

**SUGAR CITY
ORDINANCE 403_2025**

ACCESSORY DWELLING UNIT (ADU)

**AN ORDINANCE OF SUGAR CITY, IDAHO, AMENDING 9-3-12-15,
RENUMBERING AND ADOPTING IT AS A NEW SUB SECTION IN 9-3 ZONING
DISTRICTS AND LAND USE AS 9-3-13 ACCESSORY DWELLING UNIT, AND
AMENDING 9-3-6 LAND USE SCHEDULE.**

NOW THEREFORE, be it ordained by the Council of the Sugar City, in the State of Idaho, as follows:

SECTION 1: **AMENDMENT** “9-3-12-15.5 SIZE AND HEIGHT” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.5~~13-4 SIZE AND HEIGHT

SECTION 2: **AMENDMENT** “9-3-12-15.7 DESIGN COMPATIBILITY” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.7~~13-6 DESIGN COMPATIBILITY

SECTION 3: **AMENDMENT** “9-3-12-15 ACCESSORY DWELLING UNIT (ADU)” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15~~13 ACCESSORY DWELLING UNIT (ADU)

SECTION 4: **AMENDMENT** “9-3-12-15.2 OWNERSHIP” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.2~~13-1 OWNERSHIP

If the proposed Accessory Dwelling Unit is located in a R1, TAG, or RR Zone:

- A. The owner of the property on which the Accessory Dwelling is to be created shall occupy one or the other of the dwelling units. For the purposes of this section:
1. Owner shall mean one or more individuals who hold title directly or indirectly to the dwelling, and who is the owner of record as recorded with Madison County, and for whom the dwelling is the primary residence; a natural or adopted parent, grandparent, child, grandchild, brother, or sister of the owner of the dwelling may be considered the owner occupying one or the other of the dwelling units.
 2. Owner occupancy shall mean a property owner who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and resides at the site more than six (6) months in any given year.

SECTION 5: AMENDMENT “9-3-12-15.4 LOCATION” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.4~~13-3 LOCATION

- A. An Accessory Dwelling Unit is located on the same lot as a single household dwelling unit, either within the same building as the single household dwelling or in a detached building such as a guest house or attached to a garage. It shall not be attached to a duplex or other multi-family structure.
- B. An Accessory Dwelling Unit may also be attached to or part of a non-residential structure or land use, such as a caretaker unit, parsonage, live-work unit, or loft apartment. Multiple apartments above or behind commercial space in mixed-use buildings are not considered Accessory Dwellings.
- C. Accessory Dwelling Units (ADUs) are permitted with restrictions throughout the city in the R1, TAG, and RR Zones. New subdivisions in R1 Zones may also be allowed Accessory Dwelling Units if requested at the time of plat development and approval.
- D. There is no minimum lot size requirement for receiving a permit for an ADU or maximum lot coverage requirements other than the required setbacks for the zone.

SECTION 6: AMENDMENT “9-3-12-15.3 DEED RESTRICTION” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.3~~13-2 DEED RESTRICTION

Before obtaining a Building Permit, a Deed Restriction shall be recorded requiring that either the primary unit or the accessory unit be owner occupied and that the Accessory Dwelling Unit shall not be sold separately. The Deed Restriction shall also include an acknowledgement by the owner and his assigns that City Utilities shall not be provided by the city to properties in violation with this deed restriction. The Deed Restriction shall run with the land but may be lifted at a future time if the main dwelling and the accessory are converted back into a single residence, or the property conforms to current zoning standards.

SECTION 7: AMENDMENT “9-3-12-15.6 PARKING AND ACCESS” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.6~~13-5 PARKING AND ACCESS

- A. For Accessory Units associated with a single household dwelling, one (1) additional off-street parking space shall be required in addition to the spaces required for the primary dwelling. Garages and carports may be included in the required amount of off-street parking. Residential driveway parking spaces shall be at least ten feet (10') wide and twenty feet (20') deep from back of sidewalk and may not cover more than 60% of the required front yard setback. No more than one (1) parking stall for an ADU will be allowed in the required Front Yard setback.
- B. For Accessory Units associated with a non-residential structure or land use, parking may be shared with the primary land use, but at least one (1) parking space shall be dedicated for each bedroom if the dwelling is greater than one thousand square feet (1,000 ft.) in size.
- C. A waiver to the parking requirements may be granted by the director subject to documentation that unusual circumstances of the occupancy will result in a reduced need for parking on the premises and will not negatively impact the neighborhood. The waiver and the circumstances allowing for the waiver will be documented in the Deed Restriction required above.
- D. A walkway shall be provided from the Accessory Unit to the street and shall be a minimum of three feet (3') wide and shall be finished with a hard all-weather surface.

SECTION 8: AMENDMENT “9-3-12-15.8 PERMIT PROCEDURES” of the Sugar City Municipal Code is hereby *amended* as follows:

AMENDMENT

9-3-~~12-15.8~~13-7 PERMIT PROCEDURES

Mobile home (see SCC Title 11)			S1		S1												
Multi-family dwelling of just 2 units; twin home	S	Y	Y		S												
Multi-family dwelling of more than 2 units			Y		S			S			Y						
Patio home		Y	Y		S												
Planned unit development		S	S		S			S	S	S	Y						
Rooming/boardng house		S	S					S	S								
Shelter home (8 or fewer residents)	Y	Y	Y		S												
Single family dwelling	Y	Y	Y	Y	S												Y
Townhouse		S	Y		S												
Vertical mixed use					S		S	S	S	S	Y						
Accessory Dwelling Unit (ADU)**	<u>Y</u>			Y													<u>Y</u>
Other residential		S	S		S		S	S	S	S							
BUSINESS COMMERCIAL:																	
Arboretums and gardens				Y							Y						
Art gallery											Y						
Assisted living facility			S		S			S									
Auction establishment					S		S	S	S	S		S					
Automotive body shop				S						S			Y				
Automotive repair				S				S	Y			Y					
Automotive sales/parts store								S	Y	S		Y					
Automotive service station					S		S	S	Y		Y	S					
Automotive storage									Y			Y					
Bakery/baked goods store				Y	S		Y	Y	Y	Y	Y	S	Y				
Bank, savings and loan					S		Y	Y	Y	Y	Y	Y					
Barber, beauty shop				Y	S		Y	Y	Y	Y	Y	S					
Bed and breakfast				Y	S		S	S	S	S							
Bowling alley					S				Y	Y	Y						

Building supply outlet									S	Y			Y	Y	
Car wash				S		S	S	Y	Y				Y		
Cleaning, dry				S		S	Y	Y	S		S				
Contractor office				S		Y	Y	Y	Y		Y	Y	Y		
Convalescent/nursing home			S	S	S			S							
Convenience store				S	S		Y	Y	Y	Y	Y		S	S	
Convenience store with fuel service				S	S		S	Y	Y	Y	Y		S	S	
Dance, music, voice studio				S	S		Y	Y	Y	S	Y	S			
Daycare center				S	S		S	S	S	S	Y*	S	S	S	
Daycare, group	S2	S	S	S			S	S	S				S	S	
Daycare, home	Y	Y	Y	Y	S		S	S	S	S		S	S	S	
Detention facilities													S	S	
Drive-in restaurant					S				Y	Y		S			
Drugstore					S		Y	Y	Y	Y	Y				
Electronic/video sales/rental					S		Y	Y	Y	Y					
Entertainment facility, indoor					S		S	S	S	S	Y				
Entertainment facility, outdoor					S				S	S	Y		S	S	
Equipment rental/sales					S			S	S	Y		S	Y	Y	
Farm equipment sales/service					S					Y		S	Y	Y	
Food store					S	S		Y	Y	Y	S	Y			
Frozen food locker					S				S	Y		S	Y	S	
Furniture repair/refinishing					S	S				S	Y		Y	Y	Y
Furniture store					S		S	S	Y	Y	Y				
Gift/flower shop					S		Y	Y	Y	Y	Y				
Health club, spa, reducing salon					S		S	S	Y	S	Y	S			
Hotel/motel					S		S		S	Y	Y				
Kennel, commercial					S				S	S			S	S	
Laboratory: medical, dental, optical					S		S	Y	Y	S		Y			
Laundromat, self-service					S		S	Y	Y	Y					

Laundry, commercial					S				S	Y		Y	Y	Y	
Liquor store										S					
Live entertainment event					S	S	S	S	S	S	Y				
Loan firm (small or short term loans)										S					
Lumberyard, retail									S	Y			Y	Y	
Massage, tanning salon					S		Y	Y	Y	S	Y	S			
Mortuary					S			Y	Y	S					
Nursery, plants and flowers				Y	S			S	Y	Y			S	S	
Office, professional					S		Y	Y	Y	Y	Y	Y			
Open air market				S							Y				
Outlet mall											Y				
Parking facility					S		S		Y	Y	Y	Y	Y	Y	
Pharmacy					S		Y	Y	Y	Y	Y	S			
Photographic studio					S		Y	Y	Y	S	Y	Y	S		
Preschool	S2	S			S		S	S	S	S		S	S	S	
Printer					S		S	S	Y	Y		Y	Y	Y	
RV, trailer park										S					
RV, trailer sales/service										Y		S	Y	Y	
Restaurant					S		S	Y	Y	Y	Y	S	S	S	
Retail stores and services					S		S	Y	Y	Y	Y	S			
Sexually oriented/adult business										S			S		
Shopping mall											Y				
Sign shop					S			S	S	S		S	Y	Y	
Storage, enclosed building				Y	S							S	Y	Y	
Storage, fenced area				S	S								S	Y	
Theater, indoor					S		S	S	Y	Y	Y				
Tire shop, repair and sales					S				S	Y			Y	Y	
Truck stop										S			S	S	
Veterinary clinic, livestock				S					S				S	Y	Y
Veterinary clinic, small animal				Y	S			S	S	Y		S	Y	Y	Y

Other business/commercial					S	S	S	S	S	S	S	S	S	S	
INDUSTRIAL:															
Asphalt plant															
Beverage bottling plant												Y	Y		
Cabinet shop				S					S		S	Y	Y		
Cement or clay products														S	
Chemical storage/manufacturing				S								S	Y		
Cold storage plant												Y	Y		
Concrete batch plant															
Concrete mixing: 2 cubic yards maximum								S	Y			Y	Y		
Contractor storage yard				S					S			S	Y		
Dairy products processing												S	S		
Food processing plant										S		S	S		
Grain elevator				Y									S		
Grain storage				Y								Y	Y	Y	
Junkyard															
Machine shop									S			Y	Y		
Meatpacking plant				S								S	S		
Metal fabrication				S					S		S	Y	Y		
Monument works, stone				S				S	Y		S	Y	Y		
Petroleum storage														Y	
Public utility yard				Y										Y	
Railroad yard or shops														Y	
Recycling operation														S	
Sanitary landfill															
Terminal yard, trucking														Y	
Truck and tractor repair				S					S			S	Y		
Warehousing, wholesaling				S					S		S	Y	Y		
Wood processing plant										S				S	
Wrecking yard														S	
Other industrial								S	S		S	S	S		

Notes:

* In conjunction with another business only

**Permitted upon compliance with ADU Health Safety Code Inspection and Off-Street

Parking requirements being met.

¹Subject to approval and licensing as provided in SCC Title 11.

²The maximum number of children at a given time is 12.

³A public or quasi-public facility is sometimes desirable in a zoning district whose description it does not fit. These facilities may be permitted as indicated

PASSED AND ADOPTED BY THE SUGAR CITY COUNCIL JANUARY 09, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Joy M Ball	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Catherine Nielsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Glenn Dayley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Carter Stanford	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Steven Adams, Mayor, Sugar City



Wendy McLaughlin, City Clerk, Sugar
City

