

Fairfield Town

Utah County, Utah

Accessory Dwelling Unit Application

Name of Applicant or Authorized Agent(s): _____
Address: _____ City: _____ State: _____ Zip: _____
Parcel ID #: _____ Subdivision: _____
Phone #: _____ Email: _____

Application Submittal Procedures

- (1) _____ Follow the building permit process
- (2) _____ The Applicant shall Submit **One 8.5 x 11-inch** Copy of the proposed Accessory Dwelling Unit plans, Including:
 - (a) Interior floor plan
 - (b) Site plan, showing location of ADU entrance and number and location of parking stalls
 - (c) Exterior renderings of the home showing the entrance to the ADU and the lighted, hard-surface walkway to the entrance of the ADU
- (3) _____ Once the application is determined complete by the Building Department, the applicant shall submit:
 - (a) Application Fee
 - (b) This completed application form includes the notarized Declaration of Owner Occupancy.
 - (c) Copy of interior floor plans and exterior site plan/renderings.
 - (d) A copy of a building permit. Prior to recording the Declaration of Owner Occupancy, the applicant shall provide a final inspection report or Certificate of Occupancy.

Requirements For Approval

General Requirements:

All ADUs must comply with the following of the Fairfield Town Code See (**Section 10.7.255**)

Please Initial to indicate compliance:

- (1) _____ **Owner Occupancy.** The dwelling must be owner-occupied.
- (2) _____ **Appearance.** The ADU shall not alter the appearance of the structure as a single-family residence.
- (3) _____ **Parking.** In addition to the parking required for the primary unit, one (1) additional off-street

parking space shall be provided. In no case shall fewer than three (3) total off-street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On-street parking shall be reserved for visitors only.

(4) _____ **Lighting.** A lighted walkway must connect from the parking area to the entrance of the ADU.

(5) _____ **Inspections.** The Town Administrator shall issue an ADU permit if the applicant complies with this section's provisions and the ADU is ready for occupancy.

(6) _____ **ADU Permit.** An ADU permit is required to rent out either the primary dwelling or the ADU.

(D) D-ADU Regulations.

1. Height. The maximum height for D-ADUs is limited to thirty-five (35) feet.
2. Square Footage. The total floor area for D-ADUs shall not exceed nine hundred (900) square feet, or thirty-five (35) percent of the footprint of the primary dwelling, whichever is less, unless, in the opinion of the Planning Commission, a greater amount of floor area is warranted.
3. Lot Size. D-ADUs are only permitted on lots one (1) acre or greater.
4. Number of Rooms. D-ADUs shall not have more than two (2) bedrooms.
5. Setbacks. D-ADUs must comply with the setbacks for the principal dwelling and shall have adequate facilities for all discharge from the roof and other drainage.
6. Exterior Appearance. D-ADUs shall be designed so that the appearance of the lot, building structure, and landscaping retains the character of a single-family neighborhood.
7. Area Coverage. Construction of a D-ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone. In no event shall a D-ADU cover more than thirty (30) percent of a rear yard.
8. Parking. A D-ADU shall have an additional off-street parking.

(E) Exception. A property owner may build a new home and use their existing home as an ADU if their existing home will comply with the provisions of this section and the new home will comply with the underlying zoning regulations by the time the new home is habitable and eligible to receive a certificate of occupancy.

A. Revocation and Enforcement.

1. Revocation of Permit. If any provision of this section is violated, the Town may revoke an ADU permit.

2. The Town may enforce the provisions of this chapter through civil or criminal penalties, including filing a lien against a property owner or any other means allowable by law.

a. A criminal violation under this section shall be a class C misdemeanor.

b. A civil violation under this section shall amount to one hundred (100) dollars each day a violation occurs, each being a new violation.

(7) _____ **Building Department Approval.** A building permit is required to modify an existing home, building, or any new construction on a parcel or lot. Building permit applications shall include a site plan, floor plan, architectural elevations, and structural calculations. The applicant shall obtain all necessary other permits and pay all applicable fees before construction, remodeling, or any use of an ADU. ADUs shall not be approved on properties with outstanding building code violations or nonconforming uses or structures.

- (8) _____ **Code Compliance.** Conform to all federal, state, and local laws, including compliance with the International Building Code, International Fire Code, the Health Department, and other local ordinances.
- (9) _____ **Number of ADUs.** Only one ADU may be created per lot, parcel, or property.
- (10) _____ **Short Term Rental.** ADUs shall not be rented for less than 30 Consecutive days.
- (11) _____ **Septic.** Septic systems must be inspected to ensure suitability for all proposed ADUs. ADUs are prohibited if the primary dwelling is served by a failed septic tank.
- (12) _____ **Soil.** The Town has known arsenic within its jurisdictional boundaries. Any disturbance of soil must comply with the soil testing requirements in Fairfield Town Code § 5.3.
- (13) _____ **Utility Meters.** ADUs may have up to two electrical meters; notwithstanding, the electrical meters must be in the name of the property owner. Unless approved by the Planning Commission, installing other separate utility meters for an ADU is prohibited.
- (14) _____ **ADU Permit.** ADUs rented to a non-family member require a permit from the Town.
- (15) _____ **Affidavit.** Applicants for all ADUs shall complete an affidavit stating that the owner of the property will live in either the primary dwelling or ADU as their permanent residence. Upon approval of the ADU by the Town Administrator, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU.

Applicant Certification

I certify under penalty of perjury that I am the owner or authorized agent of the owner of the property involved in the attached application. The statements and answers therein contained and the information provided in the attached plans or other exhibits present thoroughly, to the best of my ability, the argument in behalf of the application herewith requested and that the statements and information above referred to, are in all respects true and correct to the best of my knowledge and belief. I understand and agree to comply with all of the rules for Accessory Dwelling Units. I also understand that if I do not comply with all of these rules, my permit may be revoked. I agree to allow the Fairfield Town Building Department, Administrator, or representative to inspect my premises as necessary to see that my property complies with the above-stated requirements.

Applicants Signature _____ Date: _____

For Office Use Only

Date: ____/____/____

- ☐ TI permit completed: permit # _____ Date: _____
By: _____
- ☐ Application fees paid
- ☐ Fire Inspection completed: Date _____ By: _____
- ☐ Fire Inspection fee paid
- ☐ Utah County Health Department Approval Number _____
- ☐ Zoning: _____
- ☐ Conditional Use Permit: _____ By: _____
- ☐ Planning Commission: Approved: _____ Denied: _____ Date: _____

Comments: _____

- ☐ Building Department: Approved: _____ Denied: _____ Date: _____

Comments: _____

- ☐ **Total Fees:** _____ **Paid:** _____
- ☐ **Check #:** _____
- ☐ **License #:** _____

Title

Signature

Date