary Dwelling
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	2

[Ord. 11-07-2023A § 1 (Exh. A); Ord. 06-21-2022A § 1; Ord. 12-21-2021A § 1 (Exh. A); Ord. 08-17-2021B § 2 (Exh. A)].

SALT LAKE COUNTY 19.15 “Accessory Dwelling Units

Chapter 19.15 - Accessory Dwelling Units

Sections:

19.15.010 - Purpose.

Salt Lake County recognizes that accessory dwelling units in single-family residential zones can be an important tool in meeting Salt Lake County's moderate income housing needs. The purposes of the accessory dwelling unit ("ADU") standards of this code are to:

- A. Comply with State of Utah legislation which allows for internal ADUs generally and requires counties to adopt an ordinance if they wish to regulate certain requirements of the dwellings;
- B. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- C. Provide for moderate income housing opportunities;
- D. Make housing units available to households with moderate incomes who might otherwise have difficulty finding housing in Salt Lake County;
- E. Provide opportunities for additional income to offset rising housing costs;

F. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle;

G. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs; and

H. Ensure that ADUs are properly regulated by requiring property owners to obtain a business license and a building permit for an ADU prior to renting the ADU.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.020 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Accessory dwelling unit" (ADU) means a self-contained dwelling unit located on an owner-occupied property that is either incorporated within the single-family residence (IADU) or in a detached building (detached ADU) and is further defined by this chapter and by Utah State Code.

"Internal accessory dwelling unit" (IADU) means an accessory dwelling unit created:

A. Within a primary dwelling;

B. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and

C. For the purpose of offering a long-term rental of thirty consecutive days or longer.

"Owner occupancy" means a property where the property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.

"Primary dwelling" means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record.

A. "Primary dwelling" includes a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall.

"Public utility easement" (PUE) means an area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility facilities.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.030 - Allowed areas and zones.

A. IADUs shall be a permitted use on single family home lots in areas zoned primarily for residential use with a lot area of six thousand square feet or greater, including R zones, A zones, Forestry zones, and the PC Zone. Detached ADUs are also permitted but may only be built on single family home lots with an area of seven thousand square feet or greater, except that detached ADUs in a PC Zone are permitted on single family home lots with a minimum area of six thousand square feet if the county has approved design standards for the same.

B. In no case shall an ADU be permitted in a townhome, a multi-family PUD or other attached unit type, or on any lot that cannot satisfy parking, setback, or lot coverage requirements.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.040 - Number of residents.

ADUs shall not be occupied by more than one family.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.050 - Setbacks.

A. Internal ADUs. Setbacks on IADUs are the same as the setbacks for a single-family dwelling in the zone.

B. Detached ADUs Built After Adoption of this Chapter. Side yard setbacks on detached ADUs will be consistent with setbacks for a single-family dwelling in the zone. Rear yard setbacks on detached ADUs are a minimum of ten feet. Detached ADUs must also be a minimum of six feet from the main dwelling. For detached ADUs, if existing PUEs are greater than the required setback, the minimum setback will be the PUE boundary.

C. Conversion of Existing Accessory Structures Built Prior to the Adoption of this Chapter. Side yard and rear yard setbacks on existing accessory structures built prior to the adoption of this Chapter, which are to be converted to a detached ADU, shall comply with the accessory structure setback standards at the time the structure was legally erected. The detached ADU shall be set back a minimum of six feet from the primary dwelling. An exception to these setbacks is an existing structure that has been declared a noncomplying structure under section [19.88.150](#).

Figure 19.15.1: Setback Standards for a Detached ADU Built After Adoption of this Chapter.

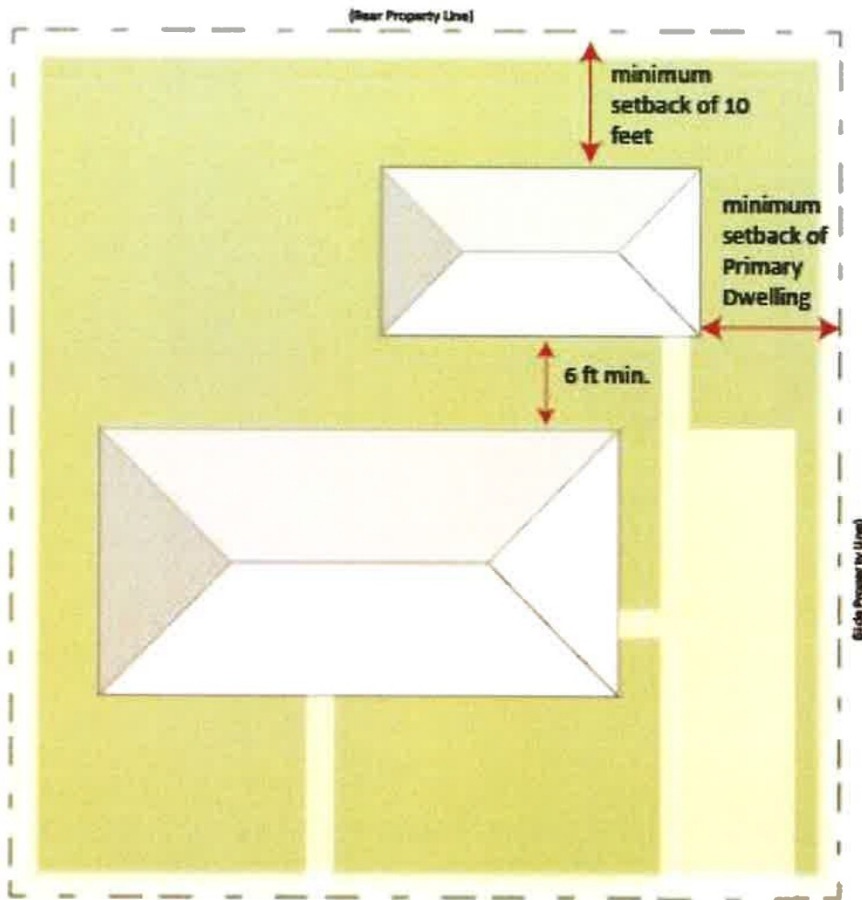
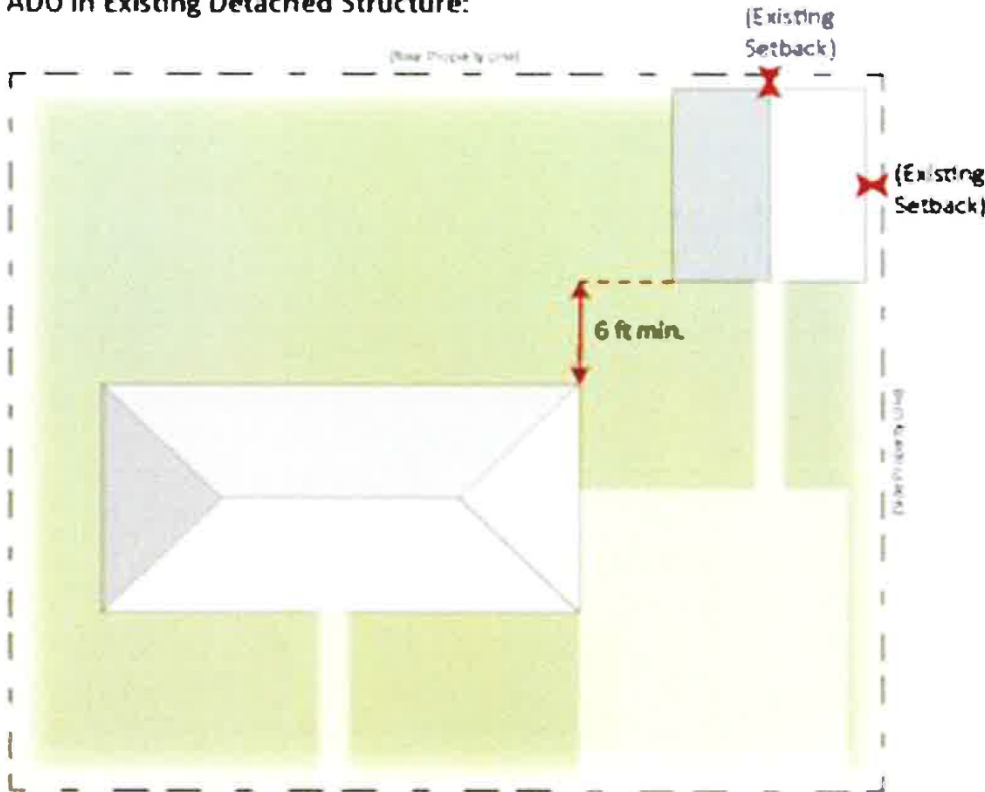


Figure 19.15.2: Setback Standards for an Existing Accessory Structure Built Prior to the Adoption of this Chapter and Converted to a Detached ADU.

ADU in Existing Detached Structure:



(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.060 - Parking requirements.

In addition to the required parking for the existing home, the property owner must demonstrate that at least one on-site parking space is available for the ADU. A property owner bears the burden of showing by a preponderance of the evidence that sufficient parking is available. In cases where garage conversions are done to create an IADU or detached ADU, any parking spaces that previously existed and were required to meet off-street parking requirements for the primary dwelling shall be replaced.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.070 - Height requirements.

Height restrictions for IADUs shall be consistent with the height standards for single-family dwellings in the zone. Detached ADUs shall comply with the following height requirements:

1. For detached ADUs with a rear or side yard setback of less than ten feet: the maximum height is twenty feet;

2. For detached ADUs with a rear or side yard setback of ten feet or more: the maximum height is the height of the primary dwelling.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.080 - Lot coverage.

Lot coverage maximums as outlined per each zone. Any additions to an existing building or construction of a detached ADU shall comply with Section [19.15.050](#) and except as provided in that section, shall not exceed the allowable lot or rear yard coverage standard for the underlying zone.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.090 - Owner occupancy.

The principal unit or the ADU must have owner occupancy, except for medical, military service, or religious reasons for a time period of up to two years. If an absence is warranted due to the above reasons, an on-site manager shall be designated. The property owner may not receive rent for the unit that was occupied by the owner. An application for an ADU shall include evidence of owner occupancy.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.100 - Number of ADUs per lot.

No more than one ADU, whether internal or detached, is permitted per lot.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.110 - ADU design standards.

A. An approved building permit is required for all ADUs before an ADU is constructed, and all other applicable provisions of this chapter and the Salt Lake County Code must be met before an ADU can be rented. Existing non-compliant ADUs may come into compliance by receiving a permit and verifying existing work was done according to code.

B. A building permit may not be issued for an ADU until the applicant has provided written confirmation from the applicable water supplier that the ADU complies with all applicable water service requirements.

C. The design and size of an ADU shall conform to all applicable building, fire, and health codes, including applicable water service requirements. The design and size of a detached ADU shall conform to these codes and any other applicable codes and a building permit.

D. Detached ADUs shall have a permanent concrete slab on which they are built, unless they are constructed above a garage. Detached ADUs are not allowed to be built on a foundation with a basement, on piers, or on any temporary or wheeled structure.

E. Conversions of an existing space to an ADU will require compliance with safety requirements per building code including, but not limited to, egress windows with window wells in case of emergency, and sufficient HVAC and climate control for the ADU.

F. IADUs shall not require a separate HVAC or firewall.

G. The owner shall provide a separate address marking for emergency services and mailing services.

H. Detached ADUs shall not be located in a front or corner lot side yard unless the lot size is at least one acre and the detached ADU is at least thirty feet from the front lot line.

I. New detached ADUs must be offset ten feet or more from the front facade of the main dwelling.

J. Any detached ADU shall have adequate facilities for all discharge from roof and other drainage.

K. Single family residences with a detached ADU shall retain the same appearance as a single-family residence.

L. An existing accessory building may be converted into an ADU provided that it meets the same ADU requirements in this chapter.

(Ord. No. 1926, § II, 6-25-2024; Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.120 - Affidavit and notice of accessory dwelling unit.

Applicants for ADUs shall provide an affidavit stating that the owner of the property will live in either the primary dwelling or ADU as their permanent residence. Upon approval of the ADU by the building official, and upon the issuance of a business license pursuant to Section [19.15.130](#), a notice of accessory dwelling unit including the affidavit shall be recorded against the property to provide notice to a future owner of the owner occupancy requirement for the ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and secure reauthorization of the ADU by the building and business license officials. A copy of the recorded notice shall be provided to the applicant when completed.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.130 - Business licensing.

Prior to renting out any ADU, a business license must be obtained. That license must be maintained as long as the unit is rented out.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.140 - Retention of single-family residence status and verification of water and sewer.

A. ADUs are part of a single-family residence and shall not be used as a multi-family residence.

B. IADUs may not be separately metered apart from the single-family residence. Detached ADUs may be separately metered so long as the property owner is billed for both.

C. Applications for ADUs must include submittal of written verification from water and sewer providers that water and sewer are available to the ADU (or in the event of a septic system, verification from the Salt Lake Health Department that the system meets applicable regulations and is performing properly).

D. ADUs may not be sold or subdivided separately from the single-family residence.

(Ord. No. 1936, § II, 4-8-2025; Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.150 - Short-term rental use prohibited.

Units approved as ADUs shall not be used as short-term rentals. Any rentals shall be made for thirty consecutive days or more.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

19.15.160 - Variances.

The land use hearing officer may grant variances to the standards of this chapter in accordance with Section [19.92.040](#). The land use hearing officer may not grant a variance from building code requirements, owner occupancy provisions, square footage requirements, or the number of units allowed per lot.

(Ord. No. 1924, § II, 6-4-2024; Ord. No. 1886, § II, 11-2-2021)

[19.14.080 - Informational.](#)

MILCREEK CITY 19.15 “Accessory Dwelling Units Standards”

[18.71 ACCESSORY DWELLING UNIT STANDARDS](#)

[18.71.010 Purpose](#)

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[18.71.030 Applicability](#)

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[18.71.100 Termination](#)

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[18.71.010 Purpose](#)

Accessory Dwelling Units (ADUs) in single-household residential zones are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-household dwellings. The purposes of the ADU standards of this code are to:

1. Create new housing units while respecting the appearance, neighborhood character, and scale of single-household residential development.
2. Provide more housing choices in residential zones.
3. Allow more efficient use of existing housing and large yards.
4. Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households.
5. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
6. Broaden the range of affordable housing options throughout the City.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.020 Interpretation](#)

The City's intent in adopting this ordinance is not to increase the density of the underlying zone designation. An ADU shall always be an accessory use to the principal dwelling.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.030 Applicability](#)

Properties are eligible for an accessory dwelling unit if:

1. The property is owner occupied,
2. The use of the property at the time of application and at any time thereafter is single-household residential, and
3. The property is in an R-1 or A zone.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.040 Permitted And Conditional Uses And Limitations](#)

1. Internal ADUs are a permitted use as set forth in [Utah Code Section 10-9a-530](#), with additional requirements set forth in [MKZ 18.71.070](#).
2. Attached and Detached ADUs are permitted uses in the R-1 and A zones are subject to the design standards of this chapter.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.050 Request For Compliance Determination](#)

A property owner may request a review to determine the compliance of an accessory dwelling unit. This request shall be conducted following the procedure as set forth in [MKZ 18.15.030 \(E\)](#). The Planning Director shall issue a Compliance Determination in writing. If the Planning Director determines that an Accessory Dwelling Unit complies with the standards of this chapter, then a notice of compliance shall be recorded on the property at the Salt Lake County Recorder's Office. Notices that demonstrate compliance with the City's land use regulations and state statute shall include, at a minimum, the following:

1. A description of the primary dwelling;
2. A statement that the primary dwelling or property contains an ADU;
3. A statement that the primary dwelling or property is owner-occupied; and

4. A statement that the ADU may only be used in accordance with the City's land use regulations.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

18.71.060 Development Standards Generally

1. An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or property.
2. A property may have either an internal or attached ADU as part of a primary dwelling, or a detached ADU on the lot or parcel that is shared with the primary dwelling. No property may have more than one ADU.
3. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When a new ADU is proposed in an existing single-household dwelling, the entire ADU shall comply with all applicable standards.
4. The installation of separate utility meters is prohibited.
5. An ADU shall comply with the regulations of the underlying zone for accessory buildings. Where the provisions in this chapter are inconsistent with provisions found in any other chapters of City ordinances, the most restrictive provisions shall apply.
6. Design Standards. The ADU, attached or detached, shall incorporate at least one of the exterior materials used in the principal dwelling for 20 percent of all structure facades. The ADU must have a pitched roof unless the principal dwelling has a flat roof, in which case an ADU may have a flat roof or a pitched roof. The ADU shall maintain the same color of the primary dwelling for at least 50 percent of all facades.
7. ADUs may not be built within a recorded easement.
8. Additional requirements for internal ADUs shall be as set forth in [MKZ 18.71.070](#).
9. Additional requirements for attached ADUs shall be as set forth in [MKZ 18.71.080](#).
10. Additional requirements for detached ADUs shall be as set forth in [MKZ 18.71.090](#).

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

18.71.070 Development Standards For Internal Accessory Dwelling Units

Internal ADUs are regulated pursuant to [Utah Code Section 10-9a-530](#), and additionally shall:

1. Not change the appearance of the primary dwelling as a single-household dwelling;
2. Be prohibited from having separate utility meters from the primary dwelling; and
3. Be prohibited in a mobile home or manufactured home.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

18.71.080 Development Standards For Attached Accessory Dwelling Units

Attached ADUs are permitted, subject to the following standards:

1. The entrance for the attached ADU shall not be visible from a public right-of-way.
2. The occupancy limit for an attached ADU is two adults and any number of children.
3. The lot or parcel coverage for an attached ADU is determined by the underlying zone standards.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

18.71.090 Development Standards For Detached Accessory Dwelling Units

1. A detached ADU shall be a permanent structure. Trailers, mobile homes, and other portable structures, especially structures with wheels, shall not be permitted as a detached ADU.
2. A detached ADU is not eligible for The Neighborhood Compatibility Modification provisions found in [MKZ 18.34](#) or [MKZ 18.36](#).
3. A detached ADU shall not be used as a short-term rental.
4. Exterior lighting shall provide illumination directed downward and shall follow the standards as set forth in [MKZ 18.68, Outdoor Lighting](#). Light sources shall not be visible from abutting properties.
5. Windows on a façade, located within 15 feet of an abutting property containing a single-household, twin home, or duplex dwelling, shall be fixed (non-operable) and translucent or shall be installed skylights.

6. Entrances, parking, and stairways within 15 feet of an abutting property shall not be visible from the abutting property. This may be done with a fence along the side and rear property lines, landscaping that is dense enough to obscure activity or by placing the entrances and stairs out of view of abutting properties. Corner properties with ADU entrances facing a right-of-way are not required to screen the entrance if not facing the same right-of-way as the primary dwelling entrance.
7. Detached ADUs shall not be built on slopes of 30 percent or greater.
8. Balconies on the second story of an ADU are prohibited.
9. Exterior stairways and landing shall not encroach into a setback.

Table 18.71-2

Detached Accessory Dwelling Unit Standard

Minimum Property Area	8,000 SF
Location	Rear Yard
Gross Square Footage	An ADU shall be the lesser of the gross square footage of the existing main building, or 1,000 square feet.
Property Coverage Total	Determined by the underlying zone designation
Setbacks from Side and Rear Yards	5 Feet minimum
Setback from Main Building	6 Feet
Maximum Height	The lesser of 24 feet or the height of the existing main building.
Occupancy Limit	2 adults and any number of children

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

Amended by Ord. 25-38 on 9/8/2025

18.71.100 Termination

If a property owner is found to be in violation of this title the City may revoke the use of an ADU on the property.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.110 Addressing](#)

The property owner may request to have an ADU be given a separate address from the primary dwelling. A property owner requesting an additional address and shall submit for a site plan review to the City Planning and Zoning Department and pay any associated fees.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

[18.71.120 Enforcement And Noticing](#)

1. In addition to any other legal or equitable remedies available to a municipality, City may hold a lien against a property that contains an internal accessory dwelling unit if:
 1. The owner of the property violates any provisions of this Title, and any other applicable section of the code;
 2. The City provides a written notice of violation in accordance with section B;
 3. The owner of the property fails to cure the violation within the time period prescribed in the written notice;
 4. The City provides a written notice of lien in accordance with [MKZ 18.71.120\(C\)](#);
 5. The City records a copy of the written notice of lien with the County Recorder.
2. The written notice of violation shall:
 1. Describe the specific violation;
 2. Provide the owner of the ADU a reasonable opportunity to cure the violation that is:
 1. At least 14 days after the day on which the City sends the written notice of violation, if the violation results from the owner renting or offering to rent the ADU as a short-term rental; or

2. At least 30 days after the day on which the City sends the written notice of violation, for any other violation.
3. State that if the owner of the property fails to cure the violation within the time period described above, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
4. Notify the owner of the property:
 1. That the owner of the property may file an appeal of the notice of violation within 10 days after the day on which the written notice of violation is postmarked or posted on the property; and
 2. Of the name and address of the City office where the owner of the property may file the written objection;
5. Be mailed to:
 1. The property's owner of record; and
 2. Any other individual designated to receive notice in the owner's license or permit records; and
6. Be posted on the property.
3. The written notice of lien shall:
 1. Comply with [Utah Code Section 38-12-102](#);
 2. State that the property is subject to a lien;
 3. Specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
 4. Be mailed to:
 1. The property's owner of record; and
 2. Any other individual designated to receive notice in the owner's license or permit records; and
 5. Be posted on the property.
4. Appeals. A property owner that receives a written notice of violation or a written notice of lien may file an appeal in accordance with [MKZ 18.04, Appeals](#).

1. If the owner of property files a written objection to a notice of violation, the City may not record a lien until a hearing is held to determine that the specific violation occurred.
 2. If the City determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the expiration of the opportunity to cure the violation, regardless of whether the hearing is held after that day.
 3. If the owner of property cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation.
5. Upon issuing a permit or business license for an ADU, the City may record a notice in the Salt Lake County Recorder's Office. Upon recording a notice, the City shall deliver a copy of the notice to the property owner via First Class Mail. The notice shall include:
1. A description of the primary dwelling;
 2. A statement that the primary dwelling contains an ADU; and
 3. A statement that the ADU may only be used in accordance with City ordinances.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

18.71.130 Existing Buildings

1. Existing buildings in Millcreek that were permitted prior to September 17, 2021, that are intended to be used as an ADU and cannot satisfy the standards set forth in this chapter must file an application to have a structure declared a noncomplying structure and then follow the application process for a Nonconformities Determination as set forth in [MKZ 18.15.040 \(A\)](#) and [MKZ 18.60.090](#) to have the use legally established. A property with an existing guest house does not qualify for an additional detached ADU. By definition, a guest house may not be rented out or leased. If a property owner wants to convert a guest house to a detached ADU the property owner must follow all applicable processes and design requirements for detached ADUs.
2. Attached Accessory Dwelling Unit Conversions

1. A portion of a building attached to the primary dwelling that is noncomplying and was legally established as determined under [MKZ 18.60, Nonconformities](#), may be converted or expanded for the purpose of converting or enlarged for the purpose of converting, into an ADU upon permit authorized by the Land Use Hearing Office provided that the Land Use Hearing Officer shall find that:
 1. The primary dwelling, or portion thereof, is no less than three feet (3') from the side and rear property lines;
 2. The attached ADU does not have a light source projecting onto abutting properties;
 3. The attached ADU does not have any balconies, porches, or windows facing abutting property owners, unless facing a property located in an R-M, C-1, or C Zone.
 4. The attached ADU does not protrude higher than the measured height of the existing noncomplying structure being expanded as measured from original ground surface.
 5. The attached ADU can accommodate all required parking on the property, and does not violate the required off-street parking standards, including parking requirements of this title.

3. Detached Accessory Dwelling Unit Conversions

1. A detached building that complies with all applicable height, building envelope, setback, and property coverage requirements may be converted, or expanded for the purpose of converting, or enlarged for the purpose of converting, to an accessory dwelling unit, provided the existing setbacks of the detached building are not further reduced and the structure complies with or can be altered to comply with the applicable sections of the adopted building and fire codes of the City.
2. A detached building, that is noncomplying and was legally established as determined under [MKZ 18.60, Nonconformities](#), may be converted, or expanded for the purpose of converting, or enlarged for the purpose of converting, to an accessory dwelling unit upon permit authorized by the Land Use Hearing Office provided that the Land Use Hearing Officer shall find:
 1. The side or rear setbacks of the detached building are not further reduced to accommodate the ADU;

2. The detached building does not have a light source projecting onto an abutting property;
 3. The facade of the detached building located within five feet (5') and facing an abutting property line, does not have any balconies, porches, landings, stairs, doors, or windows;
 4. For properties with rear yards that abut an RM, C-1, or C Zone, the detached building does not exceed 24 feet in height;
 5. For all properties, located abutting a Residential Zone Boundary or a legally-established residential dwelling, the detached building does not protrude higher than the measured height of the existing noncomplying structure being expanded;
 6. Does not create any new visual impacts that a fence or wall cannot otherwise mitigate;
 7. The detached ADU can accommodate all required parking on the property, and does not violate or diminish the required off-street parking standards, including parking requirements of this title;
 8. Does not violate applicable standards and regulations outlined in the applicable zoning district;
 9. The structure or proposed expansion of the structure is not within any recorded easement;
 10. Does not result in runoff or drainage from the accessory building onto an abutting property;
 11. The detached building shall meet all other requirements of [MKZ 18.71.090](#), except as provided otherwise in this section; and
 12. Meets the applicable sections of the adopted building and fire codes of the City.
4. The Land Use Hearing Officer may impose conditions and limitations upon issuance of a permit for an addition to, enlargement of, moving of, or reconstruction of a structure as necessary to prevent or mitigate adverse effects on other properties located in the neighborhood of the subject property, consistent with the standards of this Title.

HISTORY

Repealed & Reenacted by Ord. [25-12](#) on 4/28/2025

EAGLE MOUNTAIN 17.70 “Accessory Dwelling Units



Chapter 17.70

ACCESSORY DWELLING UNITS

Sections:

[17.70.010 Definition.](#)

[17.70.020 Purpose and intent.](#)

[17.70.030 Accessory dwelling unit standards.](#)

[17.70.040 Accessory dwelling unit permit.](#)

[17.70.050 Noncompliance.](#)

17.70.010 Definition.

Accessory Dwelling Unit. An accessory dwelling unit is an independent habitable living unit, with a kitchen, bath facilities, and its own entryway, which is: (1) within or attached to an owner-occupied single-family residential dwelling, or (2) within a separate detached accessory structure, or above a detached garage, on a single-family lot. Does not include motor homes, fifth-wheels, travel trailers, campers, or other housing units on wheels.

[Ord. [O-41-2021](#) § 1 (Exh. A)].

17.70.020 Purpose and intent.

This chapter provides a process to allow affordable housing within the city through accessory dwelling units within single-family detached dwellings or in separate detached structures in zoning districts specified in this title. The standards in this chapter include reasonable limitations to minimize impact on neighboring properties. [Ord. [O-41-2021](#) § 1 (Exh. A)].

17.70.030 Accessory dwelling unit standards.

Proposed accessory dwelling units must be in compliance with the following criteria to ensure that health and safety considerations are addressed and that the residential characteristics of neighborhoods are preserved. Accessory dwelling units are to be clearly

incidental and secondary to the primary residential use of the property. The approval criteria include:

A. Number of Accessory Dwelling Units. A maximum of one accessory dwelling unit is allowed on a residential lot, whether it is in an owner-occupied single-family dwelling, or in a detached accessory structure associated with a single-family dwelling.

B. Occupancy and Owner Occupation. The owner(s) of the residence shall live in the dwelling in which the ADU was created (either in the primary unit or in the ADU), except for bona fide temporary absences. The occupants of the ADU shall be related to each other by blood, marriage, or adoption; or consist of no more than two unrelated individuals living as a single housekeeping unit. The occupants of the ADU shall not sublease a portion of the unit to other individuals. The following are not considered accessory dwelling unit uses and do not fall under the regulation of this chapter: occupation by a live-in maid, in-home nurse, nanny or any other person or persons who are provided a place to live as part of their employment with, or services they provide to, the owner/resident of the dwelling; or while a family member is called up for military service, etc.; and any occupation by individuals related by blood or marriage.

C. Code Compliance. The accessory dwelling unit shall conform to all applicable standards in the International Fire Code and International Residential Code.

D. Location and Type. Accessory dwelling units may be allowed within or attached to the main single-family residential dwelling, over the garage (attached or detached), or in a detached accessory structure (cottage home, casita, guest house), where permitted by EMMC [17.25.030](#).

1. ADU – Basement. An accessory dwelling unit in a basement must have a separate exterior entrance located on either the side or the rear of the building. An internal connection to the primary dwelling is not required.

2. ADU – Attached. Accessory dwelling units attached to the primary dwelling as an addition shall meet all minimum setback standards required for the primary dwelling, as found in EMMC [17.25.040](#). Attached ADUs must have a separate entrance located on the side or in the rear of the building. An internal connection to the primary dwelling is not required.

3. ADU – Detached.

a. Maximum Height. Maximum height of accessory dwelling units located above a garage is 35 feet. Standalone units may not exceed two stories and 35 feet in height.

b. Size. The living space of a detached accessory dwelling unit must be a minimum of 400 square feet, up to a maximum of 1,200 square feet. Detached accessory dwelling units may not have more than two bedrooms and must be permanently connected to utilities, attached to a site-built permanent foundation which complies with building code, and must comply with all other applicable standards of this chapter. A building permit and inspections are required for construction of the foundation and installation of the structure and connection to utilities.

c. Setbacks. Detached accessory dwelling units must meet the same front, side, and rear yard setbacks as the primary dwelling and be located at least six feet from the primary dwelling.

d. Street Frontage. The lot must have a minimum street frontage of 70 feet to receive approval for a detached accessory dwelling unit. A smaller-frontage lot may be approved if, at the discretion of the approval authority, the lot configuration is unique and/or the primary dwelling unit is unique in size or location on the lot, and the impacts to neighbors and the street are substantially similar to those on a 70-foot-wide lot.

E. Exterior Appearance. The accessory dwelling unit shall be incorporated into the residence so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence. All entrances to accessory dwelling units shall be located on the side or in the rear of the building. The architectural style, building materials, and colors of detached ADUs shall be compatible and consistent with the architectural style, materials, and color of the primary dwelling unit. If the ADU is above a detached garage, the architectural style, building materials, and colors of the ADU must match those of the garage.

F. Utilities. Detached accessory dwelling units may have separate utility meters, and all municipal utilities shall be in the property owner's name and the property owner shall be responsible for payment of all municipal utilities.

G. Parking. Off-street parking for two vehicles shall be available for use by the tenants of the accessory dwelling unit. Driveway parking in front of a garage does not qualify, unless the accessory dwelling unit is located within such garage, in which case the required parking for the primary dwelling within an enclosed garage, as required within Chapter [17.55](#) EMMC, shall be provided elsewhere on the property. All parking shall be on a hard surface (concrete, asphalt, etc.). Occupants may not park on the street along the frontage of a neighboring property.

H. Address. The principal dwelling and the accessory dwelling unit shall have the same address number but shall refer to the accessory dwelling unit as unit “B.” The address must be located in a visible location on the street frontage side of the home.

I. Short-Term Rental Prohibited. Accessory dwelling units may not be rented for a period of less than 30 consecutive days. [Ord. [O-03-2024](#) § 2 (Exh. A); Ord. [O-33-2023](#) § 2 (Exh. A); Ord. [O-17-2023](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A)].

17.70.040 Accessory dwelling unit permit.

Any person owning an existing accessory dwelling unit that has not been permitted by the city, or any person constructing or causing construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall obtain an accessory dwelling unit permit from the planning division of the city’s community development department. This shall be in addition to any required building permit for the work to be performed. The applicant shall obtain all necessary building permits and pay all applicable fees prior to constructing the ADU, including permits for a basement that was finished previously without a permit. Accessory dwelling units constructed without an approved accessory dwelling unit permit shall be considered illegal until a permit is submitted to and approved by the city.

A. Applications. Applicants for an accessory dwelling unit shall submit a complete application and the supporting materials listed in this section to the planning division of the community development department.

1. Owner Signature. The owner shall sign the application, agreeing to occupy the dwelling (either the primary unit or the ADU), except for bona fide temporary absences, and agreeing to comply with the standards in this chapter.

2. Site Plan. A site plan shall be provided that shows property lines, dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings to property lines, the location of required off-street parking, and utility meters.

3. Floor Plan. A detailed floor plan, to scale, showing the floor in which the accessory dwelling unit will be located, including labels on rooms indicating uses or proposed uses, shall be provided.

4. Evidence of Building Permit. Evidence shall be provided that a building permit was obtained for the building and/or area containing the accessory dwelling unit.

5. Fee. The processing fee required by the current consolidated fee schedule approved by the city council shall be paid in full.

B. Planning Director or Designee Approval. The planning director or designee shall approve an accessory dwelling unit application if it is in complete compliance with all the approval criteria standards identified in this chapter. As part of the planning director's or designee's review, inspections may be required by the planning or building divisions, and/or fire department.

C. Exceptions to Standards. Accessory dwelling unit applications that deviate from the approval criteria may be considered by the planning commission in a public meeting. After conducting a public hearing and reviewing the application, the planning commission may approve, approve with conditions, or deny the exception request. Applicants requesting exceptions are not guaranteed approval and must provide evidence that the exceptions will not create negative impacts on neighboring properties. Conditions must be connected to the exceptions being requested, and may include increased setbacks, limitations on windows and doors adjacent to abutting property lines, privacy fencing, and additional parking. Exceptions shall not be granted for the number of accessory dwelling units, owner occupation, permanent utility connections, attachment to permanent foundations, building permit requirements, exterior appearance, off-street parking, addressing, and for short-term rentals.

D. Transfer of Ownership. Upon sale of the home or transfer of ownership, accessory dwelling unit permits shall remain valid so long as the accessory dwelling unit is in compliance with the city's ordinances and conditions of approval. [Ord. [O-56-2025](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A)].

17.70.050 Noncompliance.

Owners of the single-family dwelling where the accessory dwelling unit use has been approved shall be responsible for their property's compliance with the city's ordinances and conditions of approval. Property owners who fail to maintain or violate the city's ordinances regulating accessory dwelling unit use or conditions upon which approval was contingent may have the accessory dwelling unit permit revoked by the planning director, designee or planning commission. Enforcement will occur in accordance with Chapter [4.10](#) EMMC, Article V, Administrative Code Enforcement Hearing Procedures. [Ord. [O-56-2025](#) § 2 (Exh. A); Ord. [O-41-2021](#) § 1 (Exh. A)].

Proposed Draft Detached Accessory Dwelling Unit (DADU) Language to include in Title 12 (CZC)

I suggest using Milcreek City's Code as the starting point model backbone for the Centerville City Ordinances in combination with Centerville language previously used to establish Internal Accessory Dwelling Units (where they are both so similar in many ways), then combine suggested code concepts to incorporate into this language, along with directives from Planning Commission and City Attorney.

MILCREEK CITY 19.15 "Accessory Dwelling Units Standards" CZC 12.58 Detached Accessory Dwelling Units (DADU)

18.71 ACCESSORY DWELLING UNIT STANDARDS 12.58 DETACHED ACCESSORY DWELLING UNIT STANDARDS

18.71.010 Purpose 12.58.010 Purpose

18.71.020 Interpretation 12.58.020 Interpretation and Scope

12.58.030 Definitions

18.71.030 Applicability 12.58.040 Approval and Authorization

18.71.040 Permitted And Conditional Uses And Limitations 12.58.050 Uses Allowed

18.71.050 Request For Compliance Determination 12.58.060 Request For Compliance Determination

18.71.060 Development Standards Generally 12.58.070 Development Standards Generally

18.71.070 Development Standards For Internal Accessory Dwelling Units

18.71.080 Development Standards For Attached Accessory Dwelling Units

18.71.090 Development Standards For Detached Accessory Dwelling Units 12.58.080

Development Standards For Detached Accessory Dwelling Units

18.71.100 Termination 12.58.090 Limitations, Termination, And Exemptions

18.71.110 Addressing

18.71.120 Enforcement And Noticing

18.71.130 Existing Buildings 12.58.100 Existing Buildings and Detached ADU Conversion

12.58.110 Occupancy Requirements, Licenses, And Owner Affidavits

12.58.120 Other Applicable Regulations and Codes

12.58.130 Violations and Enforcement

18.71.010 Purpose 12.58.010 Purpose

The purpose of this Chapter is to establish the use and development regulations for the allowance of detached accessory dwelling units (DADUs) within the City. These regulations are intended to provide opportunity for secondary separate living quarters (i.e., dwelling

unit) located externally on the same property as a primary single-family dwelling in accordance with applicable State law, including, but not limited to Utah Code § 10-21-304. Accessory Dwelling Units (ADUs) in single-household residential zones are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-household dwellings. The purposes of the ADU standards of this code are to:

1. Create new housing units while respecting the appearance, neighborhood character, and scale of single-household residential development.
2. Provide more housing choices in residential zones.
3. Allow more efficient use of existing housing and large yards.
4. Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households.
5. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
6. Broaden the range of affordable housing options throughout the City.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.020 Interpretation**12.58.020 Interpretation and Scope**

The City's intent in adopting this ordinance is not to increase the density of the underlying zone designation. An **Detached** ADU shall always be an accessory use to the principal dwelling.

The requirements of this Chapter shall apply to any Detached ADU created or established within the City. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, the Centerville Municipal Code, or other laws.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

12.58.030 Definitions

Certain words and phrases in this Chapter, including uses, are defined in CZC 12.12 (Definitions). In addition to the definitions set forth in CZC 12.12 (Definitions), the following words and phrases shall have the following meanings:

(a) Detached Accessory Dwelling Unit (DADU). A detached accessory dwelling unit means an accessory dwelling unit created and located externally on the same property as a primary single-family dwelling as more particularly defined in Utah Code § 10-21-101.

(b) Primary Dwelling or Primary Single-Family Dwelling. Primary dwelling or primary single-family dwelling means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record as more particularly defined in Utah Code § 10-21-101.

18.71.030 Applicability 12.58.040 Approval and Authorization

1. The Zoning Administrator is authorized to issue permits for Detached ADUs in accordance with the procedures and objective standards for review as set forth in this Chapter and as set forth in CZC 12.21.090 (Permitted Use Review). Decisions regarding the review, approval, or denial of Detached ADUs are administrative proceedings and shall be made in accordance with the provisions of this Chapter and CZC 12.21.060 regarding decision-making standards for administrative proceedings.

2. Properties are eligible for an accessory dwelling unit if:

1. (a) Use in Combination. A Detached ADU shall be established as a secondary accessory dwelling unit located externally on the same property as a primary single-family dwelling and shall only be established in combination within a primary single-family dwelling. **The property is owner-occupied,**

2. (b) Owner Occupancy Required. A Detached ADU shall only be established on a primary single-family dwelling property that is occupied by an owner in accordance with the "Owner Occupancy" requirements of CZC 12.60.090. **The use of the property at the time of application and at any time thereafter is single-household residential, and**

(c) Number allowed. Only one Detached ADU is allowed for:

1. A lot, parcel, or tract of land greater than 11,000 square feet; and
2. A primary single-family dwelling located within a primarily residential use zone as more particularly designated in CZC 12.36 (Table of Uses).

The property is in an R-1 or A zone.

3. 3. A maximum of one (1) accessory dwelling unit (internal or detached) shall be permitted on a qualifying owner-occupied single-family dwelling lot.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

~~18.71.04012.58.050 Permitted And Conditional Uses And Limitations~~Uses Allowed

1. ~~Detached ADUs are allowed in residential zones as set forth in CZC 12.36 (Table of Uses). Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by "N."~~Internal ADUs are a permitted use as set forth in Utah Code Section 10-9a-530, with additional requirements set forth in MKZ 18.71.070.

2. Attached and Detached ADUs are permitted uses in the R-1 and A zones are subject to the design standards of this chapter.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.050 Request For Compliance Determination

A property owner may request a review to determine the compliance of an accessory dwelling unit. This request shall be conducted following the procedure as set forth in MKZ 18.15.030 (E). The Planning Director shall issue a Compliance Determination in writing. If the Planning Director determines that an Accessory Dwelling Unit complies with the standards of this chapter, then a notice of compliance shall be recorded on the property at the Salt Lake County Recorder's Office. Notices that demonstrate compliance with the City's land use regulations and state statute shall include, at a minimum, the following:

1. A description of the primary dwelling;
2. A statement that the primary dwelling or property contains an ADU;
3. A statement that the primary dwelling or property is owner-occupied; and
4. A statement that the ADU may only be used in accordance with the City's land use regulations.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

~~18.71.060 Development Standards Generally~~12.58.070 General Development Standards

The development standards set forth in this Section shall apply to any Detached ADU that is created or established within the City. The purposes of these development standards are to ensure that a Detached ADU is clearly and distinctly an accessory use and externally

Commented [ME1]: Consider removing this section as it is not as relevant to Centerville? Kept it so that we could determine if there is any desire to keep this language.

located and developed as an additional residential dwelling use to the approved primary single-family dwelling use located on the property.

1. Minimum Lot Size. The minimum lot size for establishing a Detached ADU shall be 11,000 square feet or more within an accessory structure as defined in CZC 12.12.040.

1-2. A Detached ADU n accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or property.

2-3. A property may have either an internal or attached ADU as part of a primary dwelling, or a d Detached ADU on the lot or parcel that is shared with the primary dwelling. No single-family residential dwelling property may have more than one type of ADU (internal or detached) on the same property.

3-4. The design and size of the Detached ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When a new ADU is proposed in an existing single-household dwelling, the entire ADU shall comply with all applicable standards.

4. The installation of separate utility meters is prohibited.

5. An A Detached ADU shall comply with the regulations of the underlying zone for accessory buildings, this includes compliance with all setback, height, and development standards for accessory building development within the underlying zone. Where the provisions in this chapter are inconsistent with provisions found in any other chapters of City ordinances, the most restrictive provisions shall apply.

6. Design Standards. The Detached ADU, attached or detached, shall incorporate at least one of the exterior materials used in the principal dwelling for 20 percent of all structure facades. The Detached ADU must have a pitched roof unless the principal dwelling has a flat roof, in which case an Detached ADU may have a flat roof or a pitched roof. The Detached ADU shall maintain the same color of the primary dwelling for at least 50 percent of all facades.

7. Detached ADUs may not be built within a recorded easement.

8. Parking. At least one additional parking space shall be provided for a Detached ADU; provided, however that the existing parking requirements for the primary single-family dwelling are to remain in place or restored if missing. The Detached ADU parking space may be located in tandem with other required parking spaces. All required parking spaces must be located behind the front yard setback line of the lot.

Commented [ME2]: Do we want to clarify that separate utility meters are allowed or even required for a Detached ADU development as they do in other communities? Will verify with Public Works as well to determine what may be best from their experience.

Commented [ME3]: Do we want to follow this standard or incorporate standards from other communities regarding setbacks and/or maximum heights for Detached ADUs (refer to other community comments for setback and/or maximum height ideas)?

Commented [ME4]: Do we want to use and keep this same standard requirement? Or do we want something more liberal or restrictive? What would that look like?

The Centerville language for internal ADU is: "Exterior Finish Materials. The exterior finish materials should be compatible with, or visually appear to be harmonious with the type, size, and colors of the finish materials utilized on the primary single-family dwelling on the lot or parcel."

The Centerville language for roof pitch is: "Roof Pitch. The roof pitch should be compatible or visually appear to be harmonious with the roof pitch style of the primary single-family dwelling on the lot or parcel in which the ADU is located."

Commented [ME5]: Do we want to use this similar internal ADU standard for parking or do we want to incorporate ideas from other communities to swap this language with another City's language for parking?

~~7.9.~~ Bulk Yard Area Limitation. The combined building footprint coverage of a lot area for the primary single-family dwelling combined with the Detached ADU shall not exceed the impervious surface allowance for the respective zoning district in which it is located.

~~8.~~ Additional requirements for internal ADUs shall be as set forth in MKZ 18.71.070.

~~9.~~ Additional requirements for attached ADUs shall be as set forth in MKZ 18.71.080.

10. Additional requirements for Detached ADUs shall be as set forth in MKZ 18.71.090 as otherwise directed in this section of Code.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.070 Development Standards For Internal Accessory Dwelling Units

Internal ADUs are regulated pursuant to Utah Code Section 10-9a-530, and additionally shall:

- ~~1.~~ Not change the appearance of the primary dwelling as a single-household dwelling;
- ~~2.~~ Be prohibited from having separate utility meters from the primary dwelling; and
- ~~3.~~ Be prohibited in a mobile home or manufactured home.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.080 Development Standards For Attached Accessory Dwelling Units

Attached ADUs are permitted, subject to the following standards:

- ~~1.~~ The entrance for the attached ADU shall not be visible from a public right-of-way.
- ~~2.~~ The occupancy limit for an attached ADU is two adults and any number of children.
- ~~3.~~ The lot or parcel coverage for an attached ADU is determined by the underlying zone standards.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.090 Development Standards For Detached Accessory Dwelling Units
12.58.80 Development Standards For Detached Accessory Dwelling Units

1. A detached ADU shall be a permanent structure. Trailers, mobile homes, and other portable structures, especially structures with wheels, shall not be permitted as a detached ADU.

2. A detached ADU is not eligible for The Neighborhood Compatibility Modification provisions found in MKZ 18.34 or MKZ 18.36.

3. A detached ADU shall not be used as a short-term rental.

4.2. Exterior lighting shall provide illumination directed downward and shall follow the standards as set forth in MKZ 18.68, Outdoor Lighting. Light sources shall not be visible from abutting properties.

5.3. Windows on a façade, located within 15 feet of an abutting property containing a single-household, twin home, or duplex dwelling, shall be fixed (non-operable) and translucent or shall be installed skylights.

6.4. Entrances, parking, and stairways within 15 feet of an abutting property shall not be visible from the abutting property. This may be done with a fence along the side and rear property lines, landscaping that is dense enough to obscure activity or by placing the entrances and stairs out of view of abutting properties. Corner properties with ADU entrances facing a right-of-way are not required to screen the entrance if not facing the same right-of-way as the primary dwelling entrance.

7.5. Detached ADUs shall not be built on slopes of 30 percent or greater.

8.6. Balconies on the second story of an ADU are prohibited.

9.7. Exterior stairways and landing shall not encroach into a setback.

Table 18.71-2	
Detached Accessory Dwelling Unit Standard	
Minimum Property Area	118,000 SF
Location	Rear Yard
Gross Square Footage	An ADU shall be the lesser of the gross square footage of the existing building, or 1,000 square feet.
Property Coverage Total	Determined by the underlying zone designation

Commented [ME6]: Do we want to keep this type of language or omit it? Use similar language from another City?

Commented [ME7]: Do we want to keep this type of language or omit it? Use similar language from another City?

Commented [ME8]: Do we keep this language, omit it, or replace with similar language from another City.

Centerville Internal ADU language states:

“Location of Entrances. Only one additional entrance may be located on the wall facade that can be viewed from the public street directly adjacent to the same lot or parcel in which the Internal ADU is located. All other entrances must be located on wall facades facing interior to the lot.

1. Ground Entrance Restrictions. Ground entrances and coverings are prohibited on a wall facade facing a perimeter lot line, unless such wall facade is at least 10 feet from a perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.

2. Upper Story Entrance Restrictions. Upper story entrances and coverings (e.g., access from balconies and decks) having no other ground entrances are prohibited on a wall facade facing a perimeter lot line unless such wall facade is located 10 feet from the perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.”

Commented [ME9]: Do we want/need a similar table? Is this already otherwise covered in the proposed code language?

Commented [ME10]: Should this be worded to say: “Maximum gross square footage of Detached ADU shall not exceed 1000 sf” or something like that.

What is the maximum size we would allow for a Detached ADU? Some communities allow up to 1200 sf and 1250 sf as maximum Detached ADU size.

Setbacks from Side and Rear Yards	5 Feet minimum	For each inch in height over 16 feet, accessory dwelling units shall be
Setback from Main Building	6 Feet	Commented [ME11]: Do we want to use similar setback standards or pursue other setback standards like other cities have established? Currently Centerville Zoning Code in residential zones requires 5 ft minimum setback for accessory structures in rear yard.
Maximum Height	The lesser of 24 feet or the height of the existing main building. 20	
Occupancy Limit	2 adults and any number of children	Commented [ME12]: Do we want an occupancy limit? If so, is this a good standard or should we use a standard from another City?

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

Amended by Ord. 25-38 on 9/8/2025

18.71.100-12.58.090 Limitations, Termination, And ExemptionsTermination

- (a) No Short-Term Rental. A Detached ADU may not be used as a rental unit for fewer than 90 consecutive days as more particularly defined and regulated pursuant to Utah Code § 10-20-304. In order to regulate and prohibit short-term rentals, the City shall require and record a notice for any approved Detached ADU with the Davis County Recorder's Office in accordance with Utah Code § 10-20-304.
- (b) Termination of Detached ADU Use. The approval permit for a Detached ADU shall become null and void if the occupancy requirements of this Chapter are not satisfied, or the owner declares termination through writing or through neglect or any other confirmed non-corrected action that violates the provisions of this Chapter. Upon such termination of a Detached ADU use, the owner shall remove one or more features that make up a Detached ADU including but not limited to living, sleeping, or kitchen facilities, including electrical, gas, or plumbing, as deemed acceptable to the City to render the Detached ADU removed or unusable.
- (c) Exemptions. Detached ADUs shall not be included in the gross density calculations for primarily single-family zoning districts.

Commented [ME13]: I am not certain if State Code allows us to do this like it does with Internal ADUs per Utah Code 10-21-303? Will need to defer to City Attorney for guidance with this statement to see if this needs to be reworded or cited differently.

Commented [ME14]: This is language found in Centerville Code for Internal ADUs. I suggest using the same language unless language from another City is stronger and/or should be incorporated here.

Commented [ME15]: Do we want to use this same standard as it relates to Detached ADUs? A similar statement is noted earlier in this proposed language.

If a property owner is found to be in violation of this title the City may revoke the use of an ADU on the property.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.110 Addressing

The property owner may request to have an ADU be given a separate address from the primary dwelling. A property owner requesting an additional address shall submit for a site plan review to the City Planning and Zoning Department and pay any associated fees.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

18.71.120 Enforcement And Noticing

1. In addition to any other legal or equitable remedies available to a municipality, City may hold a lien against a property that contains an internal accessory dwelling unit if:
 1. The owner of the property violates any provisions of this Title, and any other applicable section of the code;
 2. The City provides a written notice of violation in accordance with section B;
 3. The owner of the property fails to cure the violation within the time period prescribed in the written notice;
 4. The City provides a written notice of lien in accordance with MKZ 18.71.120(C);
 5. The City records a copy of the written notice of lien with the County Recorder.
2. The written notice of violation shall:
 1. Describe the specific violation;
 2. Provide the owner of the ADU a reasonable opportunity to cure the violation that is:
 1. At least 14 days after the day on which the City sends the written notice of violation, if the violation results from the owner renting or offering to rent the ADU as a short-term rental; or
 2. At least 30 days after the day on which the City sends the written notice of violation, for any other violation.
 3. State that if the owner of the property fails to cure the violation within the time period described above, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
 4. Notify the owner of the property;

- ~~1. That the owner of the property may file an appeal of the notice of violation within 10 days after the day on which the written notice of violation is postmarked or posted on the property; and~~
 - ~~2. Of the name and address of the City office where the owner of the property may file the written objection;~~
- ~~5. Be mailed to:~~
 - ~~1. The property's owner of record; and~~
 - ~~2. Any other individual designated to receive notice in the owner's license or permit records; and~~
- ~~6. Be posted on the property.~~
- ~~3. The written notice of lien shall:~~
 - ~~1. Comply with Utah Code Section 38-12-102;~~
 - ~~2. State that the property is subject to a lien;~~
 - ~~3. Specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;~~
 - ~~4. Be mailed to:~~
 - ~~1. The property's owner of record; and~~
 - ~~2. Any other individual designated to receive notice in the owner's license or permit records; and~~
 - ~~5. Be posted on the property.~~
- ~~4. Appeals. A property owner that receives a written notice of violation or a written notice of lien may file an appeal in accordance with MKZ 18.04, Appeals.~~
 - ~~1. If the owner of property files a written objection to a notice of violation, the City may not record a lien until a hearing is held to determine that the specific violation occurred.~~
 - ~~2. If the City determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the expiration of the opportunity to cure the violation, regardless of whether the hearing is held after that day.~~

3.— If the owner of property cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation.

5.— Upon issuing a permit or business license for an ADU, the City may record a notice in the Salt Lake County Recorder's Office. Upon recording a notice, the City shall deliver a copy of the notice to the property owner via First Class Mail. The notice shall include:

- 1.— A description of the primary dwelling;
- 2.— A statement that the primary dwelling contains an ADU; and
- 3.— A statement that the ADU may only be used in accordance with City ordinances.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

~~18.71.130 Existing Buildings~~ 12.58.100 Existing Buildings And Detached ADU Conversion

1. Existing buildings in Millcreek that were permitted prior to September 17, 2021, that are intended to be used as an ADU and cannot satisfy the standards set forth in this chapter must file an application to have a structure declared a noncomplying structure and then follow the application process for a Nonconformities Determination as set forth in [MKZ 18.15.040 \(A\)](#) and [MKZ 18.60.090](#) to have the use legally established. A property with an existing guest house does not qualify for an additional detached ADU. By definition, a guest house may not be rented out or leased. If a property owner wants to convert a guest house to a detached ADU the property owner must follow all applicable processes and design requirements for detached ADUs.

2.— Attached Accessory Dwelling Unit Conversions

- 1.— A portion of a building attached to the primary dwelling that is noncomplying and was legally established as determined under [MKZ 18.60. Nonconformities](#), may be converted or expanded for the purpose of converting or enlarged for the purpose of converting, into an ADU upon permit authorized by the Land Use Hearing Office provided that the Land Use Hearing Officer shall find that:

Commented [ME16]: Per Utah Code 10-21-304(2), we are required to "include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit"

Commented [ME17]: This language likely won't apply to us and will likely be omitted; but should we have a section of language for existing buildings in similar circumstances, or is this not necessary? We will need to decide whether or not to address this and may also look to the similar codes from other cities.

1. ~~The primary dwelling, or portion thereof, is no less than three feet (3') from the side and rear property lines;~~
2. ~~The attached ADU does not have a light source projecting onto abutting properties;~~
3. ~~The attached ADU does not have any balconies, porches, or windows facing abutting property owners, unless facing a property located in an R-M, C-1, or C Zone.~~
4. ~~The attached ADU does not protrude higher than the measured height of the existing noncomplying structure being expanded as measured from original ground surface.~~
5. ~~The attached ADU can accommodate all required parking on the property, and does not violate the required off-street parking standards, including parking requirements of this title.~~

3-2. Detached Accessory Dwelling Unit Conversions

1. A detached building that complies with all applicable height, building envelope, setback, and property coverage requirements may be converted, or expanded for the purpose of converting, or enlarged for the purpose of converting, to an accessory dwelling unit, provided the existing setbacks of the detached building are not further reduced and the structure complies with or can be altered to comply with the applicable sections of the adopted building and fire codes of the City.
2. A detached building, that is noncomplying and was legally established as determined under CZC 12.22 Nonconformities ~~MKZ 18.60, Nonconformities~~, may be converted, or expanded for the purpose of converting, or enlarged for the purpose of converting, to an ~~attached~~ detached accessory dwelling unit upon permit authorized by the ~~Land Use Hearing Officer~~ Zoning Administrator, or designee, provided that the ~~Land Use Hearing Officer~~ Zoning Administrator, or designee, shall find:
 1. The side or rear setbacks of the detached building are not further reduced to accommodate the ADU;
 2. The detached building does not have a light source projecting onto an abutting property;

3. The facade of the detached building located within five feet (5') and facing an abutting property line, does not have any balconies, porches, landings, stairs, doors, or windows;
4. ~~For properties with rear yards that abut an RM, C-1, or C Zone, the~~ detached building does not exceed ~~24~~ 20 feet in height;
5. For all properties, located abutting a Residential Zone Boundary or a legally-established residential dwelling, the detached building does not protrude higher than the measured height of the existing noncomplying structure being expanded;
6. Does not create any new visual impacts that a fence or wall cannot otherwise mitigate;
7. The detached ADU can accommodate all required parking on the property, and does not violate or diminish the required off-street parking standards, including parking requirements of this title;
8. Does not violate applicable standards and regulations outlined in the applicable zoning district;
9. The structure or proposed expansion of the structure is not within any recorded easement;
10. Does not result in runoff or drainage from the accessory building onto an abutting property;
11. The detached building shall meet all other requirements of ~~MKZ 18.71.090~~ CZC 12.58.080, except as provided otherwise in this section; and
12. Meets the applicable sections of the adopted building and fire codes of the City.

Commented [ME18]: This is not completely clear to me and may need to be omitted, unless someone else is able to determine what this is trying to say.

~~4.3.~~ The ~~Land Use Hearing Officer~~ Zoning Administrator, or designee, may impose conditions and limitations upon issuance of a permit for an addition to, enlargement of, moving of, or reconstruction of a structure as necessary to prevent or mitigate adverse effects on other properties located in the neighborhood of the subject property, consistent with the standards of this Title.

HISTORY

Repealed & Reenacted by Ord. 25-12 on 4/28/2025

12.58.110 Occupancy Requirements, Licenses, And Owner Affidavits

The occupancy requirements set forth in this Section shall apply to any ADU that is created or established within the City. The purposes of these occupancy requirements are to accommodate secondary separated living quarters (i.e., dwelling unit) with reasonable limitations on their use and to minimize the impact on neighboring properties and the desired setting of the City's single-family neighborhoods.

(a) Definitions and Terms. The following definitions or terms are applicable to the creation and use of Detached ADUs:

1. Owner. An owner is defined as a person occupying the premises as their sole primary residence and having at least 50% or greater ownership interest in the property.
2. Full-Time Residency. Full-time residency means the owner must live in a dwelling for at least 183 consecutive calendar days of each calendar year.
3. Detached ADU Occupation. The Detached ADU is exclusively used for other family members or for long-term rental with a minimum rental period of 90 days or more.
4. Owner Occupancy Affidavit. A signed and notarized owner-occupancy acknowledgement for the property for sanctioning a Detached ADU and filed with the City Recorder's Office and/or recorded at the Davis County Recorder's Office.
5. Temporary Owner Absence Waiver. An approval granting a waiver of the occupancy requirement due to specific short-term or temporary absences.

(b) Full Time Owner Residency. Either the primary single-family dwelling or the Detached ADU is to be occupied by a full-time residency property owner as shown on the Davis County Tax Assessment rolls.

(c) Owner Occupancy Affidavit and License. A Detached ADU owner must apply for a Detached ADU License and sign an "owner occupancy affidavit" with the City and have it filed with the City Recorder and/or recorded at the Davis County Recorder's Office prior to receiving authorization of constructing and/or use of a Detached ADU. Such license and affidavit shall at minimum establish the following:

1. That he/she/they are owner(s) of the property located in Centerville, Utah.
2. That he/she/they applied and intend to receive approval to construct or use a Detached ADU pursuant to Centerville City ordinances.
3. That the owner(s) of the property confirm that the Detached ADU will be used for the purpose of offering a long-term rental of at least 90 days or more to any occupant of the Detached ADU.
4. That an owner with at least a 50% interest in the property will occupy either the primary single-family dwelling or Detached ADU for six months of each calendar year, except where a "temporary owner absence waiver" is granted in accordance with Subsection (d).
5. That if the owner(s) of property are unable or unwilling to fulfill the requirements for use of a Detached ADU, then the owners agree to remove one or more features that make it a Detached ADU, including but not limited

Commented [ME19]: Again will need to check with City Attorney to see if we can require this in the same way that we do with Internal ADUs language.

Commented [ME20]: Again will need to verify with City Attorney to see if we can require this in the same way that we do with Internal ADUs language.

to living areas, sleeping areas, or kitchen facilities, including electrical, gas, or plumbing and further agree to terminate, in writing, the Detached ADU permit and approval.

6. That the license and affidavit shall run with the land and be binding upon all owners, heirs, and assigns, and upon all parties acquiring any right, title, or interest in the property.

7. That the owners and their heirs, successors, and assigns will inform all prospective purchasers of the property of the terms and conditions of the permit authorizing the ADU.

(d) Recorded Notice of Detached ADU. On or after October 1, 2021, the City may record against the property a notice of any approved Detached ADU in the Davis County Recorder's Office in accordance with Utah Code § 10-20-303.

(e) Temporary Owner Absence Waiver. The owner(s) shall comply with the Full-Time Owner Residency Requirements, or such absence or abandonment shall terminate the Detached ADU permit, as approved by the City. Nonetheless, an owner may receive a one-time waiver of the occupancy requirement upon submitting in writing evidence showing good cause of temporary absence, such as:

1. A job relocation;
2. Military assignment;
3. Medical or other care of others;
4. Sabbatical leave;
5. Educational pursuits; or
6. Personal illness.

A one-time waiver of the occupancy requirement will then be authorized, by the City's Zoning Administrator, up to a maximum of three years and one month. Thereafter, if not re-occupied by the property owner, then the Detached ADU permit shall be deemed null and void and one or more features constituting the Detached ADU shall be removed immediately, upon notice from Centerville City, or the property will subject to applicable enforcement measures.

12.58.120 Other Applicable Regulations and Codes

The creation and use of Detached ADUs are subject to other pertinent codes, restrictions, and regulations that address applicable life, safety, and welfare concerns. Any Detached ADU shall comply with the following:

1. Construction and Fire Codes. A Detached ADU shall be subject to all related regulations regarding the building construction and fire codes, as adopted by the City and State.
2. Utilities and Charges. A Detached ADU shall provide the necessary utilities and services such as, but not limited to, sewer, water, gas, electricity, and garbage collection. All City provided utilities shall be established in the property owner(s) name and the property owner shall be responsible for the payment of such utility services.

Commented [ME21]: This language is from Centerville Code for internal ADUs, hence the reference to Utah Code 10-20-303. This language does not exist in Utah Code 10-20-304 and, therefore, may need to be removed entirely for detached ADUs code here; will defer to City Attorney for guidance.

3. Development and Impact Fees. Detached ADUs meeting the development standards of this Title shall be exempt from payment of additional impact fees beyond the establishment of the primary single-family dwelling for the property.
4. Street Addressing. A Detached ADU will not be given a new distinct address by the City. Such Detached ADUs may refer mail/parcel packages to be delivered separately by the same address as the primary building using a subsidiary numerical or alphabetical reference (e.g., 1390 West #A), as approved by the Public Works Director, local postmaster, and emergency service agencies, or by securing a separate postal box.

12.58.130 Violations and Enforcement

The applicable enforcement procedures for violations of these Detached ADU ordinance provisions shall be subject to the civil or criminal penalties of CZC 12.23 (Enforcement). Additionally, the City may utilize the enforcement provisions of Utah Code § 10-20-303 (Internal Accessory Dwelling Units) regarding violations and holding liens against the property.

Commented [ME22]: Need to verify this language convention with the Public Works Director to make sure this is the same as IADUs.

Commented [ME23]: Not sure what language to use here in place of this as Utah Code 10-20-304 does not have an enforcement provision or standard in the same way that Utah Code 10-20-303 with a spelled out lien process. May need to evaluate enforcement language from other cities ordinances or just omit this sentence; will seek guidance from the City Attorney.

Proposed Draft Detached Accessory Dwelling Unit (DADU) Language to include in Title 12 (CZC)

I suggest using Milcreek City's Code as the starting point model backbone for the Centerville City Ordinances in combination with Centerville language previously used to establish Internal Accessory Dwelling Units (where they are both so similar in many ways), then combine suggested code concepts to incorporate into this language, along with directives from Planning Commission and City Attorney.

CZC 12.58 Detached Accessory Dwelling Units (DADU)

12.58 DETACHED ACCESSORY DWELLING UNIT STANDARDS

- 12.58.010 Purpose**
- 12.58.020 Interpretation and Scope**
- 12.58.030 Definitions**
- 12.58.040 Approval and Authorization**
- 12.58.050 Uses Allowed**
- 12.58.060 Request For Compliance Determination**
- 12.58.070 Development Standards Generally**
- 12.58.080 Development Standards For Detached Accessory Dwelling Units**
- 12.58.090 Limitations, Termination, And Exemptions**
- 12.58.100 Existing Buildings and Detached ADU Conversion**
- 12.58.110 Occupancy Requirements, Licenses, And Owner Affidavits**
- 12.58.120 Other Applicable Regulations and Codes**
- 12.58.130 Violations and Enforcement**

12.58.010 Purpose

The purpose of this Chapter is to establish the use and development regulations for the allowance of detached accessory dwelling units (DADUs) within the City. These regulations are intended to provide opportunity for secondary separate living quarters (i.e., dwelling unit) located externally on the same property as a primary single-family dwelling in accordance with applicable State law, including, but not limited to Utah Code § 10-21-304.

12.58.020 Interpretation and Scope

The City's intent in adopting this ordinance is not to increase the density of the underlying zone designation. A Detached ADU shall always be an accessory use to the principal dwelling.

The requirements of this Chapter shall apply to any Detached ADU created or established within the City. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, the Centerville Municipal Code, or other laws.

12.58.030 Definitions

Certain words and phrases in this Chapter, including uses, are defined in CZC 12.12 (Definitions). In addition to the definitions set forth in CZC 12.12 (Definitions), the following words and phrases shall have the following meanings:

- (a) Detached Accessory Dwelling Unit (DADU). A detached accessory dwelling unit means an accessory dwelling unit created and located externally on the same property as a primary single-family dwelling as more particularly defined in Utah Code § 10-21-101.
- (b) Primary Dwelling or Primary Single-Family Dwelling. Primary dwelling or primary single-family dwelling means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record as more particularly defined in Utah Code § 10-21-101.

12.58.040 Approval and Authorization

- (a) The Zoning Administrator is authorized to issue permits for Detached ADUs in accordance with the procedures and objective standards for review as set forth in this Chapter and as set forth in CZC 12.21.090 (Permitted Use Review). Decisions regarding the review, approval, or denial of Detached ADUs are administrative proceedings and shall be made in accordance with the provisions of this Chapter and CZC 12.21.060 regarding decision-making standards for administrative proceedings.
- (b) Properties are eligible for an accessory dwelling unit if:
 - 1. Use in Combination. A Detached ADU shall be established as a secondary accessory dwelling unit located externally on the same property as a primary single-family dwelling and shall only be established in combination within a primary single-family dwelling.
 - 2. Owner Occupancy Required. A Detached ADU shall only be established on a primary single-family dwelling property that is occupied by an owner in accordance with the "Owner Occupancy" requirements of CZC 12.60.090. (c) Number allowed. Only one Detached ADU is allowed for:
 - a. A lot, parcel, or tract of land greater than 11,000 square feet; and
 - b. A primary single-family dwelling located within a primarily residential use zone as more particularly designated in CZC 12.36 (Table of Uses).

3. A maximum of one (1) accessory dwelling unit (internal or detached) shall be permitted on a qualifying owner-occupied single-family dwelling lot.

12.58.050 Uses Allowed

Detached ADUs are allowed in residential zones as set forth in CZC 12.36 (Table of Uses). Permitted and conditional uses are indicated by “P” or “C,” respectively. Uses not permitted are indicated by “N.”

18.71.050 Request For Compliance Determination

A property owner may request a review to determine the compliance of an accessory dwelling unit. This request shall be conducted following the procedure as set forth in MKZ 18.15.030 (E). The Planning Director shall issue a Compliance Determination in writing. If the Planning Director determines that an Accessory Dwelling Unit complies with the standards of this chapter, then a notice of compliance shall be recorded on the property at the Salt Lake County Recorder’s Office. Notices that demonstrate compliance with the City’s land use regulations and state statute shall include, at a minimum, the following:

1. A description of the primary dwelling;
2. A statement that the primary dwelling or property contains an ADU;
3. A statement that the primary dwelling or property is owner-occupied; and
4. A statement that the ADU may only be used in accordance with the City’s land use regulations.

12.58.070 General Development Standards

The development standards set forth in this Section shall apply to any Detached ADU that is created or established within the City. The purposes of these development standards are to ensure that a Detached ADU is clearly and distinctly an accessory use and externally located and developed as an additional residential dwelling use to the approved primary single-family dwelling use located on the property.

- (a) Minimum Lot Size. The minimum lot size for establishing a Detached ADU shall be 11,000 square feet or more within an accessory structure as defined in CZC 12.12.040.
- (b) A Detached ADU shall not be sold separately or subdivided from the principal dwelling unit or property.

Commented [ME1]: Consider removing this section as it is not as relevant to Centerville? Kept it so that we could determine if there is any desire to keep this language.

- (c) A property may have a Detached ADU on the lot or parcel that is shared with the primary dwelling. No single-family residential dwelling property may have more than one type of ADU (internal or detached) on the same property.
- (d) The design and size of the Detached ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- (e) A Detached ADU shall comply with the regulations of the underlying zone for accessory buildings, this includes compliance with all setback, height, and development standards for accessory building development within the underlying zone. Where the provisions in this chapter are inconsistent with provisions found in any other chapters of City ordinances, the most restrictive provisions shall apply.
- (f) Design Standards. The Detached ADU shall incorporate at least one of the exterior materials used in the principal dwelling for 20 percent of all structure facades. The Detached ADU must have a pitched roof unless the principal dwelling has a flat roof, in which case a Detached ADU may have a flat roof or a pitched roof. The Detached ADU shall maintain the same color as the primary dwelling for at least 50 percent of all facades.
- (g) Detached ADUs may not be built within a recorded easement.
- (h) Parking. At least one additional parking space shall be provided for a Detached ADU; provided, however that the existing parking requirements for the primary single-family dwelling are to remain in place or restored if missing. The Detached ADU parking space may be located in tandem with other required parking spaces. All required parking spaces must be located behind the front yard setback line of the lot.
- (i) Bulk Yard Area Limitation. The combined building footprint coverage of a lot area for the primary single-family dwelling combined with the Detached ADU shall not exceed the impervious surface allowance for the respective zoning district in which it is located.
- (j) Additional requirements for Detached ADUs shall be as set forth as otherwise directed in this section of Code.

12.58.80 Development Standards For Detached Accessory Dwelling Units

Commented [ME2]: Do we want to follow this standard or incorporate standards from other communities regarding setbacks and/or maximum heights for Detached ADUs (refer to other community comments for setback and/or maximum height ideas)?

Commented [ME3]: Do we want to use and keep this same standard requirement? Or do we want something more liberal or restrictive? What would that look like?

The Centerville language for internal ADU is: "Exterior Finish Materials. The exterior finish materials should be compatible with, or visually appear to be harmonious with the type, size, and colors of the finish materials utilized on the primary single-family dwelling on the lot or parcel."

The Centerville language for roof pitch is: "Roof Pitch. The roof pitch should be compatible or visually appear to be harmonious with the roof pitch style of the primary single-family dwelling on the lot or parcel in which the ADU is located."

Commented [ME4]: Do we want to use this similar internal ADU standard for parking or do we want to incorporate ideas from other communities to swap this language with another City's language for parking?

- (a) A detached ADU shall be a permanent structure. Trailers, mobile homes, and other portable structures, especially structures with wheels, shall not be permitted as a detached ADU.
- (b) Exterior lighting shall provide illumination directed downward and shall follow the standards as set forth in MKZ 18.68, *Outdoor Lighting*. Light sources shall not be visible from abutting properties.
- (c) Windows on a façade, located within 15 feet of an abutting property containing a single-household, twin home, or duplex dwelling, shall be fixed (non-operable) and translucent or shall be installed skylights.
- (d) Entrances, parking, and stairways within 15 feet of an abutting property shall not be visible from the abutting property. This may be done with a fence along the side and rear property lines, landscaping that is dense enough to obscure activity or by placing the entrances and stairs out of view of abutting properties. Corner properties with ADU entrances facing a right-of-way are not required to screen the entrance if not facing the same right-of-way as the primary dwelling entrance.
- (e) Detached ADUs shall not be built on slopes of 30 percent or greater.
- (f) Balconies on the second story of an ADU are prohibited.
- (g) Exterior stairways and landing shall not encroach into a setback.

Commented [ME5]: Do we want to keep this type of language or omit it? Use similar language from another City?

Commented [ME6]: Do we want to keep this type of language or omit it? Use similar language from another City?

Commented [ME7]: Do we keep this language, omit it, or replace with similar language from another City.

Centerville Internal ADU language states:

“Location of Entrances. Only one additional entrance may be located on the wall facade that can be viewed from the public street directly adjacent to the same lot or parcel in which the Internal ADU is located. All other entrances must be located on wall facades facing interior to the lot.

1. Ground Entrance Restrictions. Ground entrances and coverings are prohibited on a wall facade facing a perimeter lot line, unless such wall facade is at least 10 feet from a perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.

2. Upper Story Entrance Restrictions. Upper story entrances and coverings (e.g., access from balconies and decks) having no other ground entrances are prohibited on a wall facade facing a perimeter lot line unless such wall facade is located 10 feet from the perimeter lot line and such

Commented [ME8]: Do we want/need a similar table? Is this already otherwise covered in the proposed code language?

Commented [ME9]: Should this be worded to say: “Maximum gross square footage of Detached ADU shall not exceed 1000 sf” or something like that.

What is the maximum size we would allow for a Detached ADU? Some communities allow up to 1200 sf and 1250 sf as maximum Detached ADU

Commented [ME10]: Do we want to use similar setback standards or pursue other setback standards like other cities have established? Currently Centerville Zoning Code in residential zones requires 5 ft minimum setback for accessory structures in rear yard.

Table 12.58.080-1

Detached Accessory Dwelling Unit Standard

Minimum Property Area	11,000 SF
Location	Rear Yard
Gross Square Footage	An ADU shall be the lesser of the gross square footage of the existing building, or 1,000 square feet.
Property Coverage Total	Determined by the underlying zone designation
Setbacks from Side and Rear Yards	5 Feet minimum

Setback from Main Building	6 Feet	
Maximum Height	20 Feet	
Occupancy Limit	2 adults and any number of children	Commented [ME11]: Do we want an occupancy limit? If so, is this a good standard or should we use a standard from another City?

12.58.090 Limitations, Termination, And Exemptions

- (a) No Short-Term Rental. A Detached ADU may not be used as a rental unit for fewer than 90 consecutive days as more particularly defined and regulated pursuant to Utah Code § 10-20-304. In order to regulate and prohibit short-term rentals, the City shall require and record a notice for any approved Detached ADU with the Davis County Recorder's Office in accordance with Utah Code § 10-20-304.
- (b) Termination of Detached ADU Use. The approval permit for a Detached ADU shall become null and void if the occupancy requirements of this Chapter are not satisfied, or the owner declares termination through writing or through neglect or any other confirmed non-corrected action that violates the provisions of this Chapter. Upon such termination of a Detached ADU use, the owner shall remove one or more features that make up an Detached ADU including but not limited to living, sleeping, or kitchen facilities, including electrical, gas, or plumbing, as deemed acceptable to the City to render the Detached ADU removed or unusable.
- (c) Exemptions. Detached ADUs shall not be included in the gross density calculations for primarily single-family zoning districts.

Commented [ME12]: I am not certain if State Code allows us to do this like it does with Internal ADUs per Utah Code 10-21-303? Will need to defer to City Attorney for guidance with this statement to see if this needs to be reworded or cited differently.

Commented [ME13]: This is language found in Centerville Code for Internal ADUs. I suggest using the same language unless language from another City is stronger and/or should be incorporated here.

12.58.100 Existing Buildings And Detached ADU Conversion

1. Existing buildings in Millcreek that were permitted prior to September 17, 2021, that are intended to be used as an ADU and cannot satisfy the standards set forth in this chapter must file an application to have a structure declared a noncomplying structure and then follow the application process for a Nonconformities Determination as set forth in [MKZ 18.15.040 \(A\)](#) and [MKZ 18.60.090](#) to have the use legally established. A property with an existing guest house does not qualify for an additional detached ADU. By definition, a guest house may not be rented out or leased. If a property owner wants to convert a guest house to a detached ADU the property owner must follow all applicable processes and design requirements for detached ADUs.
2. Detached Accessory Dwelling Unit Conversions
 1. A detached building that complies with all applicable height, building envelope, setback, and property coverage requirements may be converted,

Commented [ME14]: Do we want to use this same standard as it relates to Detached ADUs? A similar statement is noted earlier in this proposed language.

Commented [ME15]: Per Utah Code 10-21-304(2), we are required to "include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit"

Commented [ME16]: This language likely won't apply to us and will likely be omitted; but should we have a section of language for existing buildings in similar circumstances, or is this not necessary? We will need to decide whether or not to address this and may also look to the similar codes from other cities.

or expanded for the purpose of converting, or enlarged for the purpose of converting, to an accessory dwelling unit, provided the existing setbacks of the detached building are not further reduced and the structure complies with or can be altered to comply with the applicable sections of the adopted building and fire codes of the City.

2. A detached building, that is noncomplying and was legally established as determined under CZC 12.22 Nonconformities, may be converted, or expanded for the purpose of converting, or enlarged for the purpose of converting, to a detached accessory dwelling unit upon permit authorized by the Zoning Administrator, or designee, provided that the Zoning Administrator, or designee, shall find:
 1. The side or rear setbacks of the detached building are not further reduced to accommodate the ADU;
 2. The detached building does not have a light source projecting onto an abutting property;
 3. The facade of the detached building located within five feet (5') and facing an abutting property line, does not have any balconies, porches, landings, stairs, doors, or windows;
 4. The detached building does not exceed 20 feet in height;
 5. For all properties, located abutting a Residential Zone Boundary or a legally-established residential dwelling, the detached building does not protrude higher than the measured height of the existing noncomplying structure being expanded;
 6. Does not create any new visual impacts that a fence or wall cannot otherwise mitigate;
 7. The detached ADU can accommodate all required parking on the property, and does not violate or diminish the required off-street parking standards, including parking requirements of this title;
 8. Does not violate applicable standards and regulations outlined in the applicable zoning district;
 9. The structure or proposed expansion of the structure is not within any recorded easement;

Commented [ME17]: This is not completely clear to me and may need to be omitted, unless someone else is able to determine what this is trying to say.

10. Does not result in runoff or drainage from the accessory building onto an abutting property;
 11. The detached building shall meet all other requirements of CZC 12.58.080, except as provided otherwise in this section; and
 12. Meets the applicable sections of the adopted building and fire codes of the City.
3. The Zoning Administrator, or designee, may impose conditions and limitations upon issuance of a permit for an addition to, enlargement of, moving of, or reconstruction of a structure as necessary to prevent or mitigate adverse effects on other properties located in the neighborhood of the subject property, consistent with the standards of this Title.

12.58.110 Occupancy Requirements, Licenses, And Owner Affidavits

The occupancy requirements set forth in this Section shall apply to any ADU that is created or established within the City. The purposes of these occupancy requirements are to accommodate secondary separated living quarters (i.e., dwelling unit) with reasonable limitations on their use and to minimize the impact on neighboring properties and the desired setting of the City's single-family neighborhoods.

- (a) Definitions and Terms. The following definitions or terms are applicable to the creation and use of Detached ADUs;
1. Owner. An owner is defined as a person occupying the premises as their sole primary residence and having at least 50% or greater ownership interest in the property.
 2. Full-Time Residency. Full-time residency means the owner must live in a dwelling for at least 183 consecutive calendar days of each calendar year.
 3. Detached ADU Occupation. The Detached ADU is exclusively used for other family members or for long-term rental with a minimum rental period of 90 days or more.
 4. Owner Occupancy Affidavit. A signed and notarized owner-occupancy acknowledgement for the property for sanctioning a Detached ADU and filed with the City Recorder's Office and/or recorded at the Davis County Recorder's Office.
 5. Temporary Owner Absence Waiver. An approval granting a waiver of the occupancy requirement due to specific short-term or temporary absences.
- (b) Full Time Owner Residency. Either the primary single-family dwelling or the Detached ADU is to be occupied by a full-time residency property owner as shown on the Davis County Tax Assessment rolls.
- (c) Owner Occupancy Affidavit and License. A Detached ADU owner must apply for a Detached ADU License and sign an "owner occupancy affidavit" with the City and

Commented [ME18]: Again will need to check with City Attorney to see if we can require this in the same way that we do with Internal ADUs language.

have it filed with the City Recorder and/or recorded at the Davis County Recorder's Office prior to receiving authorization of constructing and/or use of a Detached ADU. Such license and affidavit shall at minimum establish the following:

1. That he/she/they are owner(s) of the property located in Centerville, Utah.
 2. That he/she/they applied and intend to receive approval to construct or use a Detached ADU pursuant to Centerville City ordinances.
 3. That the owner(s) of the property confirm that the Detached ADU will be used for the purpose of offering a long-term rental of at least 90 days or more to any occupant of the Detached ADU.
 4. That an owner with at least a 50% interest in the property will occupy either the primary single-family dwelling or Detached ADU for six months of each calendar year, except where a "temporary owner absence waiver" is granted in accordance with Subsection (d).
 5. That if the owner(s) of property are unable or unwilling to fulfill the requirements for use of a Detached ADU, then the owners agree to remove one or more features that make it a Detached ADU, including but not limited to living areas, sleeping areas, or kitchen facilities, including electrical, gas, or plumbing and further agree to terminate, in writing, the Detached ADU permit and approval.
 6. That the license and affidavit shall run with the land and be binding upon all owners, heirs, and assigns, and upon all parties acquiring any right, title, or interest in the property.
 7. That the owners and their heirs, successors, and assigns will inform all prospective purchasers of the property of the terms and conditions of the permit authorizing the ADU.
- (d) Recorded Notice of Detached ADU. On or after October 1, 2021, the City may record against the property a notice of any approved Detached ADU in the Davis County Recorder's Office in accordance with Utah Code § 10-20-303.
- (e) Temporary Owner Absence Waiver. The owner(s) shall comply with the Full-Time Owner Residency Requirements, or such absence or abandonment shall terminate the Detached ADU permit, as approved by the City. Nonetheless, an owner may receive a one-time waiver of the occupancy requirement upon submitting in writing evidence showing good cause of temporary absence, such as:
1. A job relocation;
 2. Military assignment;
 3. Medical or other care of others;
 4. Sabbatical leave;
 5. Educational pursuits; or
 6. Personal illness.

Commented [ME19]: Again will need to verify with City Attorney to see if we can require this in the same way that we do with Internal ADUs language.

Commented [ME20]: This language is from Centerville Code for internal ADUs, hence the reference to Utah Code 10-20-303. This language does not exist in Utah Code 10-20-304 and, therefore, may need to be removed entirely for detached ADUs code here; will defer to City Attorney for guidance.

A one-time waiver of the occupancy requirement will then be authorized, by the City's Zoning Administrator, up to a maximum of three years and one month. Thereafter, if not re-occupied by the property owner, then the Detached ADU permit shall be deemed null and void and one or more features constituting the Detached ADU shall be removed immediately, upon

notice from Centerville City, or the property will subject to applicable enforcement measures.

12.58.120 Other Applicable Regulations and Codes

The creation and use of Detached ADUs are subject to other pertinent codes, restrictions, and regulations that address applicable life, safety, and welfare concerns. Any Detached ADU shall comply with the following:

1. Construction and Fire Codes. A Detached ADU shall be subject to all related regulations regarding the building construction and fire codes, as adopted by the City and State.
2. Utilities and Charges. A Detached ADU shall provide the necessary utilities and services such as, but not limited to, sewer, water, gas, electricity, and garbage collection. All City provided utilities shall be established in the property owner(s) name and the property owner shall be responsible for the payment of such utility services.
3. Development and Impact Fees. Detached ADUs meeting the development standards of this Title shall be exempt from payment of additional impact fees beyond the establishment of the primary single-family dwelling for the property.
4. Street Addressing. A Detached ADU will not be given a new distinct address by the City. Such Detached ADUs may refer mail/parcel packages to be delivered separately by the same address as the primary building using a subsidiary numerical or alphabetical reference (e.g., 1390 West #A), as approved by the Public Works Director, local postmaster, and emergency service agencies, or by securing a separate postal box.

12.58.130 Violations and Enforcement

The applicable enforcement procedures for violations of these Detached ADU ordinance provisions shall be subject to the civil or criminal penalties of CZC 12.23 (Enforcement).

Additionally, the City may utilize the enforcement provisions of Utah Code § 10-20-303 (Internal Accessory Dwelling Units) regarding violations and holding liens against the property.

Commented [ME21]: Need to verify this language convention with the Public Works Director to make sure this is the same as IADUs.

Commented [ME22]: Not sure what language to use here in place of this as Utah Code 10-20-304 does not have an enforcement provision or standard in the same way that Utah Code 10-20-303 with a spelled out lien process. May need to evaluate enforcement language from other cities ordinances or just omit this sentence; will seek guidance from the City Attorney.

Public Works Requested Additions to the DADUs Draft Language

- Separate water meter and water line for DADU development; support sewer district having a separate line as well, if required by SDDS.
- Require one on-site parking space for a DADU smaller 650 sqft; require two on-site parking spaces for a DADU at 650 sqft or larger (per UCA 10-21-304(3))

Additional Concepts and Ideas From Other Cities for DADUs (not currently reflected in proposed draft language)

Bountiful City

- Review and consider approval as a conditional use permit for DADUs by Bountiful City Administrative Committee (14-14-124(B.)(2.) & 14-14-124(C.)(3.))
- Language stating ADU may not be developed on land without habitable single-family dwelling (14-14-124(C.)(5.))
- Size for DADU is minimum of 350 sqft in size and not to exceed 1,250 sqft in size (14-14-124(C.)(11.))
- 8,000 sqft minimum buildable land lot size (14-14-124(C.)(12.))
- Doors, windows, stairs, features configuration away from adjoining properties (14-14-124(C.)(13.))
- Meet setbacks required for accessory structures (14-14-124(C.)(14.))
- Locate DADU behind front building line of principal unit (14-14-124(C.)(15.))
- Separate entrance location guidance and approval from Admin Committee for DADU (14-14-124(C.)(16.))

City of North Salt Lake

- Dwelling Unit Occupancy standards for DADU defined (10-19-17(A.)(4.))
- DADU setbacks standards for rear yard setback of 10 ft or 5 ft with requirements (10-19-17(A.)(7.)(c.))
- Second story standards for DADU allowed by meeting standards in zone for height and setbacks of primary dwelling (10-19-17(A.)(7.)(e.))
- A bit different standard for DADU appearance (10-19-17(A.)(8.))
- Size for DADU is minimum of 300 sqft and not to exceed 1200 sqft in size; also limited to only two bedrooms (10-19-17(A.)(9.)(b.))
- Existing entrances language and allowance criteria (10-19-17(A.)(11.))
- Addressing system standard for DADU (10-19-17(A.)(12.))

- Different DADU parking standard, specifically tandem parking not allowed and further definition of where parking allowed on site (10-19-17(A.)(13.))
- Utility metering standards for DADU, including commentary on fees waiver for water development and connection (10-19-17(A.)(16.))
- Conditional use process with Planning Commission for Exception to these DADU standards (10-19-17(A.)(20.))
- Commentary on Home Occupation Businesses in DADU (10-19-17(A.)(22.))
- Allowance of Tiny Homes as DADUs on a lot (10-19-17(A.)(23.))

West Valley City

- DADU requirement for entrance facing away from the street and not disrupt single-family dwelling use appearance (17.70.060(D.)(5.))
- Requirement for minimum one bedroom, three-quarter bath, and kitchen (17.70.060(D.)(6.) & (7.))
- Requirement that a requested DADU property have no known code violations within the last 12 months (17.70.060(D.)(10.))
- Language that DADU may not be built in recorded easement (17.70.060(G.)(3.))
- Statement that mobile homes, recreational vehicles, or shipping containers are not allowed as DADUs (17.70.060(G.)(5.))
- Statement that no basements are allowed in DADUs (17.70.060(G.)(8.))
- Standards regarding fire regulations for DADUs (17.70.060(G.)(9.))
- Table 17.70.060-1 has standards regarding lot size minimum (10,000 sqft), size limits for DADU of 650 sqft and 800 sqft depending on size of lot, height allowance no taller than primary dwelling, minimum DADU setbacks of 10 ft from rear and side yards, and 2 on-site parking stalls required.

Salt Lake County

- DADUs allowed on single-family home lots of 7,000 sqft or larger, 6,000 sqft minimum in PC Zone (19.15.030(A.))
- DADU setback standards for new ADU structures: 10 ft rear yard, meet setbacks of single-family dwelling zone, 6 ft from dwelling minimum, minimum setback will be PUE if PUE is greater than required setback (no development over PUE). (19.15.050(B.))
- Conversion of existing accessory structures built before code to DADU standards: comply with accessory structure setback standards at time accessory structure built, 6 ft from main dwelling minimum, unless noncompliance granted than can meet those setbacks based on noncompliance approval (19.15.050(C.))
- Setback standards examples for DADU build (Figure 19.15.1 & 2)

- Language regarding parking space still required for conversion of garage into DADU space (19.15.060)
- Height requirements standards: rear or side setback less than ten feet, then maximum height is 20 ft; rear or side setback ten feet or more, then maximum height of primary dwelling match (19.15.070)
- Lot coverage maximum standards (19.15.080)
- No allowance for DADUs to be built on basement, piers, or temporary/wheeled structure; must be on permanent concrete slab (19.15.110(D.))
- Allowance for DADU in front yard or corner lot side yard is lot is at least one acre and DADU is at least 30 ft from front lot line (19.15.110(H.))
- DADU must be offset at least ten feet or more from front façade of main dwelling (19.15.110(I.))
- Drainage standards and requirements (19.15.110(J.))
- Appearance matching single-family dwelling (19.15.110(K.))
- Business licensing standards (19.15.130)

Eagle Mountain

- DADU does not include motor homes, fifth-wheels, travel trailers, campers, or housing on wheels (17.70.010)
- DADU allows for above detached garage (17.70.010) & (17.70.030(D.))
- ADUs are secondary and incidental to primary residential use (17.70.030)
- Maximum height allowance of 35 feet and two stories maximum (17.70.030(D.)(3.)(a.))
- Size DADU allowance minimum of 400 sqft and maximum size of 1,200 sqft (17.70.030(D.)(3.)(b.))
- Setbacks same as front, rear, and side yard setbacks of primary dwelling; 6 ft minimum distance from primary dwelling (17.70.030(D.)(3.)(c.))
- Street frontage requirement of 70 feet or more for DADU, unless approval authority discretion provided (17.70.030(D.)(3.)(d.))
- Appearance of DADU matching single-family dwelling (17.70.030(D.)(3.)(e.))
- Separate utility meters for DADU and in property owner's name and property owner pays utility billing (17.70.030(D.)(3.)(f.))
- Parking standards for two off-street parking spaces (this will need to be amended now in light of UCA 10-21-304(3) for parking). (17.70.030(D.)(3.)(g.))
- Addressing standards convention (17.70.030(D.)(3.)(h.))
- Deviations and Exceptions to Standards to be reviewed and considered by Planning Commission for approval consideration and conditions (17.70.040(C.))
- Transfer of Ownership allowance for DADU establishment (17.70.040(D.))

- Noncompliance and revocation of DADU permit by City (17.70.050)

CENTERVILLE
PLANNING
COMMISSION

Staff Report
7/22/2026

Item No. 2.

Title: Discussion - Review of draft code concepts for Boundary Line Adjustments processing in replacement of Exchange of Title codes, as found in CMC 15.09.140 and scheduling of a public hearing.

Initiated By: Sydney DeWees, Assistant Planner

Staff Representative: Sydney DeWees, Assistant Planner, Mike Eggett, Community Development Director, Lisa Romney, City Attorney

SUBJECT:

Discussion regarding draft code concepts and a summary of code ideas for Boundary Line Adjustments processing in replacement of existing Exchange of Title codes found in CMC 15.09.140. Also, discuss establishing a public hearing date regarding proposed draft code language additions.

RECOMMENDATION:

Discussion item only. However, staff recommends that the Planning Commission complete the review of this language and prepare a recommendation to the City Council in the near future, so that staff will have corrected Code language that reflects Utah State Code.

BACKGROUND:

Over the last few years, the State Legislature has approved legislative bills modifying how boundary lines and boundary line disputes are to be administered by local municipalities and counties. Following these code changes, City staff has been working diligently to reference these State Codes in making sure that boundary line adjustment processing is compliant with processing requirements of these State Codes. That being said, City staff has noticed discrepancies with the Exchange of Title (Boundary Adjustment) processing codes, as currently found in CMC 15.09.140. Therefore, City staff felt it important to work on a draft code amendment to change the Exchange of Title codes to reflect corrected and approved Utah State standards for processing Boundary Line Adjustments. The term Boundary Line Adjustments will replace the term Exchange of Title in the City Municipal Code, to better align with Utah State codes, given that the proposed draft language is approved in the future by the City Council.

ATTACHMENTS:

1. S DeWees Email - Review Boundary Line [20260616]
2. 15.09.140 Current Code
3. 15.09.140 Redline Update 7.13.26 [PC Work Draft]
4. 15.09.140 Redline Update 7.13.26 [PC Clean Draft]
5. 18.080 Subdivision Ordinance Amendment Fees
6. 20.030 Boundary Adjustment Fees
7. (BLA- S) Boundary Line Adjustment- Simple

8. Boundary Line Adjustment - Simple BLA S
9. BLA S Workflow
10. (BLA- F) Boundary Line Adjustment- Full
11. Boundary Line Adjustment- Full BLA F
12. BLA F Workflow
13. USC10-20-S906 Boundary Adjustment
14. USC10-20-S907 Boundary Establishment
15. USC57-1-S45.5 Convey for Bound Adjustment
16. 15.09.140 [1st Draft Version - OLD]

Boundary Adjustments

From Sydney DeWees <sydney.dewees@centervilleutah.gov>

Date Tue 6/16/2026 2:07 PM

To Michael Eggett <michael.eggett@centervilleutah.gov>

Cc Lisa Romney <lisa.romney@centervilleutah.gov>

11 attachments (644 KB)

15.09.140 Current Code.pdf; 15.09.140.docx; 18.080 Subdivision Ordinance Amendment Fees.pdf; 20.030 Boundary Adjustment Fees.docx; 20.030 Boundary Adjustment Fees.pdf; Boundary Line Adjustment - Simple BLA S.docx; Boundary Line Adjustment- Full BLA F.docx; (BLA- F) Boundary Line Adjustment- Full.docx; (BLA- S) Boundary Line Adjustment- Simple.docx; BLA F Workflow.docx; BLA S Workflow.docx;

Hey Mike,

I have worked on the BLA information.. I was hoping to get the code amended soon. I have cc Lisa in the email to see if she has any suggestions on the code

I have attached my redline version of the code I also have attached the current code how it reads. In the word doc there will be links to the state code. There are fees in the fee schedule that need to be updated, my suggestion is to make it a simple and a full. The BLA currently references the site plan amendment, so I just copied how much it is. I have attached my redline for BLA boundary line adjustments fee schedule.

I have attached a simple and a full BLA application question for applications.

I have also added the checklist for each.

I have created what I think is the best work flow for each.

I would really like to get this updated. Please let me know your feedback and let me know when it can be presented to the planning commission and city council.

Simple Boundary Line Adjustment

Short:

A Simple Boundary Line Adjustment is a process that allows adjoining property owners to adjust a shared property boundary without creating a new lot or changing the adjustments where the resulting properties continue to comply with applicable zoning and subdivision requirements. The approved documents must be recorded with the

Long:

A Simple Boundary Line Adjustment allows adjoining property owners to modify the location of a shared property line through an approved boundary line adjustment intended for minor corrections, boundary clarifications, or adjustments between existing properties. The property owners must submit the required documentation for C materials necessary to verify the proposed adjustment. The City reviews the request to ensure the adjustment does not create additional lots, create nonconforming conditions, or change the boundary line adjustment documentation must be recorded with the County Recorder. Approval of a boundary line adjustment does not constitute approval for future

Full Boundary Line Adjustment

Short:

A Full Boundary Line Adjustment is a process that allows adjoining property owners to adjust a shared property boundary without creating a new lot or changing the adjustment, this process provides a detailed legal record of the revised boundaries and may be required when the adjustment involves multiple properties, significant changes, or information.

Long: A Full Boundary Line Adjustment is a formal process used to modify property boundaries through a recorded survey or plat document. This process is typically required for updated legal descriptions, or needs a recorded map showing the new property configuration. The applicant must submit the required boundary line adjustment documentation, descriptions, and any additional documentation required by the City. The City reviews the proposal for compliance with zoning, subdivision, and other applicable regulations recorded with the County Recorder. A Full Boundary Line Adjustment modifies property boundaries only and does not create a new subdivision lot or approve future developments.



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15.09.140 Exchange Of Title

- (a) In accordance with the provisions of Utah Code § 10-9a-608, the owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat may exchange title to portions of those parcels if the exchange of title is approved by the Zoning Administrator in accordance with the provisions of this Section.
- (b) An application for exchange of title approval shall be filed in writing with the Community Development Director on forms provided by the City, and shall include, at a minimum, the following:
 - (1) Three hard copies and one electronic copy of a survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, showing:
 - (A) The two affected lots or parcels;
 - (B) The location of existing buildings on the lots or parcels;
 - (C) The proposed location of the new lot or parcel line;
 - (D) Any existing easements, driveways, utilities and infrastructure improvements;
 - (E) The frontage calculations for the two lots before and after the exchange of title; and
 - (F) The size of the two lots before and after the exchange of title.
 - (2) The applicable fees and deposits as set forth in the City Fee Schedule.
 - (3) The proposed notice of approval and conveyance of title documents.
- (c) The Zoning Administrator shall review all applications for exchange of title approval and shall approve such requests if the exchange of title will not result in a violation of any land use ordinance of the City.
- (d) No exchange of title shall be permitted which would result in the creation of a new dwelling lot or housing unit or the creation of a remnant piece of land that did not previously exist.
- (e) If an exchange of title is approved by the Zoning Administrator, a notice of approval acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall:
 - (1) Be executed by each owner included in the exchange and by the Zoning Administrator;
 - (2) Contain an acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq.; and
 - (3) Recite the descriptions of both the original parcels and the parcels created by the exchange of title.
- (f) A notice of approval recorded under this Section does not act as a conveyance of title to real property. If an exchange of title is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved changed with the Davis County Recorder's Office.

HISTORY

Adopted by Ord. [2017-03](#) on 4/4/2017

Amended by Ord. [2024-01](#) on 1/16/2024

15.09.140 Exchange Of Title Boundary Adjustments and Boundary Establishments

(a) Boundary adjustments shall be processed in accordance with Utah Code § 10-20-906 and this Section. A boundary adjustment is an agreement between adjoining property owners to relocate a common boundary that results in a conveyance of property between adjoining lots or parcels. A boundary adjustment may not create an additional lot or parcel. In accordance with the provisions of Utah Code § 10-9a-608, the owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat may exchange title to portions of those parcels if the exchange of title is approved by the Zoning Administrator in accordance with the provisions of this Section.

(b) Boundary adjustments shall be classified as either Simple Boundary Adjustments or Full Boundary Adjustments as provided in this Section.

(1) Simple Boundary Adjustment. A person may propose a Simple Boundary Adjustment to the Zoning Administrator. A proposal for a Simple Boundary Adjustment shall:

(A) Include a conveyance document that complies with Utah Code § 57-1-45.5; and

(B) Describe all lots or parcels affected by the proposed boundary adjustment.

(2) The Zoning Administrator shall consent to a proposed Simple Boundary Adjustment if the Zoning Administrator verifies that the proposal satisfies Subsection (b)(1) and does not:

(A) Affect a public right-of-way, municipal utility easement, or other public property;

(B) Affect an existing easement, onsite wastewater system, or internal lot restriction;
or

(C) Result in a lot or parcel out of conformity with applicable land use regulations.

~~(b) — (3) If the Zoning Administrator determines that a proposed Simple Boundary Adjustment does not meet the requirements of Subsection (b)(2), a Full Boundary Adjustment is required. An application for exchange of title approval shall be filed in writing with the Community Development Director on forms provided by the City, and shall include, at a minimum, the following:~~

~~(1) Three hard copies and one electronic copy of a survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, showing:~~

~~(A) The two affected lots or parcels;~~

~~(B) The location of existing buildings on the lots or parcels;~~

~~(C) The proposed location of the new lot or parcel line;~~

~~(D) Any existing easements, driveways, utilities and infrastructure improvements;~~

~~(E) The frontage calculations for the two lots before and after the exchange of title; and~~

~~(F) The size of the two lots before and after the exchange of title.~~

~~(2) The applicable fees and deposits as set forth in the City Fee Schedule.~~

~~(3) The proposed notice of approval and conveyance of title documents.~~

(c) Full Boundary Adjustment

(1) To propose a Full Boundary Adjustment, the adjoining property owners shall submit a proposal to the Zoning Administrator that includes:

(A) A conveyance document that complies with Utah Code § 57-1-45.5;

(B) A survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, that complies with Utah Code § 57-1-45.5(3)(b), including:

- (A) (i) the frontage calculations for the lots before and after the boundary adjustment; and
- (ii) any additional information required by the Zoning Administrator to verify compliance with the zoning regulations applicable to the subject parcels;

(C) If required by this Title, a proposed plat amendment corresponding with the proposed Full Boundary Adjustment, prepared in accordance with Utah Code § 10-20-811 and applicable City ordinances;

(D) A completed boundary line adjustment application submitted to the Zoning Administrator in a form established by the Zoning Administrator or designee along with any fees and deposits as set forth in the City Fee Schedule;

(E) Written approval of any proposed easement adjustments by all affected property owners, easement holders, and other parties with a legal interest in the easement.

(2) The Zoning Administrator shall provide consent to a proposed Full Boundary Adjustment if:

(A) The proposal includes all information required by Subsection (c)(1);

(B) The survey required by Subsection (c)(1)(B) shows no evidence of a violation of a land use regulation; and

~~(B)-(C) If a corresponding plat amendment is required by City ordinance, the plat amendment has been approved in accordance with Utah Code § 10-20-811; and The Zoning Administrator shall review all applications for exchange of title approval and shall approve such requests if the exchange of title will not result in a violation of any land use ordinance of the City.~~

(C) The boundary adjustment does not result in the creation of a new parcel.

(d) Consent to a boundary adjustment under this Section is an administrative act. The Zoning Administrator shall provide notice of consent to the person proposing the boundary adjustment in a format that makes clear that:

(1) The City and the Zoning Administrator are not responsible for any error related to the boundary adjustment; and

(2) The Davis County Recorder may record the boundary adjustment, as set forth in Utah Code § 10-20-906;

(3) The descriptions of both the original parcels and the parcels created by the boundary adjustment have been provided and correctly described; and

(4) Acknowledgement for each party executing the notice is in accordance with the

provisions of the Utah Recognition of Acknowledgements Act, as set forth in Utah Code § 57-2a-1, et seq.

~~(c) No exchange of title shall be permitted which would result in the creation of a new dwelling lot or housing unit or the creation of a remnant piece of land that did not previously exist.~~

(e) A boundary adjustment is effective on the day the boundary adjustment, as consented to by the Zoning Administrator, is recorded by the Davis County Recorder along with the relevant conveyance document in accordance with Utah Code §§ 10-20-906 and 57-1-45.5

(f) A notice of approval recorded under this Section does not act as a conveyance of title to real property. If a boundary line adjustment is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved change with the Davis County Recorder's Office.

(g) The recording of a boundary adjustment does not constitute a land use approval.

(h) Boundary Establishments

(1) The owners of adjoining property may initiate a Boundary Establishment to resolve an ambiguous, uncertain, or disputed boundary between adjoining properties and to agree upon the location of an existing common boundary between the adjoining properties.

(2) Adjoining property owners executing a Boundary Establishment shall:

(A) Prepare an establishment document that complies with Utah Code § 57-1-45; and

(B) Record the Boundary Establishment with the Davis County Recorder in accordance with Utah Code § 57-1-45.

(3) A Boundary Establishment is not subject to review by the City or the Zoning Administrator and does not require the consent or approval of the City or the Zoning Administrator before it may be recorded.

(4) A Boundary Establishment is effective on the day it is recorded by the Davis County Recorder.

(5) Nothing in this Subsection prohibits the City from enforcing applicable land use regulations in accordance with state law.

~~(d) If an exchange of title is approved by the Zoning Administrator, a notice of approval acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall:~~

~~(1) Be executed by each owner included in the exchange and by the Zoning Administrator;~~

~~(2) Contain an acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq.; and~~

~~(3) Recite the descriptions of both the original parcels and the parcels created by the exchange of title.~~

~~(e) A notice of approval recorded under this Section does not act as a conveyance of title to real property. If an exchange of title is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the~~

~~approved changed with the Davis County Recorder's Office.~~

HISTORY

Adopted by Ord. [2017-03](#) on 4/4/2017

Amended by Ord. [2024-01](#) on 1/16/2024

15.09.140 Boundary Adjustments and Boundary Establishments

- (a) Boundary adjustments shall be processed in accordance with Utah Code § 10-20-906 and this Section. A boundary adjustment is an agreement between adjoining property owners to relocate a common boundary that results in a conveyance of property between adjoining lots or parcels. A boundary adjustment may not create an additional lot or parcel.
- (b) Boundary adjustments shall be classified as either Simple Boundary Adjustments or Full Boundary Adjustments as provided in this Section.
 - (1) Simple Boundary Adjustment. A person may propose a Simple Boundary Adjustment to the Zoning Administrator. A proposal for a Simple Boundary Adjustment shall:
 - (A) Include a conveyance document that complies with Utah Code § 57-1-45.5; and
 - (B) Describe all lots or parcels affected by the proposed boundary adjustment.
 - (2) The Zoning Administrator shall consent to a proposed Simple Boundary Adjustment if the Zoning Administrator verifies that the proposal satisfies Subsection (b)(1) and does not:
 - (A) Affect a public right-of-way, municipal utility easement, or other public property;
 - (B) Affect an existing easement, onsite wastewater system, or internal lot restriction;
or
 - (C) Result in a lot or parcel out of conformity with applicable land use regulations.
 - (3) If the Zoning Administrator determines that a proposed Simple Boundary Adjustment does not meet the requirements of Subsection (b)(2), a Full Boundary Adjustment is required.
- (c) Full Boundary Adjustment
 - (1) To propose a Full Boundary Adjustment, the adjoining property owners shall submit a proposal to the Zoning Administrator that includes:
 - (A) A conveyance document that complies with Utah Code § 57-1-45.5;
 - (B) A survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, that complies with Utah Code § 57-1-45.5(3)(b), including:
 - (i) the frontage calculations for the lots before and after the boundary adjustment; and
 - (ii) any additional information required by the Zoning Administrator to verify compliance with the zoning regulations applicable to the subject parcels;
 - (C) If required by this Title, a proposed plat amendment corresponding with the proposed Full Boundary Adjustment, prepared in accordance with Utah Code § 10-20-811 and applicable City ordinances;
 - (D) A completed boundary line adjustment application submitted to the Zoning Administrator in a form established by the Zoning Administrator or designee along with any fees and deposits as set forth in the City Fee Schedule;

- (E) Written approval of any proposed easement adjustments by all affected property owners, easement holders, and other parties with a legal interest in the easement.
- (2) The Zoning Administrator shall provide consent to a proposed Full Boundary Adjustment if:
 - (A) The proposal includes all information required by Subsection (c)(1);
 - (B) The survey required by Subsection (c)(1)(B) shows no evidence of a violation of a land use regulation; and
 - (C) If a corresponding plat amendment is required by City ordinance, the plat amendment has been approved in accordance with Utah Code § 10-20-811; and The boundary adjustment does not result in the creation of a new parcel.
- (d) Consent to a boundary adjustment under this Section is an administrative act. The Zoning Administrator shall provide notice of consent to the person proposing the boundary adjustment in a format that makes clear that:
 - (1) The City and the Zoning Administrator are not responsible for any error related to the boundary adjustment;
 - (2) The Davis County Recorder may record the boundary adjustment, as set forth in Utah Code § 10-20-906;
 - (3) The descriptions of both the original parcels and the parcels created by the boundary adjustment have been provided and correctly described; and
 - (4) Acknowledgement for each party executing the notice is in accordance with the provisions of the Utah Recognition of Acknowledgements Act, as set forth in Utah Code § 57-2a-1, et seq.
- (e) A boundary adjustment is effective on the day the boundary adjustment, as consented to by the Zoning Administrator, is recorded by the Davis County Recorder along with the relevant conveyance document in accordance with Utah Code §§ 10-20-906 and 57-1-45.5
- (f) A notice of approval recorded under this Section does not act as a conveyance of title to real property. If a boundary line adjustment is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved change with the Davis County Recorder's Office.
- (g) The recording of a boundary adjustment does not constitute a land use approval.
- (h) Boundary Establishments
 - (1) The owners of adjoining property may initiate a Boundary Establishment to resolve an ambiguous, uncertain, or disputed boundary between adjoining properties and to agree upon the location of an existing common boundary between the adjoining properties.
 - (2) Adjoining property owners executing a Boundary Establishment shall:
 - (A) Prepare an establishment document that complies with Utah Code § 57-1-45; and
 - (B) Record the Boundary Establishment with the Davis County Recorder in accordance with Utah Code § 57-1-45.

- (3) A Boundary Establishment is not subject to review by the City or the Zoning Administrator and does not require the consent or approval of the City or the Zoning Administrator before it may be recorded.
- (4) A Boundary Establishment is effective on the day it is recorded by the Davis County Recorder.
- (5) Nothing in this Subsection prohibits the City from enforcing applicable land use regulations in accordance with state law.

HISTORY

Adopted by Ord. [2017-03](#) on 4/4/2017

Amended by Ord. [2024-01](#) on 1/16/2024

18.080 Subdivision Ordinance Amendment

The following fees shall apply to subdivision ordinance amendments.

Subdivision Ordinance	Fee	Professional Services Deposit ¹	When Due
Subdivision Ordinance Amendments	\$250	\$250	Upon Application

1. Applicants shall be required to pay the cost of required engineering, consulting, and/or legal services actually incurred by the City for applications to amend City Ordinances in accordance with CFS 18.040. The Professional Services Deposit will be used and applied toward such services costs actually incurred by the City.

HISTORY

Adopted by Res. [2017-18](#) on 8/15/2017

20.030 Boundary Adjustments

The following fees shall apply to boundary adjustments.

Boundary Adjustments	Fee	Professional Services Deposit	When Due
Exchange of Title Simple	\$125 \$375	\$250	Upon Application
Lot Line Adjustment (Two Adjoining Lots) Full	See Plat Amendment \$500	See Plat Amendment	Upon Application See Plat Amendment
Parcel Boundary Adjustment (Two Adjoining Parcels) Establishment	Not Regulated by City	-	-
Boundary Line Agreement (Disputed Property Line)	Not Regulated by City	-	-



CENTERVILLE CITY BOUNDARY LINE ADJUSTMENT SIMPLE CHECKLIST

Boundary Line Adjustment Simple – Completeness Checklist

The following application, information, fees, and documentation is required for a Boundary Line Adjustment Simple application completeness review.

Project Name:

Date:

TRACKING HISTORY:

Application Submitted:

Completeness Checklist DRC Meeting (1):

Completeness Checklist DRC Meeting (2):



Application Requirement	Code Reference	Department	Comments	
Complete Online Application Form	15.09.140	Planning		
Application Fees	20.030 Boundary Adjustments	Planning		
Conveyance of Title Documents	15.09.140	Legal	Utah State Code § 57-1-45.5	
List of current owners of each property as indicated by current records of the Davis County Recorder's Office.	15.09.140	Planning		
Signed Property Owner Affidavit from each property owner	15.09.140	Planning/ Legal		
Provide a Statement describing the proposed changes and why the changes are taking place.	15.09.140	Planning		
Current Legal description of both parcels.	15.09.140	Legal		
Proposed legal description of both parcels.	15.09.140	Legal		
Copies of any agreements with adjacent property owners relevant to the proposed boundary line adjustment.	15.09.140	Legal		
Survey will include the following:				
One (1) electronic copy of a survey	15.09.140	Planning		
Stamp of licensed land surveyor or professional engineer	15.09.140	Planning		
The name and addresses of the engineer or surveyor for contacting purposes.		Planning		
Survey tie to the State grid or other permanent established marker in Davis County.	15.09.140	Engineering		

Commented [SD1]: [Utah Code Section 57-1-45.5](#)



The two affected lots or parcels	15.09.140	Planning		
The proposed location of the new lot or parcel line	15.09.140	Planning		
The size of the two lots before and after the exchange	15.09.140	Planning/ Engineering		
The frontage calculations for the two lots before and after the exchange of title	15.09.140	Planning/ Engineering		
The location of existing buildings on the lots or parcels	15.09.140	Planning		
Any existing easements, driveways, utilities and infrastructure improvements	15.09.140	Planning/ Public Works		

If a Simple Boundary Line Adjustment approved by the Zoning Administrator, a notice of approval acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall state:

1. The land use authority is not responsible for any error related to the boundary adjustment , as set forth in Utah Code § 10-20-906;
2. Davis County may record the boundary adjustment, as set forth in Utah Code § 10-20-906;
3. Whom each owner included in the exchange;
4. The descriptions of both the original parcels and the parcels created by the exchange of title;
5. Acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq; and
6. Be from the City Zoning Administrator;

A notice of approval recorded under this Section does not act as a conveyance of title to real property. If a boundary line adjustment is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved changed with the Davis County Recorder's Office.

Orange text optional fields

Contact Information	
Applicant	Name, Email, Phone, Preferred form of contact
Preferred form of contact	Phone, Email
Property Owner(s)	Name, Email, Phone, Preferred form of contact
Preferred form of contact	Phone, Email
Engineer	Name, Email, Phone
Surveyor	Name, Email, Phone
Project manager	Name, Email, Phone
Property Owner Authorization	
Signature from all property owners	Print Notary form here:
Title Report for the Properties	A title report (preliminary title report) is a research document prepared by a title company that list the current legal owners, property description, and any recorded liens, easements, or encumbrances.
Warranty Deed	A warranty deed is a legal document used to transfer ownership (title) of real estate from one party (the grantor) to another (the grantee). It guarantees that the seller holds clear title to the property and has the legal right to sell it.
Any agreements with adjacent property owners?	Yes, No
If yes, please explain	Submittal Needed
Property Information	
	Insert zoning Map link Explanation: To find the following information Please visit the Cities interactive Zoning Map. In the search bar enter your address, click on the parcel and the following information will be available.
Project Address (1)	
Parcel Number	
Acreage	
Zoning	Agriculture-Low (A-L), Commercial-High (C-H), Commercial-Medium (C-M), Commercial-Very High (C-VH), Florentine Villa Special District, Industrial-High (I-H), Industrial-Very High (I-VH), Public Facility -Medium(PF-M), Public Facility -Very High (PF-VH), Public Facility-High (PF-H), Public Facility-Low(PF-L), Residential-High (R-H), Residential-Very High(R-VH), Residential-Medium (RH-M), Residential-Low (R-L), Shorelands Commerce Park
Is property (1) located in the Hillside Overlay Zone?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Hillside Overlay, there will be cross hatch marks on your property

Is property (1) located in the Historic District?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Deuel Creek Historic District, there will be dots on your property if you are
Is property (1) part of a Planned Development Overlay or Planned Unit Development?	Yes, No
If yes, please provide the Name and year	
Is property (1) part of a Community Development Authority?	Yes, No
If yes, please provide the Name and year	
Parcel Number	
Acreage	
Zoning	Agriculture-Low (A-L), Commercial-High (C-H), Commercial-Medium (C-M), Commercial-Very High (C-VH), Florentine Villa Special District, Industrial-High (I-H), Industrial-Very High (I-VH), Public Facility -Medium(PF-M), Public Facility -Very High (PF-VH), Public Facility-High (PF-H), Public Facility-Low(PF-L), Residential-High (R-H), Residential-Very High(R-VH), Residential-Medium (RH-M), Residential-Low (R-L), Shorelands Commerce Park
Is property (2) located in the Hillside Overlay Zone?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Hillside Overlay, there will be cross hatch marks on your property
Is property (2) located in the Historic District?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Deuel Creek Historic District, there will be dots on your property if you are
Is property (2) part of a Planned Development Overlay or Planned Unit Development?	Yes, No
If yes, please provide the Name and year	
Is property (2) part of a Community Development Authority?	Yes, No
If yes, please provide the Name and year	
Are the parcels part of a planned center?	Yes, No (Explanation: Planned Center definition per CZC 12. 12 Planned Center: A development comprised of mixed uses where landscaping, parking and other improvements are provided in a comprehensive and integrated fashion pursuant to a conditional use permit.)
Do the parcels contain lands which are reserved in private ownership for community use, including common areas	If yes, please submit the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas
Simple Qualifying factors	
Does the Boundary adjustment affect a public right-of-way, municipal utility easement, or other public property?	Yes, No If yes, then a Full Boundary Line Adjustment is needed. Be prepared to provide the name and address of each owner of record of land that is adjacent to the public street, right-of-way, or easement, or accessed exclusively by or within 300 feet of the public street, right-of-way, or easement, and the signature of each owner under who consents to the vacation.

Does the Boundary adjustment affect an existing easement, onsite wastewater system, or internal lot restriction?	Yes, No If yes, then a Full Boundary Line Adjustment is needed.
Does the Boundary adjustment create a lot or parcel that does not conform to the city zoning code regulations?	Yes, No If yes, then you will need to contact the Community Development Department before proceeding. And will need a Full Boundary Line Adjustment
Simple	
Checklist	
Current Survey	Please upload the current survey with all the items required in CMC Municipal Code 15.09.140
Proposed Survey	Please upload the proposed survey with all the items required in CMC Municipal Code 15.09.140
Current Legal Description of Parcels with associated parcel numbers	
Proposed Legal Description of Parcels with associated parcel numbers	

Simple Boundary Line Adjustment Workflow

A: applicant	P: planner (Syd)	E: Eco. Dev. Director (Mike)	CA: City Attorney	R: City Recorder	
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A: Applies

A: Pays Fees

P: Get notified

P: Review materials that A submitted and create checklist

P: Communicates with A if additional items are needed

A: Gets P Additional items needed/ updates

P: Creates staff report

P: Compiles file folder for exhibits

P: Emails E staff report and exhibits

E: Reviews staff report, exhibit, and makes edits if necessary

E: Emails CA for compliance review and makes update request if necessary

E: Writes Notice of Approval letter is emailed to A, CA, and R

A: File and records a conveyance of title reflecting the approved changed with the Davis County Recorder's Office



CENTERVILLE CITY BOUNDARY LINE ADJUSTMENT FULL CHECKLIST

Boundary Line Adjustment Full – Completeness Checklist

The following application, information, fees, and documentation is required for a Boundary Line Adjustment Full application completeness review. Upon review, the Zoning Administrator can request the Boundary line Adjustment require more than a survey and become a formalized Plat. If the Zoning Administrator requires a plat be recorded, the plat must meet the city Details and Drawings along with the requirements for a plat found in City Municipal Code, Chapter 15.

Project Name:

Date:

TRACKING HISTORY:

Application Submitted:

Completeness Checklist DRC Meeting (1):

Completeness Checklist DRC Meeting (2)



Application Requirement	Code Reference	Department	Comments	
Complete Online Application Form	15.09.140	Planning		
Application Fees	20.030 Boundary Adjustments	Planning		
Conveyance of Title Documents	15.09.140	Legal	Utah State Code § 57-1-45.5	
List of current owners of each property as indicated by current records of the Davis County Recorder's Office.	15.09.140	Planning		
Signed Property Owner Affidavit from each property owner	15.09.140	Planning/ Legal		
Provide a Statement describing the proposed changes and why the changes are taking place.	15.09.140	Planning		
Current Legal description of both parcels.	15.09.140	Legal		
Proposed legal description of both parcels.	15.09.140	Legal		
Copies of any agreements with adjacent property owners relevant to the proposed boundary line adjustment.	15.09.140	Legal		
Survey will include the following:				
One (1) electronic copy of a survey	15.09.140	Planning		
Stamp of licensed land surveyor or professional engineer	15.09.140	Planning		

Commented [SD1]: [Utah Code Section 57-1-45.5](#)



The name and addresses of the engineer or surveyor for contacting purposes.		Planning		
Survey tie to the State grid or other permanent established marker in Davis County.	15.09.140	Engineering		
All affected lots or parcels	15.09.140	Planning		
The proposed location of the new lot or parcel line	15.09.140	Planning		
The size of the two lots before and after the exchange	15.09.140	Planning/ Engineering		
The frontage calculations for the two lots before and after the exchange of title	15.09.140	Planning/ Engineering		
The location of existing buildings, structures, improvements, or any other physical feature on the lots or parcels	15.09.140	Planning		
Any existing easements, driveways, utilities and infrastructure improvements	15.09.140	Planning/ Public Works		
Plat will include the following:				
Printed on tracing linen with the outside or trim line dimensions of 19" by 30" and the border line of the plat shall be drawn in heavy lines leaving a space of at least 1.5" on the left side and at least 0.5" margin on the other sides	15.004.030	City Recorder		
Markings shall be made on the tracing linen, mylar, or comparable material, with approved waterproof black ink	15.04.030	City Recorder		
Signature block for: ☐ authorized parties ☐ property owners ☐ lienholders	15.04.030	Planning/Legal		
Blocks for signature: ☐ Community Development Director ☐ City Engineer ☐ City Attorney ☐ Mayoral Approval (a signature line for the Mayor and an attestation by the City Recorder) ☐ Davis County Recorder in the lower right corner	15.04.030	Planning/Legal		
Owners dedication certificate and signature line for each property owner of record and significant lienholders	15.04.030	Legal		
Notary public's acknowledgment for each signature on the plat	15.04.030	Legal		
Certification of the accuracy of the plat and any traverse to permanent survey monuments by a land surveyor registered to practice in the State of Utah. (Registered land surveyor's "Certificate of Survey")	15.04.030	Planning/ Engineering		



The location and dimensions to the nearest existing bench mark or monument, and section line.	15.04.030	Engineering		
A correct metes and bounds description of all property included within the plat	15.04.030	Engineering		
An accurate and complete survey to second order accuracy	15.04.030	Engineering		
A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground shall close within a tolerance of one foot to 20,000 feet.	15.04.030	Engineering		
The boundary lines of all lots tied to public survey monuments in the project showing: ☐ Bearings ☐ Distances ☐ Dimensions ☐ Square footage ☐ Orientation ☐ Topography (lines shall be slightly heavier than street and lot lines)	15.04.030	Engineering		
Depiction of the survey mathematical information(bearing and distances), and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines: ☐ straight lines ☐ central angle ☐ radius and arc length of curves	15.04.030	Engineering		
Depiction of the calculated Davis County coordinates for all property corners and monuments within the plat	15.04.030	Engineering		
Lot and boundary closure calculated to the nearest 100th of a foot.	15.04.030	Engineering		
Public dedicated lots, blocks, and parcels are delineated and designated with dimensions, boundaries and courses clearly shown and defined. A plat note describing the ownership and maintenance responsibilities.	15.04.030	Engineering		
Parcels offered for dedication other than for streets or easements shall be clearly designated on the plat with dedication and ownership designation. A plat note describing the ownership and maintenance responsibilities.	15.04.030	Engineering/ Planning		
Square footage of each lot and parcel	15.04.030	Planning		
Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.	15.04.030	Engineering		



Depiction of all the side lines proposed easements of record by fine dashed lines, clearly labeled, have widths depicted, and sufficient ties thereto to definitely locate the same with respect to the plat as shown on the title report	15.04.030	Engineering		
Depiction of all the side lines of all existing easements of record by fine dashed lines, clearly labeled, have widths depicted, and sufficient ties thereto to definitely locate the same with respect to the plat as shown on the title report	15.04.030	Engineering		
Depiction of all stakes, monuments and other evidence indicating the boundaries of the plat as found on the site (Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced)	15.04.030	Engineering		
Depiction of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties	15.04.030	Engineering		
All right of way monuments at angle points and intersections as approved by the City Engineer	15.04.030	Engineering		

If a Full Boundary Line Adjustment approved by the Zoning Administrator, a notice of approval acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall state:

1. The land use authority is not responsible for any error related to the boundary adjustment , as set forth in Utah Code § 10-20-906;
2. Davis County may record the boundary adjustment, as set forth in Utah Code § 10-20-906;
3. Whom each owner included in the exchange;
4. The descriptions of both the original parcels and the parcels created by the exchange of title;
5. Acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq; and
6. Be from the City Zoning Administrator;

A notice of approval recorded under this Section does not act as a conveyance of title to real property. If a boundary line adjustment is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved changed with the Davis County Recorder's Office.

Orange text optional fields

Contact Information	
Applicant	Name, Email, Phone, Preferred form of contact
Preferred form of contact	Phone, Email
Property Owner(s)	Name, Email, Phone, Preferred form of contact
Preferred form of contact	Phone, Email
Engineer	Name, Email, Phone
Surveyor	Name, Email, Phone
Project manager	Name, Email, Phone
Property Owner Authorization	
Signature from all property owners	Print Notary form here:
Title Report for the Properties	A title report (preliminary title report) is a research document prepared by a title company that list the current legal owners, property description, and any recorded liens, easements, or encumbrances.
Warranty Deed	A warranty deed is a legal document used to transfer ownership (title) of real estate from one party (the grantor) to another (the grantee). It guarantees that the seller holds clear title to the property and has the legal right to sell it.
Any agreements with adjacent property owners?	Yes, No
If yes, please explain	Submittal Needed
Property Information	
	Insert zoning Map link Explanation: To find the following information Please visit the Cities interactive Zoning Map. In the search bar enter your address, click on the parcel and the following information will be available.
Project Address (1)	
Parcel Number	
Acreage	
Zoning	Agriculture-Low (A-L), Commercial-High (C-H), Commercial-Medium (C-M), Commercial-Very High (C-VH), Florentine Villa Special District, Industrial-High (I-H), Industrial-Very High (I-VH), Public Facility -Medium(PF-M), Public Facility -Very High (PF-VH), Public Facility-High (PF-H), Public Facility-Low(PF-L), Residential-High (R-H), Residential-Very High(R-VH), Residential-Medium (RH-M), Residential-Low (R-L), Shorelands Commerce Park
Is property (1) located in the Hillside Overlay Zone?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Hillside Overlay, there will be cross hatch marks on your property

Is property (1) located in the Historic District?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Deuel Creek Historic District, there will be dots on your property if you are
Is property (1) part of a Planned Development Overlay or Planned Unit Development?	Yes, No
If yes, please provide the Name and year	
Is property (1) part of a Community Development Authority?	Yes, No
If yes, please provide the Name and year	
Project Address (2)	
Parcel Number	
Acreage	
Zoning	Agriculture-Low (A-L), Commercial-High (C-H), Commercial-Medium (C-M), Commercial-Very High (C-VH), Florentine Villa Special District, Industrial-High (I-H), Industrial-Very High (I-VH), Public Facility -Medium(PF-M), Public Facility -Very High (PF-VH), Public Facility-High (PF-H), Public Facility-Low(PF-L), Residential-High (R-H), Residential-Very High(R-VH), Residential-Medium (RH-M), Residential-Low (R-L), Shorelands Commerce Park
Is property (2) located in the Hillside Overlay Zone?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Hillside Overlay, there will be cross hatch marks on your property
Is property (2) located in the Historic District?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Deuel Creek Historic District, there will be dots on your property if you are
Is property (2) part of a Planned Development Overlay or Planned Unit Development?	Yes, No
If yes, please provide the Name and year	
Is property (2) part of a Community Development Authority?	Yes, No
If yes, please provide the Name and year	
Are the parcels part of a planned center?	Yes, No (Explanation: Planned Center definition per CZC 12. 12 Planned Center: A development comprised of mixed uses where landscaping, parking and other improvements are provided in a comprehensive and integrated fashion pursuant to a conditional use permit.)
Do the parcels contain lands which are reserved in private ownership for community use, including common areas	If yes, please submit the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas
Project Address (3)	
Parcel Number	
Acreage	

Zoning	Agriculture-Low (A-L), Commercial-High (C-H), Commercial-Medium (C-M), Commercial-Very High (C-VH), Florentine Villa Special District, Industrial-High (I-H), Industrial-Very High (I-VH), Public Facility -Medium(PF-M), Public Facility -Very High (PF-VH), Public Facility-High (PF-H), Public Facility-Low(PF-L), Residential-High (R-H), Residential-Very High(R-VH), Residential-Medium (RH-M), Residential-Low (R-L), Shorelands Commerce Park
Is property (3) located in the Hillside Overlay Zone?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Hillside Overlay, there will be cross hatch marks on your property
Is property (3) located in the Historic District?	Yes, No Use the city Zoning Map: https://experience.arcgis.com/experience/e89f86d44a1843fa8d9dd580208e3542/ make sure to check Zoning- Deuel Creek Historic District, there will be dots on your property if you are
Is property (3) part of a Planned Development Overlay or Planned Unit Development?	Yes, No
If yes, please provide the Name and year	
Is property (3) part of a Community Development Authority?	Yes, No
If yes, please provide the Name and year	
Are the parcels part of a planned center?	Yes, No (Explanation: Planned Center definition per CZC 12. 12 Planned Center: A development comprised of mixed uses where landscaping, parking and other improvements are provided in a comprehensive and integrated fashion pursuant to a conditional use permit.)
Do the parcels contain lands which are reserved in private ownership for community use, including common areas	If yes, please submit the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas
Full Qualifying factors	
Does the Boundary adjustment affect a public right-of-way, municipal utility easement, or other public property?	Yes, No If yes, please provide the name and address of each owner of record of land that is Adjacent to the public street, right-of-way, or easement, or accessed exclusively by or within 300 feet of the public street, right-of-way, or easement, and the signature of each owner under who consents to the vacation.
Does the Boundary adjustment affect an existing easement, onsite wastewater system, or internal lot restriction?	Yes, No If yes, please provide a description of the affected easement, onsite wastewater system, or internal lot restriction, including the location, purpose, and any proposed changes resulting from the Boundary Adjustment. Provide any supporting documentation, approvals, or owner consent required for the modification.
Does the Boundary adjustment create a lot or parcel that does not conform to the city zoning code regulations?	Yes, No If yes, then you will need to contact the Community Development Department before proceeding. And will need a Full Boundary Line Adjustment
Simple	
Checklist	

Current Survey	Please upload the current survey with all the items required in CMC Municipal Code <u>15.09.140</u>
Proposed Survey	Please upload the proposed survey with all the items required in CMC Municipal Code <u>15.09.140</u>
Current Legal Description of Parcels with associated parcel numbers	
Proposed Legal Description of Parcels with associated parcel numbers	

Full Boundary Line Adjustment Workflow

A: applicant	P: planner (Syd)	E: Eco. Dev. Director (Mike)	CA: City Attorney	PW:Public Works Director	CE: City Engineer	R: City Recorder	
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A: Applies

A: Pays Fees

P: Get notified

P: Review materials that A submitted and create checklist

P: Adds item to DRC Agenda

P: Compiles file folder for exhibits

P: Sets comment due date 2 weeks out

DRC MEETING

P: Communicates with A if additional items are needed from E, CA, PW, CE

A: Gets P Additional items needed/ updates

** Process repeats until staff is satisfied with BLA**

P: Creates staff report

P: Compiles file folder for exhibits

P: Emails E staff report and exhibits

E: Reviews staff report, exhibit, and makes edits if necessary

E: Writes Notice of Approval letter is emailed to A, CA, and R

A: File and records a conveyance of title reflecting the approved changed with the Davis County Recorder's Office

Effective 11/6/2025

10-20-906 Simple boundary adjustment -- Full boundary adjustment -- Process -- Review by land use authority.

- (1) A person may propose a simple boundary adjustment to a land use authority as described in this section.
- (2) A proposal for a simple boundary adjustment shall:
 - (a) include a conveyance document that complies with Section 57-1-45.5; and
 - (b) describe all lots or parcels affected by the proposed boundary adjustment.
- (3) A land use authority shall consent to a proposed simple boundary adjustment if the land use authority verifies that the proposed simple boundary adjustment:
 - (a) meets the requirements of Subsection (2); and
 - (b) does not:
 - (i) affect a public right-of-way, municipal utility easement, or other public property;
 - (ii) affect an existing easement, onsite wastewater system, or an internal lot restriction; or
 - (iii) result in a lot or parcel out of conformity with land use regulations.
- (4) If the land use authority determines that a proposed simple boundary adjustment does not meet the requirements of Subsection (3), a full boundary adjustment is required.
- (5) To propose a full boundary adjustment, the adjoining property owners shall submit a proposal to the land use authority that includes:
 - (a) a conveyance document that complies with Section 57-1-45.5;
 - (b) a survey that complies with Subsection 57-1-45.5(3)(b); and
 - (c) if required by municipal ordinance, a proposed plat amendment corresponding with the proposed full boundary adjustment, prepared in accordance with Section 10-20-811.
- (6) A land use authority shall consent to a proposed full boundary adjustment made under Subsection (5) if:
 - (a) the proposal submitted to the land use authority under Subsection (5) includes all necessary information;
 - (b) the survey described in Subsection (5)(b) shows no evidence of a violation of a land use regulation; and
 - (c) if required by municipal ordinance, the plat amendment corresponding with the proposed full boundary adjustment has been approved in accordance with Section 10-20-811.
- (7)
 - (a) Consent under Subsection (3) or (6) is an administrative act.
 - (b) Notice of consent under Subsection (3) or (6) shall be provided to the person proposing the boundary adjustment in a format that makes clear:
 - (i) the land use authority is not responsible for any error related to the boundary adjustment; and
 - (ii) a county recorder may record the boundary adjustment.
- (8) A boundary adjustment is effective from the day on which the boundary adjustment, as consented to by the land use authority, is recorded by a county recorder along with the relevant conveyance document.
- (9) The recording of a boundary adjustment does not constitute a land use approval.
- (10) A municipality may enforce municipal ordinances against, or withhold approval of a land use application for, property that is subject to a boundary adjustment if the municipality determines that the resulting lots or parcels are not in compliance with the municipality's land use regulations in effect on the day on which the boundary adjustment is recorded.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

Effective 11/6/2025

10-20-907 Boundary establishment -- Process -- Boundary agreement not subject to review by land use authority -- Prohibitions.

- (1) The owners of adjoining property may initiate a boundary establishment to:
 - (a) resolve an ambiguous, uncertain, or disputed boundary between the adjoining properties; and
 - (b) agree upon the location of an existing common boundary between the adjoining properties.
- (2) Adjoining property owners executing a boundary establishment described in Subsection (1) shall:
 - (a) prepare an establishment document that complies with Section 57-1-45; and
 - (b) record the boundary establishment with the county recorder for the county in which the property exists, in accordance with Section 57-1-45.
- (3) A boundary establishment:
 - (a) is not subject to review of a land use authority; and
 - (b) does not require consent or approval from a land use authority before it may be recorded.
- (4) A boundary establishment is effective from the day it is recorded by a county recorder.
- (5) A municipality may enforce municipal ordinances against property with a boundary establishment that violates a land use regulation.
- (6) A boundary establishment that complies with this section presumptively:
 - (a) has no detrimental effect on any easement on the property that is recorded before the day on which the agreement is executed; and
 - (b) conveys the ownership of the adjoining parties to the established common boundary.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

Effective 11/6/2025

57-1-45.5 Conveyance document for a boundary adjustment -- Form and effect.

- (1) A conveyance document, as defined in Sections 10-20-102 and 17-79-102, for a boundary adjustment shall comply with this section.
- (2) A conveyance document shall include:
 - (a) the name and signature of each party to the conveyance document;
 - (b) the address of each party to the conveyance document for assessment purposes;
 - (c) a legal description of the parcel or lot owned by each party before the boundary adjustment;
 - (d) a legal description of the parcel or lot owned by each party after the boundary adjustment; and
 - (e) sufficient language to convey title from one party to another party, in conformity with the proposed boundary adjustment.
- (3) In addition to the information required in Subsection (2), a conveyance document shall include as an exhibit, in a legible and recordable format:
 - (a) a visual or graphic of the proposed boundary adjustment and all properties affected by the proposed boundary adjustment, depicting:
 - (i) the former boundary location;
 - (ii) the new boundary location; and
 - (iii) the size, shape, and dimensions of each adjusted parcel or lot;
 - (b) if the property owners have conducted a survey, a reference to the record of the survey map, as defined in Section 17-73-504, showing:
 - (i) existing dwellings, outbuildings, improvements, and other physical features;
 - (ii) existing easements, rights-of-way, conditions, or restrictions recorded or apparent;
 - (iii) the former boundary location;
 - (iv) the new boundary location;
 - (v) the size, shape, and dimensions of each adjusted lot or adjusted parcel; and
 - (vi) other existing or proposed improvements that impact or are subject to land use regulations; and
 - (c) if the conveyance document addresses a boundary adjustment that requires an amendment to a subdivision plat under Section 10-20-906 or 17-79-806, the amendment to the subdivision plat.
- (4)
 - (a) A conveyance document is effective on the day it is recorded as part of a boundary adjustment.
 - (b) Before recording a conveyance document, a county recorder shall confirm that the conveyance document is:
 - (i) in a legible and recordable format, including any exhibit to the conveyance document; and
 - (ii) accompanied by a notice of consent to the boundary adjustment from a land use authority under Subsection 10-20-906(3) or (6) or Subsection 17-79-806(3) or (6).
 - (c) Upon receipt of a conveyance document, or any exhibit to a conveyance document, that is not in a legible and recordable format, a county recorder shall provide the person submitting the conveyance document with an explanation of the corrections necessary to record the conveyance document.
- (5) The recording of a boundary adjustment presumptively:
 - (a) relocates an existing boundary by creating a new boundary between the adjoining properties;
 - (b) changes the size, shape, or configuration of two or more adjoining lots or parcels;
 - (c) does not affect any previously recorded easement unless the easement is expressly and properly modified by the boundary adjustment; and

(d) affixes the ownership of the adjoining parties to the adjusted boundary.

Amended by Chapter 15, 2025 Special Session 1

15.09.140 Exchange-Of-Title Boundary Line Adjustments

a) In accordance with the provisions of Utah Code § ~~10-9a-608~~10-20-906, the owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat may exchange title to portions of those parcels if the ~~exchange-of-title~~boundary line adjustment is approved by the Zoning Administrator in accordance with the provisions of this Section. Boundary line adjustments shall be classified as either Simple Boundary Line Adjustments or Full Boundary Line Adjustments, as defined below.

1) Simple Boundary Line Adjustment is a boundary adjustment that does not:

- A. Affect a public right-of-way, municipal utility easement, or other public property;
- B. Affect an existing easement, onsite wastewater system, or internal lot restriction; or
- C. Create a lot or parcel that does not conform to applicable land use regulations.

2) Full Boundary Line Adjustment is a boundary adjustment that does:

- A. Affect a public right-of-way, municipal utility easement, or other public property;
- B. Affect an existing easement, onsite wastewater system, or internal lot restriction; or

b) ~~An application for exchange of title approval shall be filed in writing with the Community Development Director on forms provided by the City, and shall include, at a minimum, the following~~ A complete boundary line adjustment application shall be submitted to the Zoning Administrator in a form established by the Zoning Administrator along with any fees and deposits as set forth in the City Fee Schedule.

1) The simple boundary line adjustment shall include:

- A. Conveyance document that complies with the Utah State Code § ~~57-1-45.5~~ and describes all lots or parcels affected by the proposed boundary adjustment
- B. One electronic copy of a survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, showing:

Commented [SD1]: Utah Code Section 57-1-45.5

1. The affected lots or parcels;
2. The proposed location of the new lot or parcel line;
3. The size of the lots before and after the exchange of title;
4. The frontage calculations for the lots before and after the exchange of title;
5. The location of existing buildings, improvements, and other physical features on the lots or parcels;
6. Any existing easements, rights-of-way, conditions, or restrictions recorded or apparent; and
7. Any additional information required by the Zoning Administrator to verify compliance with the zoning regulations applicable to the subject parcels.

2) The full boundary line adjustment shall include:

A. Conveyance document that complies with the Utah State Code § ~~57-1-45.5~~; and describes all lots or parcels affected by the proposed boundary adjustment

Commented [SD2]: [Utah Code Section 57-1-45.5](#)

B. One electronic copy of a survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, showing:

1. The affected lots or parcels;
2. The proposed location of the new lot or parcel line;
3. The size of the lots before and after the exchange of title;
4. The frontage calculations for the lots before and after the exchange of title;
5. The location of existing buildings, improvements, and other physical features on the lots or parcels;
6. Any existing easements, rights-of-way, conditions, or restrictions recorded or apparent; and

7. Any additional information required by the Zoning Administrator to verify compliance with the zoning regulations applicable to the subject parcels.

C. Written approval of any proposed easement adjustments by all affected property owners, easement holders, and other parties with a legal interest in the easement.

c) The Zoning Administrator shall review all applications for the boundary line adjustment approval and shall approve such requests if the boundary line adjustment will not result in a violation of any land use ordinance of the City.

d) No boundary line adjustment shall be permitted which would result in the creation of a new parcel.

e) If the boundary line adjustment is approved by the Zoning Administrator, a consent acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall be made clear:

A. The land use authority is not responsible for any error related to the boundary adjustment, as set forth in Utah Code § 10-20-906;

B. Davis County may record the boundary adjustment, as set forth in Utah Code § 10-20-906;

C. Whom each owner included in the exchange;

D. The descriptions of both the original parcels and the parcels created by the exchange of title; and

E. Acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq.

f) A notice of approval recorded under this Section does not act as a conveyance of title to real property. If a boundary line adjustment is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved changed with the Davis County Recorder's Office.

~~2) Three hard copies and one electronic copy of a survey, prepared by a licensed land surveyor or professional engineer, accurately drawn to scale and certified, showing:~~

~~A. The two affected lots or parcels;~~

~~B. The location of existing buildings on the lots or parcels;~~

~~C. The proposed location of the new lot or parcel line;~~

~~D. Any existing easements, driveways, utilities and infrastructure improvements;~~

~~E. The frontage calculations for the two lots before and after the exchange of title; and~~

~~F. The size of the two lots before and after the exchange of title.~~

~~3) The applicable fees and deposits as set forth in the City Fee Schedule.~~

~~4) The proposed notice of approval and conveyance of title documents.~~

~~e) The Zoning Administrator shall review all applications for exchange of title approval and shall approve such requests if the exchange of title will not result in a violation of any land use ordinance of the City.~~

~~e) No exchange of title shall be permitted which would result in the creation of a new dwelling lot or housing unit or the creation of a remnant piece of land that did not previously exist.~~

~~d) — If an exchange of title is approved by the Zoning Administrator, a notice of approval acceptable to the City shall be recorded in the Davis County Recorder's Office, which notice of approval shall:~~

~~1) — Be executed by each owner included in the exchange and by the Zoning Administrator;~~

~~2) — Contain an acknowledgment for each party executing the notice in accordance with the provision of the Utah Recognition of Acknowledgments Act, as set forth in Utah Code §§ 57-2a-1, et seq.; and~~

- 3) ~~Recite the descriptions of both the original parcels and the parcels created by the exchange of title.~~
- e) ~~A notice of approval recorded under this Section does not act as a conveyance of title to real property. If an exchange of title is approved by the Zoning Administrator, the applicant shall also be required to file and record a conveyance of title reflecting the approved changed with the Davis County Recorder's Office.~~

CENTERVILLE
PLANNING
COMMISSION

Staff Report
7/22/2026

Item No. 1.

Title: Community Development Director's Report

Initiated By:

Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

CENTERVILLE
PLANNING
COMMISSION

Staff Report
7/22/2026

Item No. 1.

Title: Minutes Review and Approval - July 8, 2026

Initiated By: Jennifer Robison, City Recorder

Staff Representative:

SUBJECT:

Consideration of Planning Commission meeting minutes from July 8, 2026.

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 07-08-26 PC DRAFT

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, July 8, 2026
7:00 p.m.

A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Amanda Jorgensen
Paul Mendenhall
Gary Woodward
Layne Jenkins
Michael Adamson

MEMBERS ABSENT

Mason Kjar, Chair
LaRae Patterson

STAFF PRESENT

Mike Eggett, Community Development Director
Sydney DeWees, Planner
Lisa Romney, City Attorney

LEGISLATIVE THOUGHT/PRAYER Commissioner Layne Jenkins

PLEDGE OF ALLEGIANCE

FINAL SITE PLAN AMENDMENT – FINELINE STEEL FABRICATION – 975 WEST 50 SOUTH – INDUSTRIAL DEVELOPMENT – 975 FIFTY LLC – ADMINISTRATIVE DECISION

City Planner Sydney DeWees presented a request to amend the final site plan for Fineline Steel Fabrication at 975 West 50 South, originally approved by the Planning Commission in June 2022. The amendment was initiated after a landscaping compliance review identified several differences between the approved plans and the completed site, including an unshown gas bottle storage rack, the replacement of a planned second building with a laydown yard, and modifications to the detention basin. The request also coincided with a neighboring development's proposal for a cross-access easement, prompting a comprehensive review of the site. Over the previous six months, the applicant worked with city staff to bring the property into compliance with Industrial Zone standards.

Staff explained that while concerns had been raised regarding the site's drainage and detention basin, the city engineer and public works director determined the remaining issues could be addressed following site plan approval through a development bond. Updated plans submitted by the applicant were reviewed and found to comply with city code without requiring any variations or changes to the existing Planned Development Overlay. Staff therefore recommended approval, subject to the conditions outlined in the staff report.

Commissioners discussed the status of the detention basin, with staff confirming that corrective work had resolved earlier drainage concerns and that the system would continue to be monitored. Applicant Tyler Oliver stated the pond had remained dry since the repairs and noted they were prepared to make additional adjustments if necessary. He also explained that a lean-to structure had been added to protect gas monitoring equipment and confirmed the site's parking count now exceeded the minimum requirement. After staff clarified the distinction between the findings and conditions of approval, the Commission expressed support for the amendment,

noting the high quality of the development and the benefit of the proposed cross-access easement for vehicle circulation between the adjoining industrial properties.

Commissioner Mendenhall **moved** to approve the proposed Fineline Steel Fabrication Final Site Plan Amendment for the property located at 975 West 50 South, also known as parcel 06-008-0034, contingent on the following conditions for approval. Commissioner Adamson seconded the motion which passed unanimously (5-0).

Conditions:

1. The applicant will be required to resolve outstanding City Engineer and staff comments as indicated on the attached checklist documents and reports. The required Final Site Plan Amendment corrections shall be reviewed by City staff for compliance with this approval;
2. Prior to bond release, there will need to be a final approval from the Storm Drain Supervisor and the City Engineer that indicates the site is in full compliance with City Code and the updated plans follow the City Standards and Details, specifically for the detention pond and any storm drainage improvements needed for the associated Fineline Steel property; and
3. The applicant shall post and/or pay any outstanding development related costs consistent with City Ordinances and fee schedules; this includes any bonding/escrow funding expenses that may be required by the City

Findings for Action:

1. The proposed Final Site Plan Amendment has been presented to the Planning Commission, as directed by the Final Site Plan approval conditions, and the proposed Final Site Plan Amendment meets all the conditions of approval for granting of a Final Site Plan Amendment proposal;
2. The proposed Final Site Plan Amendment change of use, such as the laydown yard, is consistent with uses permitted on the site;
3. The proposed Final Site Plan Amendment existing uses were permitted when the site plan was approved;
4. The proposed Final Site Plan Amendment complies with the expected development standards described in CZC 12.21.110, CZC 12.35, CZC 12.41, CZC 12.51, CZC 12.52, and CZC 12.55 (where applicable), and other applicable City Codes for this project;
5. The proposed Final Site Plan Amendment alterations meet the approval standards of Subsection (f);
6. The proposed Final Site Plan Amendment architecture, landscaping, site design and parking layout are compatible with facilities existing on the site; and
7. The proposed Final Site Plan Amendment can accommodate the proposed change in the number of employees on the site and/or the proposed change in impact on surrounding infrastructure

DISCUSSION – FIRST REVIEW OF DRAFT CODE CONCEPTS FOR DETACHED ACCESSORY DWELLING UNITS (DADU) TO BE LOCATED IN CHAPTER 12 OF CENTERVILLE ZONING CODE

Community Development Director Mike Eggett introduced the Planning Commission's first review of draft zoning code amendments for detached accessory dwelling units (DADUs), explaining that recent State legislation requires all municipalities to adopt compliant ordinances by October 1, 2026. To meet that deadline, the Planning Commission would need to complete its review over the next two to three meetings before forwarding a recommendation to the City Council. Commissioners received State Code provisions governing DADUs, definitions related to accessory dwelling units, and a comparison of ordinances from six Utah communities. Mr. Eggett

1 explained that the draft was modeled primarily after Millcreek City's ordinance, supplemented by
2 provisions from Centerville's existing internal ADU regulations.
3

4 Mr. Eggett outlined several key policy decisions the Commission will need to make,
5 including establishing a minimum lot size for DADUs, parking requirements, setback standards,
6 building height limits, and whether to allow units above detached garages. He noted that while
7 State law establishes certain minimum requirements, such as allowing DADUs on lots of at least
8 11,000 square feet and limiting parking requirements for smaller units, the City retains discretion
9 in several areas. Additional discussion topics included prohibiting short-term rentals, requiring
10 separate water and sewer connections, protecting neighboring properties through drainage and
11 window placement standards, and ensuring compatibility with surrounding homes through design
12 requirements. He also noted that State law requires cities to allow the conversion of existing
13 accessory buildings into DADUs, creating unique considerations for setback regulations.
14

15 Mr. Eggett emphasized that the meeting was intended as an initial policy discussion rather
16 than a formal review of ordinance language. He encouraged Commissioners to study the draft
17 over the following two weeks, research approaches taken by other communities, and submit any
18 additional ordinance examples or recommendations for distribution prior to the next meeting. Staff
19 intends to refine the draft based on Commission feedback, hold the required public hearing, and
20 advance a recommendation to the City Council in time to comply with the state's October 1
21 implementation deadline.
22

23 **DISCUSSION – FIRST REVIEW OF DRAFT CODE CONCEPTS FOR BOUNDARY LINE**
24 **ADJUSTMENTS PROCESSING IN REPLACEMENT OF EXCHANGE OF TITLE CODES, AS**
25 **FOUND IN CMC 15.09.140**
26

27 Ms. DeWees presented an initial review of draft code amendments replacing the City's
28 existing Exchange of Title provisions with updated Boundary Line Adjustment (BLA) and
29 Boundary Line Establishment (BLE) processes to align with State law changes that took effect in
30 November 2025. Staff has already processed several applications under the new State
31 requirements and explained that, unlike the DADU ordinance, these amendments are largely
32 dictated by State law. Staff recommended including all three State-recognized processes in the
33 ordinance: Boundary Line Adjustment Simple, Boundary Line Adjustment Full, and Boundary Line
34 Establishment.
35

36 Staff explained that a Simple Boundary Line Adjustment applies when neighboring
37 property owners agree to modify a shared boundary without affecting easements, rights-of-way,
38 or creating new parcels, while a Full Boundary Line Adjustment is required when public utility
39 easements or existing nonconforming structures are involved and may require a formal plat
40 approved by multiple city officials. A Boundary Line Establishment is intended for situations where
41 a property boundary is uncertain or disputed, allowing the Zoning Administrator to approve and
42 record a conveyance document without a formal plat when both property owners agree. Mr.
43 Eggett noted that conveyance documents would serve as the recorded instrument for applicable
44 adjustments and establishments. Commissioners were asked to review the draft and provide
45 feedback before the ordinance returns for refinement, a public hearing, and a recommendation to
46 the City Council.
47

48 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
49

50 Mr. Eggett reported that site improvements planning has begun for the Wright
51 Development Group subdivision, which includes the future QuikTrip site, with subdivision
52 infrastructure planned to start construction following a pre-construction meeting. The QuikTrip
53 building permit remains under staff review pending resolution of UDOT-related issues, and the

1 building permit for the proposed Carl's Jr. to Jack in the Box building conversion is complete and
2 ready for pickup by the applicant.

3
4 Mr. Eggett also encouraged Commissioners to listen to the July 7, 2026, City Council work
5 session on the I-15 widening project, with construction expected to begin in 2027. As part of the
6 project, UDOT has agreed to construct a 12-foot shared-use pathway along the Frontage Road
7 from Chase Lane north through Farmington, advancing the South Davis Greenway effort.

8
9 Mr. Eggett also reported that staff is finalizing a proposed sidewalk map for the City's
10 historic district, identifying areas where future sidewalk improvements would and would not be
11 expected, with the map scheduled for Development Review Committee consideration before
12 being presented to the City Council in an upcoming work session.

13
14 **MINUTES REVIEW AND APPROVAL**

15
16 Minutes of the June 10, 2026, Planning Commission meeting were reviewed.
17 Commissioner Jenkins **moved** to approve the minutes. Commissioner Woodward seconded the
18 motion, which passed unanimously (5-0).

19
20 **ADJOURNMENT**

21
22 At 7:59 p.m., Commissioner Jorgensen **moved** to adjourn the meeting. Commissioner
23 Mendenhall seconded the motion, which passed unanimously (5-0).

24
25
26
27 _____
Jennifer Robison, City Recorder

Date Approved