



JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

MONICA ZOLTANSKI  
MAYOR

SHANE E. PACE  
CHIEF ADMINISTRATIVE  
OFFICER

## Staff Report Memorandum August 20, 2026

---

To: City Council via Planning Commission  
From: Community Development Department  
Subject: Amendments to Title 21 of the Land Development Code related to Detached Accessory Dwelling Units (ADU) CA07272026-0007251

---

**Public Hearing Notice:** This item has been noticed on public websites, sent to affected entities and posted in three public locations at least 10 days prior to the Public Hearing.

---

### Request

On behalf of Sandy City, the Community Development Department is proposing to amend [Title 21, Land Development Code](#), Chapter 7, *Land Uses in Residential Districts*, Chapter 8, *Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts*, Chapter 9, *Institutional Care District*, Chapter 10, *Open Space District*, Chapter 11, *Special Use Standards*, Chapter 19, *Special Development (SD) Districts*, Chapter 24, *Parking, Access and Circulation Requirements*, and Chapter 37, *Definitions*.

The proposed amendments will bring Sandy's Land Development Code (LDC) into compliance with the current Utah Code by allowing Detached Accessory Dwelling Units (ADU) to be developed in residential zones if all other requirements are met. The specific amendments to the LDC are included as Exhibit "A" (red-lined version) and Exhibit "B" (clean version).

### Background

During the 2026 Utah Legislative Session, [Senate Bill 284](#) was passed (see Exhibit "D"), which enacted new state code relating to detached ADUs, effective October 1<sup>st</sup>, 2026. Under [UCA 10-21-304](#), *Detached Accessory Dwelling Units*, the new state law stipulates that cities, such as Sandy, must adopt land use regulations that permit detached ADUs on residential property if it:

- Is 11,000 square feet or larger (<11,000 sq. ft. is allowed but up to the city's discretion), and
- Contains a single-family dwelling, and
- The single-family dwelling is a permitted use on the property.

The new legislation includes several other provisions that Sandy City *shall*, *shall not*, or *may* regulate. These are summarized below:

#### "Shalls"

- Require compliance with building, health and fire codes.
- Includes a process to convert a legal accessory structure to a detached ADU.

“Shall Nots”

- Require a conditional use permit for a detached ADU in a primarily residential zone.
- Require more than one (1) on-site parking space for units <650 sq. ft. and not more than two (2) for units ≥650 sq. ft.
- Include “Design Standards” in conflict with [UCA 10-20-618](#), *Regulation of Building Design Elements Prohibited*.

“Mays”

- Regulate structure size, dimension, height and maximum lot coverage.
- Regulate setbacks, taking into consideration: proximity property lines, other structures, easements, window orientation, massing, or “other elements.”
- Require design “consistent with the design of the single-family dwelling.”
- Prohibit detached ADUs from being:
  - Larger than the primary dwelling.
  - Located in a PUE or recorded easement.
  - Located in the front yard.
  - Rentals less than 90 consecutive days.
- Require the owner to occupy the primary dwelling or detached ADU.
- Require replacement of lost parking spaces for garage conversions.
- Prohibit more than one (1) ADU on a property.
- Prohibit an ADU if there is inadequate access or capacity to utility services.

Public Notice

The city issued notice of the public hearing for the proposed code amendments on public websites, mailed notice to affected entities and posted in three (3) public locations at least 10 days prior to the Planning Commission public hearing in accordance with the Land Development Code Sec. 21-36-1 and the Utah Code § 10-20-205 and § 10-20-102.

Analysis

New statewide legislation is not the only reason to allow detached ADUs. Sandy adopted policies in the [Pace of Progress, Sandy City General Plan 2050](#) that support both attached and detached ADUs. The plan includes goals and policies that encourage a diversity of housing options that serve a variety of different households. Exhibit “C” includes a list of these General Plan goals, objectives, policies and strategies related to ADUs. Those policies are also provided below:

- “All areas of the city include locations for the development of housing types that meet the needs of seniors, new families, young professionals, and students.
- External ADU regulations establish minimum requirements to mitigate impacts on surrounding properties including parking, setbacks, and privacy.
- ADUs are required to be subordinate to the primary structure as measured by building height, footprint, and massing.
- Owner occupancy of one (1) of the units on the property including an ADU is required.
- Internal and external ADUs are allowed where appropriate.
- Draft and consider legislation to improve the effectiveness of the internal ADU regulations and adopt external ADU regulations.” (MIH Plan Implementation)

To implement both the new state law provisions and the Sandy City General Plan, the LDC is proposed to be amended, as shown in Exhibits A and B of this report. The following are highlights of the proposal:

1. *Terminology*: The term “Accessory Apartment” is replaced with the term “Accessory Dwelling Unit” for consistency with common terminology and the Utah Code. In addition, the section relating to a “Guest House” is replaced with Detached ADUs.

2. *Definitions:* The definitions for attached and detached “Accessory Dwelling Units,” and “Extended Living Areas” are updated for clarification. In general, ADUs are self-contained habitable units that are used as a rental, while extended living areas are additional/accessory living facilities for use by the occupants of the home on a non-rental basis.
3. *Location:* Detached ADUs are proposed to be allowed on lots 11,000 square feet or larger in residential zones. See Exhibit “E” for maps that illustrate residential lots potentially eligible for detached ADUs that are 11,000, 10,000 and 8,000 square feet in size. Currently, attached ADUs and extended living areas are permitted uses in all residential zones, consistent with Utah Code § [10-21-303](#).
4. *Number Allowed:* Only one (1) ADU is proposed to be allowed on a property. It can be an attached or detached ADU, but only one (1) can operate on a property at a time.
  - a. If a property has more than one (1) detached accessory structure, only one (1) may be a self-contained habitable living unit.
  - b. Within the primary dwelling, there may be more than one (1) extended living area (e.g. with kitchen or kitchenette), but only one (1) may be a self-contained habitable living unit.
5. *Parking:* In addition to the four (4) on-site parking spaces required for a single-family home, up to two (2) additional on-site parking spaces would be required for a detached ADU:
  - a. One (1) on-site parking space is required for a D-ADU <650 sq. ft. and two (2) for a D-ADU ≥650 sq. ft..
  - b. If the property is located within a ½ mile from transit station, the parking may be reduced by one (1) space.
6. *Conversions:* An existing legal detached accessory structure is allowed to be converted into an ADU, but the habitable space within the structure must meet all the standards of code.
7. *Standards:* All Detached ADUs and Detached Extended Living Areas must meet the following standards:
  - a. The unit must be constructed on a permanent foundation.
  - b. Short-term rentals are prohibited in the detached unit (but they are allowed within the primary structure).
  - c. Exterior lighting must be directed downward and dark-sky compliant.
  - d. No encroachments are allowed within a setback (e.g. porches, stairs).
  - e. Roof decks and balconies are not allowed, unless the setbacks for the primary dwelling of the underlying zone are met (and the setback is no less than 10 feet).
  - f. Basements are allowed.
  - g. The unit must be designed consistent with the design of the single-family dwelling.
  - h. The unit is allowed in the rear yard and side yard if it is behind the front plane of the home. Larger properties ≥40,000 sq. ft. in size may locate the unit in front of the home but it must meet the front setback of the zone.
  - i. The maximum size of the unit is limited to the following, whichever is less:
    - i. 75% or less of the primary dwelling footprint.
    - ii. No larger than the maximum square footage allowed for an accessory structure under [Sec. 21-11-2\(a\)\(2\)](#).
  - j. Building height is allowed up to 15 feet with a setback of at least 10 feet from the side and rear property line.
  - k. Building height may be taller than 15 feet, under the following conditions:
    - i. The unit is no taller than the building height of the primary dwelling, and
    - ii. The setbacks for the primary dwelling in the underlying zone (Sec. 21-20-2) is met, but at no point may the setback be less than 10 feet.

For all of the specific language of the proposed amendments, see Exhibit “A” (red-lined version) and Exhibit “B” (clean version), which are attached to this report.

## Non-Conforming Uses

This code amendment would not create any non-conforming situations.

## Land Development Code Purpose Compliance

The Sandy City Land Development Code in 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

### ***21-1-3 Purpose***

*This Code is adopted to implement Sandy City's General Plan and to promote public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:*

#### **1. General**

- a. To facilitate the orderly growth and development of Sandy City.*
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.*
- c. To stabilize property values.*
- d. To enhance the economic well-being of Sandy City and its inhabitants.*

#### **2. Implementation of General Plan**

*To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.*

#### **3. Comprehensive, Consistent and Equitable Regulations**

*To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.*

#### **4. Efficiently and Effectively Managed Procedures**

- a. To promote fair procedures that are efficient and effective in terms of time and expense.*
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.*
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.*

The proposed code amendment is consistent with the purpose of the Land Development Code because the proposal promotes the public health, safety and welfare; ensures consistency and equitable standards; establishes fair procedures that are efficient and effective in terms of time and expense; facilitates the orderly growth and development of Sandy City; and is consistent with the Sandy City General Plan.

## General Plan Compliance

The Sandy City General Plan encourages appropriate development standards for all uses and zoning categories within the city. The proposed code amendment furthers that goal and objective by establishing appropriate land development standards for all uses and zoning categories within Sandy City. Furthermore, the General Plan includes goals, objectives and policies related to accessory dwelling units, as shown in Exhibit "C" of this report. The proposal is consistent with those policies by establishing regulations that allow for detached ADUs, which in turn supports a variety of housing options for different types of households.

## Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, relating to detached accessory dwelling units, as shown in Exhibit "A", based on the

following findings:

**Findings:**

1. The City Council may amend land use ordinances consistent with the purposes of the Sandy Land Development Code, the Sandy City General Plan, and the Utah Code, Municipal Land Use, Development, and Management Act per Title 21 Chapter 5 of the Sandy Municipal Code.
2. The proposal is reviewed by the Planning Commission and City Council in accordance with the requirements of Title 21 Chapter 5 of the Sandy Municipal Code.
3. The proposal complies with the purpose of the Land Development Code under Section 21-1-03 by promoting the public health, safety, and welfare; ensuring consistent and equitable standards; establishing fair procedures that are efficient and effective in terms of time and expense; and by facilitating the orderly growth and development of Sandy City.
4. The proposal complies with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.
5. The proposal implements the Goals and Policies of the General Plan by amending the LDC to allow detached ADUs on larger lots in residential zones. The proposal establishes standards for ADUs that mitigate impacts on neighboring properties, require owner occupancy, and limit the height and size of the ADU so that it is subordinate to the primary structure, consistent with the General Plan.

Planner:



Melissa Anderson  
Zoning Administrator

Exhibits:

- A. Proposed code amendments (red-lined version)
- B. Proposed code amendments (clean version)
- C. General Plan Goals and Policies related to ADUs
- D. State Code related to ADUs and Design Elements (UCA 10-21-303 & 304 and 10-20-618)
- E. Maps that illustrate potential areas for ADUs based on 8,000, 10,000 and 11,000 sq. ft. lot sizes
- F. Comment Letters from Planning Commission Mtg. on August 6, 2026

File Name: S:\USERS\PLN\STAFFRPT\2026\CA07272026-0007251 - DETACHED ADU CODE AMENDMENT\STAFF REPORT\1-JUST STAFF REPORT\STAFF REPORT - DETACHED ADU CODE AMEND.FINAL.DOCX