

**WILLARD CITY  
ORDINANCE 2025-02B**

**AN ORDINANCE OF THE WILLARD CITY COUNCIL AMENDING AND  
REVISING WILLARD’S DETACHED ACCESSORY DWELLING ORDINANCE**

**WHEREAS**, the Willard City Council, pursuant to the provisions of Utah Code Ann. §10-3-707 has the authority to revise ordinances of the municipality of a general and permanent character;

**WHEREAS**, Willard City has authority to regulate Accessory Dwelling Units in general pursuant to Utah Code Ann. §10-9a-601 et seq.; and

**WHEREAS**, the City of Willard, through its Council, has authority to adopt Accessory Dwelling Unit regulations and procedures pursuant to Utah Code Ann. § 10-9a-601 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Chapter 9a, Utah Code, to establish an administrative land use authority, and

**WHEREAS**, the Willard City Planning and Zoning Commission recommends the adoption of an ordinance revising, amending, and updating the Willard City Accessory Dwelling Units ordinance; and

**WHEREAS**, the Willard City Council deems it necessary to amend its ordinances accordingly, and for the protection and preservation of the public health, safety, and general welfare.

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

**SECTION 1:****AMENDMENT** “24.96.60 Standards For Detached Accessory Dwelling Units” of the Willard City Zoning Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

24.96.60 Standards For Detached Accessory Dwelling Units

- A. A Detached Accessory Dwelling Unit shall be a permanent structure. Trailers, mobile homes, and other movable structures shall not be permitted as a Detached Accessory Dwelling Unit.
- B. Exterior lighting for a Detached Accessory Dwelling Unit shall provide illumination directed downward with the light source shielded from adjoining properties. Any light source for a Detached Accessory Dwelling Unit shall not encroach be visible from adjacent properties.
  - 1. The height shall not exceed the height of the Primary Dwelling.

- 2. Exterior stairways and landings shall not encroach into a setback.
- 3. A Detached Accessory Dwelling Unit shall:
  - a. Not be less than three hundred (300) square feet or more than one thousand (1,000) square feet.
  - b. Not occupy more than twenty five percent (25%) of the available yard area of the lot.
  - c. Meet all accessory building standards for lot coverage, rear yard coverage, height, and any other standards for the zone in which it is located.
- C. Balconies and rooftop decks are prohibited.
- D. Windows on a Detached Accessory Dwelling Unit located above a detached garage facing adjoining properties are prohibited, unless required by building, health, and fire codes, as adopted. If required, a frosted, translucent, or stained type of non-see-through window shall be installed.

AFTER AMENDMENT

24.96.60 Standards For Detached Accessory Dwelling Units

- A. A Detached Accessory Dwelling Unit shall be a permanent structure. Trailers, mobile homes, and other movable structures shall not be permitted as a Detached Accessory Dwelling Unit.
- B. Exterior lighting for a Detached Accessory Dwelling Unit shall provide illumination directed downward with the light source shielded from adjoining properties. Any light source for a Detached Accessory Dwelling Unit shall not encroach or be visible from adjacent properties.
  - 1. The height of an ADU structure shall not exceed two stories or twenty five feet (25). ~~the height of the Primary Dwelling.~~
  - 2. Exterior stairways and landings shall not encroach into a setback.
  - 3. A Detached Accessory Dwelling Unit shall:
    - a. Not be less than three hundred (300) square feet or more than ~~one thousand (1,000) square feet~~ the following based on the size of the parcel on record. The square footage numbers include livable space with the ADU and do not include any attached storage or garage space adjacent to the detached ADU.

Parcel Size	ADU maximum SQ FT
21,780 sq ft or smaller	1,000 sq ft
27,781 sq ft to 43,560 sq ft	1,250 sq ft
43,561 sq ft or larger	1,500 sq ft

- b. Not occupy more than twenty five percent (25%) of the available yard area of the lot.

- c. Meet all accessory building standards for lot coverage, rear yard coverage, height, and any other standards for the zone in which it is located.
- C. Balconies and rooftop decks are prohibited.
- D. Windows on a Detached Accessory Dwelling Unit located above a detached garage facing adjoining properties are prohibited, unless required by building, health, and fire codes, as adopted. If required, a frosted, translucent, or stained type of non-see-through window shall be installed.

**SECTION 2:            AMENDMENT “24.96.40 General Regulations” of the Willard City Zoning Code is hereby *amended* as follows:**

**BEFORE AMENDMENT**

24.96.40 General Regulations

The following regulations must be met in order to have an Accessory Dwelling Unit:

- A. An application shall be filed with the City prior to the creation or establishment of an Accessory Dwelling Unit.
- B. Upon approval of an Accessory Dwelling Unit application, the Owner of the Primary Dwelling, who desires to rent or offer to rent any Accessory Dwelling Unit, shall first obtain a rental business license issued by Willard City before the Accessory Dwelling Unit is rented. Such rental business license must remain valid and must be renewed, as required by Willard City.
- C. Before occupancy, the City Administrator shall confirm the Accessory Dwelling Unit complies with all Willard City building, health, and fire codes, as adopted.
- D. Subject to the restrictions and regulations outlined in this Chapter, Accessory Dwelling Units may be allowed in all Agricultural, Residential, and Commercial Zones within Willard City. All Accessory Dwelling Units must comply with the regulations of the underlying zone.
- E. An Accessory Dwelling Unit shall not be rented or occupied for a period of less than thirty (30) consecutive calendar days. It is prohibited for any Accessory Dwelling Unit to be used as a short-term rental unit
- F. The Accessory Dwelling Unit shall include separate dedicated kitchen and bathroom facilities for the exclusive use of the Internal Accessory Dwelling Unit occupants
- G. One (1) additional on-site-hard-surface (concrete, asphalt, pavers) parking space shall be provided for the exclusive use of the Accessory Dwelling Unit, regardless of whether the Primary Dwelling is existing or a new construction.
- H. The Accessory Dwelling Unit parking space shall not be located within the clear view area on a corner lot.

- I. On street parking shall not be permitted for any occupant of an Accessory Dwelling Unit.
- J. All Internal Accessory Dwelling Units shall have a separate, accessible entrance or stairway.
- K. Drive approaches and curb cuts shall comply with the Willard City Public Works Standards.
- L. No portion of a mobile home, mobile home park, motor home subdivision as defined within the Willard City Zoning Ordinances, Recreational Vehicle, or Recreational Vehicle Park shall be entitled to any use as an Accessory Dwelling Unit.
- M. No construction to create or establish an Accessory Dwelling Unit shall commence without the issuance of the necessary building permits and zoning approval, as required by Willard City.
- N. The Owner of a Primary Dwelling shall reside on the property, either occupying the Primary Dwelling or the Accessory Dwelling Unit.
- O. Accessory Dwelling Units are exempt from the residential density standard of the Willard City Zoning Code.
- P. Each Accessory Dwelling Unit shall have the same street and mailing address as the primary dwelling, but shall add the letter "B" to the Accessory Dwelling Unit's address.

## AFTER AMENDMENT

### 24.96.40 General Regulations

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- C. Before occupancy, the City ~~Administrator~~Planner shall confirm the Accessory Dwelling Unit complies with all Willard City building, health, and fire codes, as adopted.
- D. Subject to the restrictions and regulations outlined in this Chapter, Accessory Dwelling Units may be allowed in all Agricultural, Residential, and Commercial Zones within Willard City. All Accessory Dwelling Units must comply with the regulations of the underlying zone.
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**SECTION 3:**            **DIRECTION** Staff are authorized and directed to make such non-substantive changes and take other actions to finalize, post, and publish this Ordinance.

**REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**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.

**EFFECTIVE DATE** This Ordinance shall be in full force and effect from \_\_\_\_\_ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jacob Bodily	_____	_____	_____	_____
Rod Mund	_____	_____	_____	_____
Mike Breager	_____	_____	_____	_____
Rex Christensen	_____	_____	_____	_____
Jordon Husley	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Travis Mote, Mayor, Willard City

\_\_\_\_\_  
Susan Obray, Recorder, Willard City