

**GRANTSVILLE
ORDINANCE 2024-41**

**AN ORDINANCE AMENDING CHAPTER 25 OF THE GRANTSVILLE CITY
LAND USE AND MANAGEMENT CODE RELATED TO ACCESSORY
DWELLING UNITS**

WHEREAS, the Grantsville City Council recognizes the need to amend the Land Use and Management Code to address updates and clarify provisions for Accessory Dwelling Units (ADUs); and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on November 21, 2024, to gather public input regarding the proposed amendments to Chapter 25; and

WHEREAS, the Planning Commission reviewed the proposed amendments and recommended approval to the City Council on December 19, 2024; and

WHEREAS, the City Council has reviewed and considered the recommendations of the Planning Commission, staff analysis, and public comments regarding the proposed amendments;

NOW THEREFORE, be it ordained by the Council of the Grantsville, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “25.2.10 Home Occupation” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.10 Home Occupation

AFTER AMENDMENT

25.2.~~10~~11 Home Occupation

SECTION 2: **AMENDMENT** “25.2.12 Prohibited Acts” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.12 Prohibited Acts

AFTER AMENDMENT

25.2.~~12~~13 Prohibited Acts

SECTION 3: AMENDMENT “25.2.13 Violation - Notice - Civil Penalties” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.13 Violation - Notice - Civil Penalties

AFTER AMENDMENT

25.2.~~13~~14 Violation - Notice - Civil Penalties

SECTION 4: AMENDMENT “25.1.1 Purposes” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.1.1 Purposes

Accessory Dwelling Units or ADUs are intended to provide affordable housing and accommodate expanding populations due to changes in household size and the variety of stages in the life cycle. This Chapter governs the development and use of internal ADUs. Attached and detached ADUs are not permitted in Grantsville City.

AFTER AMENDMENT

25.1.1 Purposes

Accessory Dwelling Units or ADUs are intended to provide affordable housing and accommodate expanding populations due to changes in household member size and residents in different stages of life. ~~the variety of stages in the life cycle~~. This Chapter governs the development and use of ~~internal~~ ADUs. ~~Attached and detached ADUs are not permitted in Grantsville City.~~

SECTION 5: ADOPTION “25.1.2 Definitions Of Words And Terms” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

25.1.2 Definitions Of Words And Terms (Non-existent)

AFTER ADOPTION

25.1.2 Definitions Of Words And Terms(*Added*)

ACCESSORY DWELLING UNIT (ADU): A Detached Accessory Dwelling unit (DADU) or an Internal Accessory Dwelling Unit (IADU) both as defined herein.

ACCESSORY DWELLING UNIT, DETACHED (DADU): A detached dwelling unit consisting of all or any part of a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling which is architecturally compatible to the neighborhood and single-family dwelling and located on the same lot.

ACCESSORY DWELLING UNIT, INTERNAL (IADU): An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood.

SECTION 6: AMENDMENT “25.1.2 General ADU Provisions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.1.2 General ADU Provisions

1. No ADU shall be permitted or constructed except as an accessory dwelling to a habitable primary dwelling.
2. One ADU allowed per detached single-family lot.

AFTER AMENDMENT

25.1.~~2~~²³ General ADU Provisions

1. ~~No~~ An ADU shall be permitted and ~~or~~ constructed ~~except~~ as an accessory dwelling to a habitable primary dwelling.
2. No more than one ADU will be permitted on a single-family lot.
3. ~~One ADU allowed per detached single-family lot.~~

SECTION 7: AMENDMENT “25.2.1 Internal ADU Provisions” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.1 Internal ADU Provisions (Non-existent)

AFTER AMENDMENT

25.2.1 Internal ADU Provisions

1. The entrances to ~~internal~~ ADUs shall be to the side or rear of the primary dwelling or ADU.
2. Front access or entry into an IADU shall be reviewed by the Planning and Zoning Administrator.
3. All residences with an IADU shall only have one front door visible from the street.
4. ADU height shall be limited by both the regulations of the base zoning district and by the height of the primary dwelling unit and shall be the lesser height of the two.

SECTION 8: AMENDMENT “25.2.3 Types Of ADUs And Their Permitted Uses” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.3 Types Of ADUs And Their Permitted Uses

1. ADUs shall be a permitted use in all single-family residential zoning districts, namely R1-8, R1-12, R-1-21, RR-1, RR-2.5, RR-5, A-10, CN, CS, CD, Planned United Development (PUD), and MU.
2. ADUs shall be permitted in multi-family zoning districts, namely RM-7 and RM-15, only on single family lots.
3. Internal ADUs are not permitted on single family lots with an area less than 6,000 square feet.
4. Internal ADUs are not permitted in mobile homes.

AFTER AMENDMENT

25.2.3 Types Of ADUs And Their Permitted Uses

1. ADUs shall be a permitted use in all single-family residential zoning districts, namely R1- 8, R1-12, R-1-21, RR-1, RR-2.5, RR-5, A-10, CN, CS, and CD., Planned United Development (PUD), and MU. 2. ADUs shall be permitted in multi-family zoning districts, namely RM-7 and RM-15, only on single family lots. 3. Internal ADUs are not permitted on single family lots with an area less than 6,000 square feet. 4. Internal ADUs are not permitted in mobile homes. 5. DADUs are not permitted in developments in which code exceptions or deviations have been granted.

1. ~~ADUs shall be a permitted use in all single-family residential zoning districts, namely R1-8, R1-12, R-1-21, RR-1, RR-2.5, RR-5, A-10, CN, CS, CD, Planned United Development (PUD), and MU. ADUs shall be permitted in multi-family zoning districts, namely RM-7 and RM-15, only on single family lots. Internal ADUs are not permitted on single family lots with an area less than 6,000 square feet. Internal ADUs~~

~~are not permitted in mobile homes~~

SECTION 9: AMENDMENT “25.2.4 Building Allowances” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.4 Building Allowances

1. The installation and/or construction of an ADU shall require the application for and issuance of a building permit.
2. An ADU building permit application shall include a scaled site plan. The site plan must indicate the locations and dimensions of property lines and existing buildings, building entrances, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered.
3. An ADU building permit shall clearly identify that it is for an internal ADU. Unless otherwise required by applicable building or fire codes, an internal ADU shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the ADU portion of the primary dwelling. ADUs must comply with all uniform building and fire codes applicable to dwellings in Grantsville City.

AFTER AMENDMENT

25.2.4 ~~Building Allowances~~ Accessory Dwelling Units

Purpose: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are: 1. Minimal Impacts: To accommodate such housing in residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, proximity to neighboring dwelling units, and compatible scale and appearance of residential buildings.

2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for ADUs and procedures for review and approval of the same.

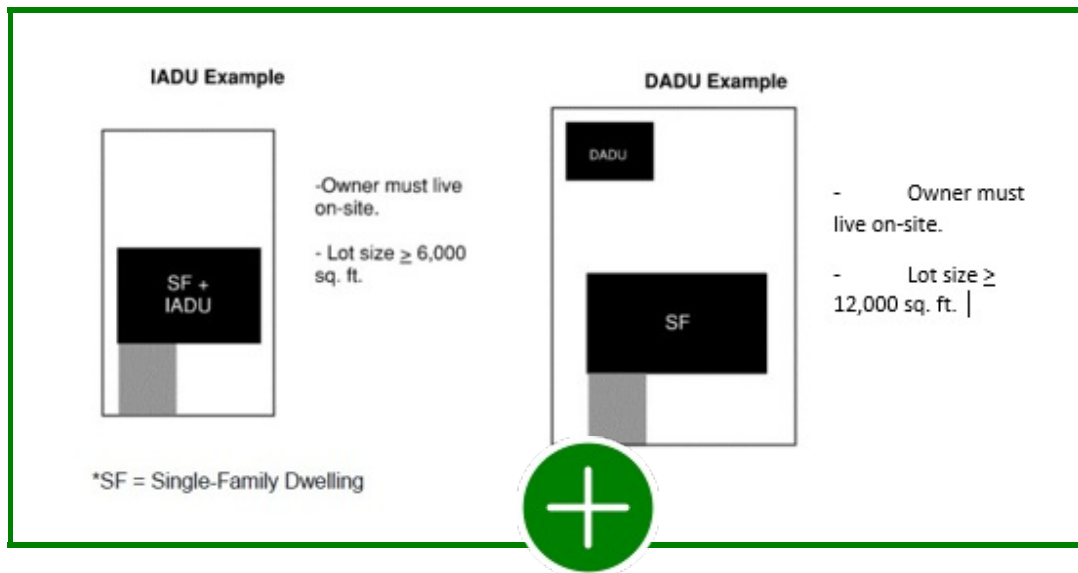
a. Applications. Applications for a DADU shall be submitted and reviewed by the Planning Department as outlined in title 25.2.12. b. Allowed Use: ADUs may be an allowed use as designated by the underlying zone(s) found in title 25.2.3. c. Standards: The following standards and conditions shall apply to all Detached Accessory Dwelling Units (DADUs) as specified, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use, conditional use permit, or

subdivision process:

4. Location: An ADU shall only be allowed as part of, or in conjunction with, a single-family dwelling, and DADUs shall meet the height and building footprint area standards of the underlying zone for accessory buildings. 5. Number: A maximum of one ADU may be allowed per single-family dwelling. 6. Design And Character: The ADU or IADU shall be clearly incidental to the single-family dwelling, and shall not adversely affect the residential character of the surrounding neighborhood. An ADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence. 7. Size: DADU shall be equal to or subordinate to the footprint of the original Single-family dwelling. An IADU shall be equal to or subordinate to the floor area of the original singlefamily dwelling. a. No basements will be permitted within a DADU. b. No more than 3 bedrooms will be permitted within a DADU.

8. Lot Size: a. The creation of an IADU is prohibited if the lot size\containing the primary dwelling is less than six thousand (6,000) square feet in size. b. The creation of a DADU is prohibited if the lot containing the primary dwelling is less than twelve thousand (12,000) square feet in size.

9 Setbacks a. 10' foot separation between buildings b. Side yard setbacks: 7.5/15* feet c. Rear yard setbacks: 10 feet



10. Construction Codes: The ADU shall comply with all Construction, Housing and Building Codes in effect at the time the ADU is constructed and shall comply with all procedures and requirements of the City building regulations. 11. Foundation: The ADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the City.

12. Occupants: The ADU shall be occupied exclusively by one family. a. See Grantsville definition of a family. 13. Temporary Absentee Ownership: a. Temporary absentee property

ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasipublic service. b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein. c. The Zoning Administrator may extend the twelve (12) month temporary absentee owner period when the property owner can provide sufficient evidence that the circumstances justifying the exception will last longer than one year. The Zoning Administrator may not authorize a temporary absentee ownership unless the application includes a definite termination date of the temporary absence. d. An unrelated third party is any person who is not related to the primary owner of a dwelling within 3 degrees of consanguinity. e. This subsection does not prohibit the occupation of a primary dwelling or ADU by a related party, or a domestic partner of the property owner, during a period of the property owner's absence.

15. Notice Of ADU: Grantsville City will record a notice in the office of the Tooele County Recorder on the lot in which the ADU is located. The notice shall include: a. A statement that the lot contains an ADU including the type and address; and b. A statement that the ADU may only be used in accordance with the City's regulations. The City shall, upon recording the notice deliver a copy of the notice to the owner of the ADU.

16. Site Development: Upon consideration of approval of a permitted use, or a conditional use permit for an ADU, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.

~~The installation and/or construction of an ADU shall require the application for and issuance of a building permit. An ADU building permit application shall include a sealed site plan. The site plan must indicate the locations and dimensions of property lines and existing buildings, building entrances, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered. An ADU building permit shall clearly identify that it is for an internal ADU. Unless otherwise required by applicable building or fire codes, an internal ADU shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the ADU portion of the primary dwelling. ADUs must comply with all uniform building and fire codes applicable to dwellings in Grantsville City.~~

SECTION 10: **ADOPTION** “25.2.5 Building Allowances” of the Grantsville Land Use Ordinances is hereby *added* as follows:

BEFORE ADOPTION

25.2.5 Building Allowances (Non-existent)

AFTER ADOPTION

25.2.5 Building Allowances(*Added*)

1. The installation and/or construction of an ADU shall require the application for and issuance of a building permit. 2. An ADU building permit application shall include a scaled site plan. The site plan must indicate the locations and dimensions of property lines and existing buildings, building entrances, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered. 3. An ADU building permit shall clearly identify that it is for an internal ADU. Unless otherwise required by applicable building or fire codes, an internal ADU shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the ADU portion of the primary dwelling. ADUs shall comply with all state adopted building and fire codes applicable to dwellings in Grantsville City. 4. A DADU building permit shall clearly identify that it is for a detached ADU. A detached ADU shall comply with all state adopted building and fire codes applicable to dwellings in Grantsville City.

SECTION 11: AMENDMENT “25.2.5 Utilities” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.5 Utilities

Internal ADUs are required to share utility meters, accounts, as well as water and sewer laterals with the primary dwelling.

AFTER AMENDMENT

25.2.~~5~~6 Utilities

Internal ADUs are required to share utility meters, accounts, as well as water and sewer laterals with the primary dwelling.

DADUs are required to have separate utility meters, accounts, as well as water and sewer laterals to the dwelling

SECTION 12: AMENDMENT “25.2.7 Addressing” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.7 Addressing

An internal ADU shall be provided with a unique address to differentiate it from the primary dwelling.

AFTER AMENDMENT

25.2.~~7~~⁸ Addressing

An internal ADU and DADU shall be provided with a unique address to differentiate it from the primary dwelling.

SECTION 13: AMENDMENT “25.2.8 Impact Fees” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.8 Impact Fees

Internal ADUs shall not be required to pay impact fees.

AFTER AMENDMENT

25.2.~~8~~⁹ Impact Fees

Internal ADUs shall not be required to pay impact fees.

DADUs will be subject to pay impact fees.

SECTION 14: AMENDMENT “25.2.9 Business License” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.9 Business License

The owner of an ADU shall be required to obtain a city business license to advertise for rent and/or rent the ADU.

AFTER AMENDMENT

25.2.~~9~~¹⁰ Business License

The owner of an ADU shall be required to obtain a city business license to collect rental fees, advertise for rent and/or rent the ADU.

SECTION 15: AMENDMENT “25.2.11 Application Process” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.11 Application Process

1. Internal ADUs shall be permitted throughout the site plan process.
2. After a complete application has been accepted by the City, the application will be distributed to members of the Development Review Committee (DRC) for review and comment. A Development Review Conference will be held with the applicant and members of the DRC within 21 days of submission of the applicaiton.
3. After the Development Review Conference, the applicant shall provide any additional information requested and make any changes required by the DRC. After any revised drawing are submitted by the applicant tot he City, the DRC will then review the revised drawings. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional changes are needed, the comments will be sent back tot he developer and another Development Review Conference may be scheduled. All revised drawing submittals require a 14-day review by the DRC. Only a complete application, with the approval of the DRC, will move forward for consideration to the Planning Commission.

AFTER AMENDMENT

25.2.~~11~~12 Application Process

1. Internal ADUs shall be permitted throughout the site plan process.
2. Application Process for Established Residential Areas. a. After a complete DADU application has been accepted by the City, the application will be distributed to members of the Development Review Committee (DRC) for review and comment. The DRC shall follow the application review process as outlined in chapter 21 of the GLUMDC. b. The applicant shall provide any additional information requested and make any changes required by the DRC. After any revised drawing are submitted by the applicant to the City, the DRC will then review the revised drawings. Within 15 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional changes are needed, the comments will be sent back to the developer. All revised drawing submittals require a 15-day review by the DRC. Only

a complete application, with the approval of the DRC, will move forward for consideration to the Planning Commission.

3. 3. Application Process for New Residential Subdivisions That Include DADU's. a. When submitting an application, the developer shall notify the City that they intend to implement DADU's in their subdivision. b. The developer shall submit a conceptual layout of the subdivision including the DADU's as outline in chapter 11 of the GLUMDC. c. Subdivision applications that include DADU's will need to go through

a public hearing and a consideration from Planning Commission and approval from City Council to implement DADU's prior to the City accepting a preliminary subdivision application.

~~After the Development Review Conference, the applicant shall provide any additional information requested and make any changes required by the DRC. After any revised drawing are submitted by the applicant to the City, the DRC will then review the revised drawings. Within 14 days of the second submittal, the DRC will meet to discuss and verify that all changes were made. If additional changes are needed, the comments will be sent back to the developer and another Development Review Conference may be scheduled. All revised drawing submittals require a 14-day review by the DRC. Only a complete application, with the approval of the DRC, will move forward for consideration to the Planning Commission.~~

SECTION 16: AMENDMENT “25.2.14 Appeals” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.14 Appeals

1. The applicant who has submitted an application to the City under this Chapter may appeal any decision made by the Planning and Zoning Administrator or Planning Commission regarding an ADU to the Grantsville City Board of Adjustment. Any decision issued by the Board of Adjustment shall be final.
2. Any appeal shall be presented to the Grantsville City Recorder in writing within 30 days after the entry of the decision appealed from. The City shall schedule a Board of Adjustment hearing to consider the appeal within 60 days of receipt of the written appeal.

AFTER AMENDMENT

25.2.~~14~~15 Appeals

1. The applicant who has submitted an application to the City under this Chapter may appeal any decision made by the ~~Planning and~~ Zoning Administrator or Planning

Commission regarding an ADU to the Grantsville City Board of Adjustment. Any decision issued by the Board of Adjustment shall be final.

2. Any appeal shall be presented to the Grantsville City Recorder in writing within 30 days after the entry of the decision appealed from. The City shall schedule a Board of Adjustment hearing to consider the appeal within 60 days of receipt of the written appeal.

SECTION 17: AMENDMENT “25.2.6 Parking” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.6 Parking

1. An ADU shall provide one additional on-site parking stall per ADU. No ADU parking space may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway.
2. If parking within a garage is displaced due to the construction of an internal ADU, the equivalent number of parking stalls must be replaced on site.

AFTER AMENDMENT

25.2.~~6~~7 Parking

1. An ADU shall provide one additional on-site parking stall per ADU. No ADU parking space may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway.
2. If parking within a garage is displaced due to the construction of an internal ADU, the equivalent number of parking stalls must be replaced on site.
3. The Zoning Administrator shall review all ADU site plans to determine the required number of parking stalls required for the ADU.

SECTION 18: AMENDMENT “25.2.2 Owner-Occupied Requirement” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

25.2.2 Owner-Occupied Requirement

Either the primary dwelling or the ADU must be occupied by the primary dwelling owner of record.

AFTER AMENDMENT

25.2.2 Owner-Occupied Requirement

Either the primary dwelling or the ADU must be occupied by the primary dwelling owner of record as defined in Chapter 2 of the Grantsville Land Use and Management Code:

SECTION 19: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 20: EFFECTIVE DATE This Ordinance shall take effect immediately upon its passage and approval as provided by law.

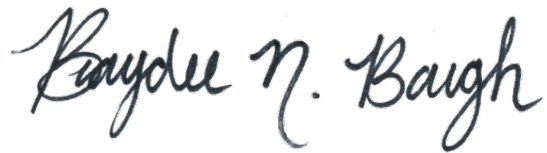
PASSED AND ADOPTED BY THE GRANTSVILLE COUNCIL JANUARY 07, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Hammond	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jolene Jenkins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jeff Williams	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Rhett Butler	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Neil Critchlow, Mayor, Grantsville



Braydee Baugh, City Recorder,
Grantsville

