

Harrisville City Municipal Code

Section 11.20.260 Accessory Dwelling Units

1. Definitions

a. **Accessory Dwelling Unit (ADU)**

A self-contained residential dwelling unit that is secondary to a primary dwelling on the same lot. An ADU includes independent living facilities for one household, including a kitchen, bathroom, and sleeping area.

b. **Internal ADU**

An ADU located entirely within the footprint of the primary dwelling (e.g., basement, attic, or interior conversion) at the time the ADU is created.

c. **Detached ADU**

An ADU located within a separate, freestanding structure on the same lot as the primary dwelling and not physically attached to it.

2. General Limitations

The following limitations apply to the creation and occupancy of any ADU:

- a. Only one (1) ADU per primary dwelling shall be permitted.
- b. No Internal ADU shall be permitted on a parcel that is six thousand (6,000) square feet or less in area.
- c. No Detached ADU shall be permitted on a parcel that is ten thousand (10,000) square feet or less in area.
- d. The maximum gross floor area of a Detached ADU shall not exceed the lesser of
 - i. ten percent (10%) of the lot area or
 - ii. the gross floor area of the primary dwelling.
- e. ADUs shall be used only for residential occupancy of thirty (30) consecutive days or longer and shall not be used as vacation rentals or short-term rentals.
- f. The property owner shall occupy either the primary dwelling or the ADU as the owner's primary residence.
- g. The owner shall obtain all required permits, inspections, and approvals from the City and any other applicable agency prior to occupancy.
- h. No ADU shall be created or occupied within a mobile home as defined in Utah Code § 57-16-3

3. Local Requirements

- a. **Licensing.** If the ADU is rented, the owner of the ADU shall obtain and maintain a business license in accordance with Title 3, Chapter 3.15 of the Harrisville Municipal Code.
- b. **Utilities:**
 - i. No Detached ADU shall be approved if the primary dwelling is served by a failing lateral utility line.
 - ii. Detached ADUs must have adequate access to required utilities including water, sanitary sewer, and electricity.
 - iii. A Detached ADU application may be rejected if a utility service to which the ADU must make a connection does not have sufficient capacity to support the addition of the ADU.
- c. **Addressing:**
 - i. ADUs with separate utility meters shall be assigned a separate address.
 - ii. ADUs with shared utility meters may utilize a distinguishing suffix to the primary address, as approved by the County.
 - iii. Address signage shall be visible from the street and comply with applicable City standards.

4. Design Standards

- a. **All ADUs Shall:**
 - i. Meet existing standards for residential homes as set forth in Harrisville City Code.
 - ii. Comply with the setback requirements of their zone.
 - iii. Be designed to preserve the appearance of the property as a single-family dwelling. Entrances to an accessory dwelling unit shall be located and designed so as not to detract from the single-family character of the primary residence, particularly when visible from the front of the property.
- a. **Detached ADUs:**
 - i. Design: Detached ADUs shall complement the architectural style, materials, and character of the primary dwelling.
 - ii. Height Limitations. Detached ADUS shall not exceed:
 - (1) One (1) story in height for ADUs on lots smaller than fifteen thousand (15,000) square feet or
 - (2) Two (2) stories in height for ADUs on lots fifteen thousand (15,000) square feet or larger.
 - iii. Attic Space. Habitable or living space fully contained within a roof attic shall not be counted as a story for purposes of this subsection.
 - iv. Scale and Massing. Detached ADUs shall be subordinate in scale and massing to the primary dwelling, except on lots greater than one (1) acre where barn- or garage-style accessory structures may exceed the size of the primary dwelling.
 - v. Setback Exceptions. Detached ADUs may be located closer than the setbacks of the underlying zoning district, provided that:
 - (1) The structure complies with Accessory Building Development Standards set forth in HVCC §11.09.030; and

- (2) No windows or openings are permitted on any wall facing a shared property line within the required setback for primary dwellings in the applicable zone.

5. Parking

- a. Regardless of whether the primary dwelling is existing or new construction:
 - i. One (1) additional on-site parking space shall be required for an Internal ADU or a Detached ADU of less than six hundred fifty (650) square feet of living space.
 - ii. Two (2) additional on-site parking spaces shall be required for any Detached ADU exceeding six hundred fifty (650) square feet of living space.
- b. Required ADU parking shall be in addition to the parking spaces required for the primary dwelling.
- c. ADU parking shall not reduce or interfere with required parking for the primary dwelling.
- d. All parking areas shall comply with HVCC §11.09.040, including surface material and access standards.
- e. Any required parking spaces eliminated due to ADU conversion shall be replaced.