

ORDINANCE NO. 2024-20
**AN ORDINANCE ESTABLISHING REGULATIONS FOR THE CONSTRUCTION AND USE OF EXTERNAL
ACCESSORY DWELLING UNITS (EADUs) AND ADDITIONAL DEFINITIONS WITHIN THE CITY LIMITS OF
PAROWAN**

ORDINANCE DATED NOVEMBER 14TH, 2024

WHEREAS, the Parowan City Council recognizes the need to provide clear and consistent regulations for the construction and use of External Accessory Dwelling Units (EADUs) within the city limits to ensure proper residential development and the welfare of the community; and

WHEREAS, it is in the interest of the City to establish a permitting process for the construction of EADUs to maintain safety, proper land use, and compliance with zoning regulations; and

WHEREAS, the City Council of Parowan is committed to balancing the housing needs of the community while preserving neighborhood character; and

WHEREAS, the City Council desires to establish standards for placement, construction, and use of EADUs, while ensuring compliance with local building codes, setbacks, and safety standards; and

WHEREAS, it is necessary to include additional definitions to clarify terms related to accessory dwellings and residential use.

NOW, THEREFORE, pursuant to Subsection §10-2-4, Utah Code Annotated, the City Council of Parowan City, Utah, hereby adopts and passes the following:

15.04.020 Definitions (The following to be added the sequence of existing definitions in alphabetical order and renumbered accordingly)

Accessory Use: Means a use of land that is incidental to the principal permitted or conditionally permitted use on a site and is found on the same lot or parcel.

Barndominium: Means a garage or barn that contains a dwelling unit. A barndominium may be used as an accessory dwelling to a primary dwelling on the same lot or parcel or may be the primary dwelling on a lot or parcel.

Casita: Means a small house, apartment, or similar structure used as an accessory dwelling to a primary dwelling on the same site or lot. Terms such as guest house, granny flats, mother-in-law suites, backyard cottages, carriage flats, sidekick houses, bunk house, or laneway houses are often used to describe accessory dwelling units.

Carriage House: Means an accessory dwelling unit to a primary dwelling on the same lot or parcel. A carriage house provides permanent habitable space above a garage.

Complete Application: Means an application for development approval or a permit that has been submitted in the required format, including all mandatory information and accompanied by the established fee.

Habitable Structure: Means a structure that has facilities to accommodate people for an overnight stay or to conduct business, including, but not limited to, residential homes, apartments, condominiums, hotels, motels, and manufactured homes, and excludes recreational vehicles, tents, and coaches.

Hotel or Motel, Residential: Means an establishment offering transient lodging consisting of five or more guest rooms with kitchenettes or kitchen facilities as part of any guest room and available for occupancy for continuous periods exceeding a weekly basis.

Short Term Rental: Means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

Rental Dwelling: Means a building or portion of a building that is:

- a. Used or designated for use as a residence by one or more persons; and
 - i. Available to be rented, loaned, leased, or hired out for a period of one month or longer; or
 - ii. Arranged, designed, or built to be rented, loaned, or hired out for a period of one month or longer.

15.49 External Accessory Dwelling Units

15.49.010 Purpose

The purpose of this ordinance is to establish regulations for the construction and use of External Accessory Dwelling Units (EADUs) within the city limits of the City of Parowan; requiring a permit for the construction of such accessory dwellings; providing standards for placement on a lot; and to establish enforcement provisions for this ordinance.

15.49.020 Requirements

- A. Number of Accessory Units per Parcel: One accessory Dwelling unit (ADU) shall be allowed on parcels zoned for and containing one (1) single-family dwelling.
- B. One (1) internal accessory dwelling unit or one (1) external accessory dwelling unit shall be allowed on a lot or parcel if;
 1. The zoning district description lists accessory dwellings as a permitted use and;
 2. There is an existing primary dwelling or one under construction and;
 3. There is not an existing Internal ADU in the primary residence.
- C. EADUs shall not be built within a public utility easement.
- D. EADUs shall not be permitted within a mobile home or within the property area of a mobile home.

- E. EADUs shall not be permitted within the boundaries of a Planned Unit Development (PUD).
- F. EADUs shall not be permitted if duplexes, twin homes, or multiple family dwellings are located on the same lot.
- G. Recreational coaches or recreational vehicles such as travel trailers, 5th wheel trailers, motor homes, tent campers, camp cars, or other vehicles with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation or a temporary and recreational nature shall not be used as an ADU.
 - 1. An ADU may be approved so long as the proposed accessory dwelling unit:
 - a. Is constructed as a habitable structure added to, created within, or detached from a primary single-family dwelling and contained on one lot or parcel;
 - b. Internal Accessory Dwelling Units shall be constructed and used for the primary purpose of offering a long-term rental of 30 consecutive days or longer;
 - c. External Accessory Dwelling Units may be used as short-term rentals (30 consecutive days or less) and shall do so in compliance with PMC 15.60 "Home Occupations" and Parowan business license requirements;
 - d. Does not violate any required setbacks for front, rear or side yards or from other buildings or structures;
 - e. Does not violate any local building codes and;
 - f. Does not violate any other Parowan City ordinance.
- H. External Accessory Dwelling Units:
 - 1. Are considered to be primary dwelling units when they are the only permanent dwelling units on a site or lot.
 - 2. The City determines whether an ADU is classed as Internal or External.
 - 3. All EADUs shall meet the provisions of the currently adopted Building, Health, and Fire Codes.
 - 4. An existing dwelling unit may be converted to an External Accessory Dwelling Unit subject to the same criteria as an EADU as defined by this chapter.
- I. **Parking** – External Accessory Dwelling Units: One space per bedroom and any required parking spaces lost due to the creation of the unit shall be replaced. Tandem parking is not allowed for ADUs.
- J. **Occupancy** – The City shall not issue a permit for any Accessory Dwelling Unit unless an owner-occupant lives on the property within either the primary residence or the ADU.

K. **Utilities** – Separate utility connections and separate utility meters for EADUs are allowed with the payment of impact fees and other associated fees which may include fees for water rights.

1. EADUs shall have a separate address from the primary residence if separate utility connections and meters are installed.
2. An EADU shall not be permitted on a property with a failing septic tank.

L. **Size and location requirements for External Accessory Dwellings**

1. External accessory dwelling units (EADU's) shall occupy the same lot as the main use or building and shall be located at least ten feet from the main building or any other building or structure. EADU's shall be setback at least 25 feet from any front property line, at least 10 feet from any side property line, and at least 10 feet from any rear property line.
2. The EADU and all accessory structures combined on a front, side, or rear yard area shall not cover more than twenty-five percent (25%) of the respective yard area;
 - a. The rear yard area is the area lying between the rear lot line and rear wall of the primary dwelling extended to the side lot lines.
 - b. The front yard area is the area lying between the front lot line and front wall of the primary dwelling extended to the side lot lines.
3. In no case shall an EADU exceed 50% of the square footage of the primary dwelling on the property.
4. The minimum size of an EADU shall not be less than 476 SF.
5. Height: The maximum height of a detached accessory building containing an accessory dwelling unit shall not exceed the height of the single-family dwelling on the property or exceed twenty-five feet (25') in height, whichever is less.

PASSED AND ADOPTED by the City Council and Mayor of the City of Parowan, Iron County, State of Utah, this 12th day of November 2024.

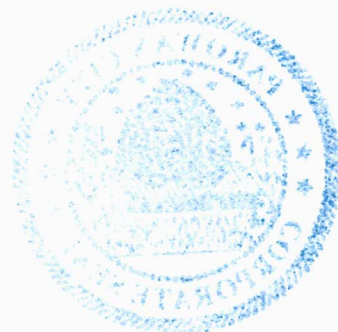
PAROWAN CITY



Mollie Halterman, Mayor

(voting on next page)





VOTING:

AYE | NAY | ABSTAIN | ABSENT

David Burton ✓ _____

Rochell Topham ✓ _____

Sharon Downey ✓ _____

John Dean ✓ _____

David Harris ✓ _____

Attested by:



Callie Bassett, City Recorder



