

**CENTERVILLE CITY
ORDINANCE NO. 2026-20**

**AN ORDINANCE ENACTING CHAPTER 12.58 OF THE CENTERVILLE
ZONING CODE REGARDING DETACHED ACCESSORY DWELLING
UNITS AND AMENDING SECTION 12.36.020 REGARDING THE TABLE
OF USES FOR RESIDENTIAL USES TO ADD DETACHED ACCESSORY
DWELLING UNITS**

WHEREAS, the Utah Legislature recently adopted S.B. 284 regarding Local Land and Water Modifications, requiring Utah municipalities to establish City land use regulations for the allowance of detached accessory dwelling units (DADUs) on lots or parcels that are 11,000 square feet or greater, as more particularly set forth in Utah Code § 10-21-101 and 10-21-304; and

WHEREAS, S.B. 284 requires Utah municipalities to adopt such land use regulations for the allowance of DADUs by October 1, 2026; and

WHEREAS, the proposed amendments to the Zoning Code set forth herein are intended to comply with the provisions and requirements of S.B. 284 to allow DADUs on certain lots or parcels within the City and providing additional regulations and requirements regarding DADUs as allowed by law; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Enactment. Chapter 12.58 of the Centerville Zoning Code regarding Detached Accessory Dwelling Units (DADUs) is hereby enacted to read in its entirety as set forth in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 2. Amendment. Section 12.36.020 of the Centerville Zoning Code regarding the Table of Uses for Residential Uses is hereby amended as set forth in **Exhibit B**, attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

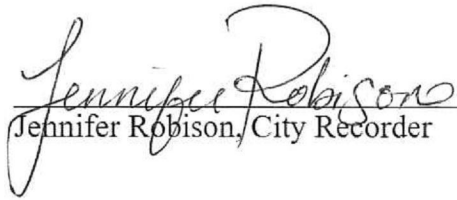
Section 4. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

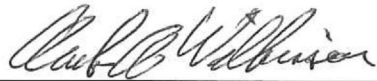
Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 15th DAY OF SEPTEMBER, 2026.**

ATTEST:

CENTERVILLE CITY


Jennifer Robison, City Recorder

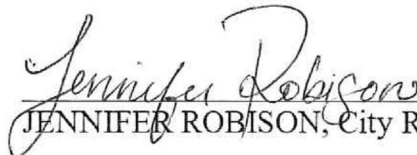
By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	Aye	Nay	Absent	Abstain
Councilmember Bangerter	_____	<u>X</u>	_____	_____
Councilmember Hayman	<u>X</u>	_____	_____	_____
Councilmember Hirst	<u>X</u>	_____	_____	_____
Councilmember Mecham	_____	<u>X</u>	_____	_____
Councilmember Plummer	<u>X</u>	_____	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the Utah Code § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing Ordinance was duly passed by the City Council and published or posted as required by law.


JENNIFER ROBISON, City Recorder

DATE: 9/22/2026

RECORDED this 22nd day of Sept, 2026.

PUBLISHED OR POSTED this 22nd of Sept, 2026.



EXHIBIT A

Centerville Zoning Code – Chapter 12.58 (Detached Accessory Dwelling Units)

Proposed Draft Detached Accessory Dwelling Unit

Language to include in Title 12 (CZC) – Amended

Council Approved Final – 9/16/2026

CZC 12.58 Detached Accessory Dwelling Units

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 General Development Standards

12.58.070 Development Standards For Detached Accessory Dwelling Units

12.58.080 Limitations, Termination, And Exemptions

12.58.090 Existing Buildings and Detached ADU Conversion

12.58.100 Occupancy Requirements, Licenses, And Owner Affidavits

12.58.110 Other Applicable Regulations and Codes

12.58.120 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 within the City. These regulations are intended to provide opportunity for separate secondary 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. A detached accessory dwelling unit means an accessory dwelling unit that is not attached to or located within a primary detached single-family dwelling and is located on the same lot or parcel as the primary detached 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.
- (c) Accessory Dwelling Unit. An 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.

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 with 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 12.58.100.
 - 3. Number allowed. Only one Detached ADU is allowed for:
 - a. A lot, parcel, or tract of land 8500 square feet or greater; 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).
- (c) A maximum of one (1) Detached ADU and one (1) Internal ADU shall be permitted on a qualifying owner-occupied single-family dwelling use lot. Where both an Internal ADU and a Detached ADU are established on the same property, the parking area required for each established accessory dwelling unit shall be provided in addition to the parking that is required for the primary single-family dwelling.

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.”

12.58.060 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 8,500 square feet or more for the placement of an accessory building 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.
- (c) 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.
- (d) A Detached ADU may have separate meters connection 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.
- (e) Interior Lot (Not a Corner Lot). The minimum setback for a Detached ADU shall be eight (8') feet from all rear yard property lines for an interior lot (not a corner lot). A Detached ADU shall otherwise comply with the regulations of the underlying zone

for accessory buildings, this includes compliance with location, height, and development standards for accessory building development within the underlying zone. Further no second story development of accessory buildings for Detached ADU use is allowed. 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) **Corner Lots.** The minimum setback for a Detached ADU on a corner lot shall be eight (8') feet from the side yard property line behind the rear building wall line of the primary dwelling, eight (8') feet from the side yard property line on the interior building wall line side of the primary dwelling, and twenty (20') feet from the front yard property line on the non-interior building wall line (not the front building wall line) side of the primary dwelling. A Detached ADU shall otherwise comply with the regulations of the underlying zone for accessory buildings, this includes compliance location, height, and development standards for accessory building development within the underlying zone. Further no second story development of accessory buildings for Detached ADU use is allowed. Where the provisions in this chapter are inconsistent with provisions found in any other chapters of City ordinances, the most restrictive provisions shall apply.
- (g) **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.
- (h) **Easements.** Detached ADUs may not be built within a recorded easement; this includes Public Utility Easements (PUE).
- (i) **Parking.** At least one additional parking space shall be provided for a Detached ADU that is sized smaller than 650 gross square feet and two additional parking spaces shall be provided for a Detached ADU that is sized 650 gross square feet or larger; 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 spaces 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.

- (j) 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.
- (k) Additional requirements for Detached ADUs shall be as set forth as otherwise directed in this chapter of Code.

12.58.070 Development Standards For Detached Accessory Dwelling Units

- (a) A Detached ADU shall be established as a permanent structure or fixed and anchored to a foundation or concrete slab so as to be installed as a permanent structure. Additionally, appropriate screening/skirting constructed of materials that are weather resistant and aesthetically consistent with concrete or masonry type foundation materials shall be provided around the base of any structure fixed and anchored to a foundation or concrete slab. All manufactured home running gear, tongues, axles and wheels must be removed from the Detached ADU home structure at the time of installation and anchoring to the foundation or concrete slab for placement of the Detached ADU structure.
- (b) Exterior lighting shall provide illumination directed downward and shall follow the lighting standards of the City. 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 translucent or shall be installed skylights.
- (d) Location of Entrances. Only one entrance may be located on the wall façade that can be viewed from the public street directly adjacent to the same lot or parcel in which the Detached 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 façade facing a perimeter lot line, unless such wall façade is at least 10 feet from a perimeter lot line and such coverings are located at least 6 feet from any perimeter lot line.
- (e) Detached ADUs shall not be built on slopes of 30 percent or greater.
- (f) The maximum height allowed for a Detached ADU shall be sixteen (16) feet. Second story development of an accessory building for Detached ADU use is prohibited.

(g) Basement development for a Detached ADU is permitted and, if utilized, will be calculated into the total gross square footage use of the Detached ADU.

(h) Exterior stairways and landing shall not encroach into a setback.

Table 12.58.070-1	
<i>Detached Accessory Dwelling Unit Standard</i>	
Minimum Property Area	8500 SF
Location	Interior Lot (not a Corner Lot): Rear Yard. Corner Lot: Side Yard or Front Yard as outlined under 12.58.060(g).
Gross Square Footage	An ADU shall be allowed at a minimum size of 350 gross square feet and up to a maximum size of 1250 gross square feet. No single level may exceed 800 total square feet in size; and basements are permitted with Detached ADU development as long as the entire Detached ADU is below or meets maximum gross square footage requirements.
Property Coverage Total	Determined by the underlying zone designation
Setbacks from Rear Yard Property Lines for Interior Lot (not a Corner Lot)	8 Feet minimum
Setbacks from Side Yard and Front Yard Property Line for Corner Lot (as described in 12.58.060(g))	8 Feet minimum from Side Yard Property Line behind rear building wall line of primary dwelling, 8 Feet minimum from Side Yard Property Line on the interior building wall line side of primary dwelling, 20 Feet minimum from the front yard property line on the non-interior building wall line (not the front building wall line) side of primary dwelling
Setback from Main Building	6 Feet

Maximum Height	16 Feet, further second story development of an accessory building for Detached ADU use is prohibited
Occupancy Limit	One Family unit allowed, per the definition of “Family” as found in CZC 12.12.040.

12.58.080 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 § 10-21-304. 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 § 10-21-303.
- (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.

12.58.090 Existing Buildings And Detached ADU Conversion

- (a) Existing buildings in Centerville that were permitted prior to October 1, 2026, that are intended to be used as a Detached 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 CZC 12.21.150 to have the use legally established.
- (b) 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 zoning, building, and fire codes of the City.

- (c) 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.

12.58.100 Occupancy Requirements, Licenses, And Owner Affidavits

The occupancy requirements set forth in this Section shall apply to any Detached 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 (e).
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, 2026, 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 § 10-21-303.

(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.

12.58.110 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 Construction Codes 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. 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.

12.58.120 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 applicable enforcement provisions regarding violations and holding liens against the property.

EXHIBIT B

Centerville Zoning Code – Section 12.36.020 (Table of Uses for Residential Uses)

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

[illegible]

