

ORDINANCE #18-2025

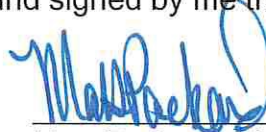
SHORT TITLE: AN ORDINANCE AMENDING TITLE 11, CHAPTER 6, ARTICLE 134, ACCESSORY DWELLING UNITS, TO ALLOW INTERNAL ACCESSORY DWELLING UNITS IN SINGLE-FAMILY ATTACHED DWELLINGS.

PASSAGE BY THE SPRINGVILLE CITY COUNCIL  
ROLL CALL

NAME	MOTION	SECOND	FOR	AGAINST	OTHER
Craig Jensen			✓		
Logan Millsap		✓	✓		
Jake Smith	✓		✓		
Mike Snelson			✓		
Mindi Wright			✓		
	TOTALS		5	—	—

This ordinance was passed by the City Council of Springville, Utah, on a roll call vote as described above on September 02, 2025.

Approved and signed by me this 02<sup>nd</sup> day of September 2025



\_\_\_\_\_  
Matt Packard, Mayor

CITY RECORDER'S CERTIFICATE AND ATTESTATION

This ordinance was recorded in the office of the Springville City Recorder on the 02<sup>nd</sup> day of September 2025, with a summary being posted to the Utah Public Notice Website, and according to UCA 10-3-711. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance 18-2025.



Signed this 02<sup>nd</sup> day of September 2025



\_\_\_\_\_  
Kim Crane, City Recorder

ORDINANCE #18-2025

AN ORDINANCE AMENDING TITLE 11, CHAPTER 6, ARTICLE 134, ACCESSORY DWELLING UNITS, TO ALLOW INTERNAL ACCESSORY DWELLING UNITS IN SINGLE-FAMILY ATTACHED DWELLINGS.

Be it ordained by the City Council of Springville, Utah:

WHEREAS, Springville City Development Code governs land use within Springville City in fulfillment of the recommendations of the General Plan, as well as the future vision of the City as established by the Mayor and City Council; and

WHEREAS, Springville City may, from time to time, examine the regulatory provisions of the zones within the Code and amend such provisions; and

WHEREAS, the City has allowed internal accessory dwelling units in single-family detached homes in all residentially zoned areas of the city; and

WHEREAS, the City has adopted the Moderate-Income Housing Plan that includes the strategy of reducing regulations related to internal accessory dwelling in residential zones;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Springville, Utah:

**SECTION 1: SECTION ADOPTED.** Section 11-6-134 Accessory Dwelling Units of Springville City Code is hereby amended to read as shown in Exhibit A


**SECTION 2: EFFECTIVE DATE.** This Ordinance shall take effect upon publication or posting as required by law.

**PASSED, ADOPTED, AND ORDERED POSTED** by the City Council of Springville, Utah, this 2<sup>nd</sup> day of September, 2025.



ATTEST:

  
\_\_\_\_\_  
Kim Crane, City Recorder

  
\_\_\_\_\_  
Matt Packard, Mayor

## EXHIBIT A

### 11-6-134 Accessory Dwelling Units.

- (1) Purpose Statement. The purposes of this Section are to:
  - (a) Create new housing units to meet increased growth while maintaining the residential character of single-family neighborhoods;
  - (b) Provide more housing choices in residential zones;
  - (c) Allow more efficient use of existing single-family dwellings and public infrastructure;
  - (d) Offer a means for residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services; and
  - (e) Broaden the range of affordable housing throughout the City.
- (2) Owner Occupant. For the purposes of this title, “owner occupant” shall mean the following:
  - (a) An individual who:
    - (i) Possesses, as shown by a recorded deed, fifty percent (50%) or more ownership in a dwelling unit; and
    - (ii) Occupies the dwelling unit with a bona fide intent to make it his or her primary residence; or
  - (b) An individual who:
    - (i) Is a trustor of a family trust that:
      - (A) Possesses fee title ownership to a dwelling unit;
      - (B) Was created for estate planning purposes by one (1) or more trustors of the trust; and
      - (C) Occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor’s temporary absence.
- (3) Applicability. Accessory dwelling units shall be permitted as specified in the “Land Use Matrix” found in Section 11-4-301.
- (4) Types of Accessory Dwelling Units. An ADU may be one (1) of the following:
  - (a) Within Single-Family Detached Dwelling. A property owner may:
    - (i) Convert a portion of the existing living area within a single-family dwelling into an ADU;
    - (ii) Construct an addition onto a single-family dwelling for an ADU; or
    - (iii) Include an ADU as part of new construction of a single-family dwelling; or
  - (b) Within a Single-Family Attached Dwelling. A property owner may:
    - (i) Convert a portion of the existing living area within a single-family attached dwelling into an ADU
    - (ii) Include an ADU as part of a new construction of a single-family attached dwelling; or

(b)(c) Detached Accessory Building. A property owner may:

- (i) Convert a portion of an area within an existing detached accessory building into an ADU;
- (ii) Construct an addition onto an existing accessory building for an ADU; or
- (iii) Include an ADU as part of a newly constructed accessory building.

(e)(d) Recreational vehicles and mobile homes shall not be used as an ADU. All ADUs in detached accessory buildings shall be on a foundation that meets the building code requirements.

(5) Standards. Accessory dwelling units shall conform to the following requirements:

(a) General Requirements Applicable to All Accessory Dwelling Units.

(i) Single-Family Dwelling. Accessory dwelling units shall only be allowed on lots that have only one (1) single-family detached or attached dwelling structure and no other dwelling structures.

(ii) Thirty (30) Day Rental. Accessory dwelling units shall not be rented for any period of time less than thirty (30) days.

(iii) One (1) per Lot. Only one (1) ADU shall be allowed on a lot that contains a single-family dwelling. A property owner's vesting in a detached ADU shall end should the property owner apply for and/or start using an ADU within the property owner's single-family detached dwelling. Likewise, a property owner who currently has an ADU within their single-family detached or attached dwelling cannot also start to make use of an ADU in a detached accessory building without first discontinuing the usage of the ADU within their single-family detached dwelling.

(iv) Density. Accessory dwelling units shall not be considered a dwelling for calculating block density standards or as part of density bonus calculations under an overlay that allows for density bonuses.

(v) Ownership. An ADU shall not be sold separately or subdivided from the principal single-family dwelling unit.

(vi) Owner Occupancy. An ADU shall only be permitted on a property when an owner occupant lives on the property within either the principal single-family dwelling or the ADU. Exceptions to owner occupancy may be permitted if the property owner has resided on the property for at least one (1) year and applies to have the occupancy requirement suspended if any of the following reasons exists:

(A) The owner has a bona fide, temporary absence of three (3) years or less for activities such as a temporary job assignment, sabbatical, or voluntary service. Indefinite periods of absence from the dwelling may not qualify for this suspension. City staff may require written documentation verifying the need for the suspension.

(B) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

(vii) Number of Residents. The total number of residents that reside in an ADU may not exceed the number allowed for a "family" as defined under Section 11-3-402.

(viii) Home Occupation Businesses. Home occupation businesses shall be restricted to a home office use which creates no customer traffic.

(ix) Separate Living Areas. An accessory dwelling unit must provide eating, sleeping and sanitation facilities separate from the principal dwelling unit.

(x) Registration. An ADU must be registered with the Community Development Department and receive a zoning certificate as required by this Section.

(xi) **Building Codes.** An ADU shall meet all of the requirements of local, State and Federal building and fire codes.

(xii) **Utility Meters.** A single-family dwelling with an accessory dwelling shall have one (1) but no more than two (2) meters for each water, gas, and electricity utility service, and each meter shall be in the property owner's name. Impact fees may be required when adding a detached accessory dwelling unit.

(b) **Additional Requirements – Single-Family Dwelling.** Accessory dwelling units located within a single-family dwelling shall comply with the following standards:

(i) **Land Use Regulations.** Any addition to the single-family dwelling for an ADU shall comply with the building height, yard requirements, and building coverage requirements of the underlying zoning ordinance and other applicable land use regulations.

(ii) **Entrance Locations.** Entrances to an ADU that is located within a single-family dwelling shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.

(iii) **Parking.** A property owner shall provide at least one (1) additional on-site parking space for an ADU, which parking space shall be in addition to the required number of parking spaces for the single-family dwelling. The parking space for the ADU shall be at least nine feet (9') by eighteen feet (18'). Tandem parking spaces may be used to satisfy this requirement.

(c) **Additional Requirements – Detached Accessory Building.** An accessory dwelling unit located in a detached accessory building or as an addition to an existing accessory building shall comply with the following standards:

(i) **Setbacks.** Accessory dwelling units located in a detached accessory building shall comply with all applicable setbacks for accessory use structures found in Sections 11-4-405 and 11-4-406.

(ii) **Height.** An accessory building with an ADU located within it shall be limited in height to twenty feet (20').

(iii) All "residential site development regulations" applicable to accessory use structures found in Article 4 of this Chapter, any other applicable sections of this Code, and any other zoning or land use regulations for the underlying zoning district or any applicable overlay zoning district.

(iv) **Size Requirements.** The maximum area of an ADU within a detached accessory building shall be the maximum square footage allowed for an accessory building under the City's land use regulations.

(v) **Entrance Locations.** The entrance to an ADU unit in a detached accessory building shall be located:

(A) Facing an alley, public street or facing the rear facade of the single-family dwelling on the same property;

(B) Facing a side or rear property line provided the entrance is located a minimum of ten feet (10') from the side or rear property line;

(C) Exterior stairs leading to an entrance shall be located a minimum of ten feet (10') from a side or rear property line unless the applicable side or rear property line is adjacent to an alley in which case the minimum setback for the accessory building applies to the stairs.

(vi) **Parking.**

(A) In the R1-10 and R1-15 zones, a property shall provide a minimum of two (2) additional on-site parking spaces for an ADU, which two (2) parking spaces are in addition to the required number of parking spaces for the single-family dwelling. Each parking space for the ADU shall be at least nine feet (9') by eighteen feet (18') in area. Tandem parking spaces may be used to satisfy this requirement.

(B) In all other zones, a property owner shall provide at least one (1) additional on-site parking space for an ADU, which parking space shall be in addition to the required to number of required parking spaces for the single-family dwelling. The parking space for the ADU shall be at least nine feet (9') by eighteen feet (18'). Tandem parking spaces may be used to satisfy this requirement.

(vii) Floodplain. Accessory dwelling units located in a detached accessory building are prohibited within a floodplain.

(6) ADU Zoning Certificate. Property owners seeking to establish an ADU shall first apply for a zoning certificate for the ADU by filling out an application with the Community Development Department and paying any required fees. In the event that the ADU meets all of the requirements of this Section, the Community Development Department will provide the property owner with a zoning certificate for the ADU.

(7) Building Permit. A property owner shall apply for and meet all requirements to obtain a building permit for the proposed ADU, regardless of method of creation.

(8) Certificate of Occupancy. A property owner must obtain certificate of occupancy for an ADU. A certificate of occupancy shall not be issued until a zoning certificate is issued. A zoning certificate may be issued at the same time as the certificate of occupancy.

(9) Proof of Owner Occupancy. An application for an ADU shall include documentation that demonstrates an owner occupant resides on the property.

(10) Recorded Notice. A lot approved to have an ADU shall have a recorded notice, the form of which shall be approved by the City Attorney, and shall be filed with the Utah County Recorder's Office. The form shall state that the owner occupant must occupy the property as required within this Section. Such deed restriction shall run with the land until the ADU is abandoned or revoked.

(11) Abandonment. If a property owner is unable or unwilling to fulfill the requirements of this Section, the owner shall remove those features of the ADU that make it a dwelling unit. Failure to do so will constitute a violation of this Section.

(Ord. No. 17-2020 § 6, 08/04/2020; Ord. No. 22-2021 § 1, 08/17/2021)