

ROLL CALL VOTING:		
	YES	NO
Mayor Brent Winder (tie only)	[]	[]
Council Member Ben Hillyard	[X]	[]
Council Member Brian Hutchings	[]	[]
Council Member Dorel Kynaston	[X]	[]
Council Member Janet Lunt	[X]	[]
Council Member Kari Malkovich	[X]	[]

I move that this Ordinance be adopted.

Ben Hillyard
Council Member Hillyard

I second the foregoing motion.

Kari Malkovich
Council Member Malkovich

Ordinance 2025-31

AN ORDINANCE IS HEREBY ESTABLISHED TO CREATE THE POSITION OF COMMUNITY DEVELOPMENT DIRECTOR. THIS ORDINANCE ALSO INCLUDES THE RENUMBERING OF WOODLAND HILL MUNICIPAL CODE SECTION 1-7-7 TO 1-7-8 TO REFLECT THIS ADDITION. ADDITIONALLY, THE TITLE 'BUILDING OFFICIAL' SHALL BE REPLACED WITH 'COMMUNITY DEVELOPMENT DIRECTOR' WHERE APPLICABLE WITHIN THE ORDINANCE. THE TERM 'BUILDING OFFICIAL' SHALL CONTINUE TO BE USED AS NECESSARY TO ENSURE CLARITY AND MAINTAIN CONSISTENCY

WHEREAS, the Woodland Hills City Planning Commission has reviewed and made a recommendation to the City Council to amend Woodland Hills Municipal City Code Title; and

WHEREAS, a public hearing before the Planning Commission of Woodland Hills City was held after being duly advertised as required by law; and

WHEREAS, the City Council of Woodland Hills City finds that said amendments of the Woodland Hills Municipal City Code should be made in order to comply with recent changes in the 2025 Utah State Code relative to specific responsibilities and qualifications of a "Qualified Building Official";

NOW, THEREFORE, BE IT ORDAINED by the City Council of Woodland Hills City, Utah, that the following amendment be made to the Woodland Hills Municipal City Code:

Title 1-7-7 Community Development Director: The mayor may appoint or hire a Community Development Director, with the advise and consent of the city council, to enforce and carry out the provisions and purposes of the city code related to, but not limited to, current and long range planning efforts, engineering, building and development, compliance with local, state and Federal regulations, code enforcement, overseeing the building permit process including reviewing related documents, issuing building permits, enforcing building codes and zoning regulations, managing departmental budgets, managing department employees, and other duties as determined by the mayor. The Community Development Director may authorize such other persons as may be necessary and as approved by the mayor to serve as representatives in carrying out the duties of the Director, City Engineer, Fire Chief, Zoning Enforcement Officer, and Health and Safety Officers, and such others as may be necessary. Such other

authorized persons shall have the powers and duties of the Community Development Director as may be necessary in carrying out their respective duties.

Title 1-7-8: Indemnification of City Employees and Elected, and Appointed Officials: It is the intent of the City to indemnify its employees, elected officials, appointed officials, and city authorized volunteers of to the fullest extent consistent with the Governmental Immunity Act of Utah, Title 63G, Chapter 7 of the Utah Code Annotated. The City shall defend and indemnify employees, elected officials, appointed officials, and city-authorized volunteers from claims that may arise while acting in the scope of their duties for the City, except for the following:

- A. Fraud or willful misconduct of the City's employee, elected official, appointed official, and city-authorized volunteer;
- B. Operation or control of a vehicle by the City's employee, elected official, appointed official, and city-authorized volunteer while under the influence of drugs or alcohol; or
- C. Physical or mental impairment resulting in the City's employee, elected official, appointed official, and city-authorized volunteer being unable to reasonably perform his/her job functions because of the use of alcohol or non-prescribed drugs.

Title 4.1.9 Inspection and Enforcement:

A. The mayor shall appoint one or more qualified persons to enforce and carry out the purposes of this chapter. The appointed individual(s) may include the ~~building official,~~ **community development director**, zoning enforcement officer, fire chief, health and safety officer, or other qualified individuals. The person(s) appointed shall serve as the health and safety officer and may authorize other necessary individuals to act as their representatives in performing inspection and enforcement duties under this chapter, including but not limited to the ~~building official,~~ **community development director**, zoning enforcement officer, fire chief, and health and safety officers. Such authorized persons shall have the powers and duties of a zoning enforcement officer in carrying out their authorized duties.

Title 4.1.9 B to remain as written.

Title 4.1.9 C to remain as written.

Title 8.2.3 Protection and Maintenance of the System

- A. City Responsibility: The superintendent of the water department shall be responsible for taking reasonable measures for the protection of the water system from foreseeable conditions leading to possible contamination or pollution of the water system due to backflow of contaminants or pollutants into the water system. In carrying out that responsibility, the superintendent shall cause culinary water system surveys and inspections of water users' distribution systems to be conducted. Records of such surveys and inspections shall indicate compliance with the health and safety standards listed in section 8-2-1 of this chapter. The water department shall maintain all such records. Based upon the result of such surveys and inspections, the superintendent shall select and approve a backflow prevention assembly for the service connection of any water user as deemed appropriate by the superintendent.
- B. User Responsibility: It shall be the responsibility of a water user to purchase, install, test, and maintain any backflow prevention assembly required to comply with this section.
- C. Community Development Director; Certified Technician: The Community Development Director, charged with enforcement of the plumbing code adopted by the city, will review all plans to ensure that unprotected cross-connections are not part of the water user's system. If a cross-connection cannot be eliminated, it shall be protected by the installation of an air gap or an approved backflow prevention assembly. All repairs, tests or maintenance of backflow prevention assemblies, whether done by a water user or the water department, shall be performed by a certified technician. The technician shall:
1. Ensure that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
 2. Make reports of such testing, repair or overhauling to the water user and water department. The report shall include a list of materials or replacement parts used.
 3. Use replacement parts equal in quality to parts originally supplied by the manufacturer of the backflow prevention assembly.
 4. Not change the design, material or operational characteristics of a backflow prevention assembly.
 5. Use testing equipment in proper operating condition and acceptable to the superintendent.

6. Be equipped with, and be competent to use, all necessary tools, gauges, and other equipment necessary to properly test and maintain backflow prevention assemblies.
7. Attach to each backflow prevention assembly tested or repaired, a tag showing the serial number, date tested, name of technician and technician's license number.

Title 9.1.1 Building Code and Regulations

A. To remain as written

B.1 Building Official. The mayor, with the advice and consent of the city council shall appoint a qualified person to serve as the city of Woodland Hills Building Official to perform the duties of the Qualified Building Official as set forth in State Code, to include the issuance of Certificates of Occupancy, Temporary Certificates of Occupancy, and Certificates of Completion, once all required inspections required by the International Building Code, the Residential Building Code and other adopted construction codes have been completed, passed and approved. The qualified building official may delegate other qualified building officials to act in their place as the need arises.

B.2. Community Development Director. The mayor, with the city council's advice and consent, will appoint a qualified individual to serve as the Woodland Hills City Community Development Director. This person will carry out the duties outlined in the city code, including those specified in City Code 1.7.7, as adopted by this ordinance. These duties include current and long-range planning, engineering, building and development, compliance with local, state, and federal regulations, code enforcement, overseeing the building permit process, managing departmental budgets, supervising department employees, and performing other duties as determined by the mayor. The Community Development Director can also authorize other approved individuals, such as the City Engineer, Fire Chief, Zoning Enforcement Officer, and Health and Safety Officers, to carry out their respective duties. These individuals will have the necessary powers and duties to fulfill their responsibilities.

C. To remain as written

D. To remain as written

E.1 Remain as written

E.2: It shall be a class C misdemeanor subject to penalty as provided in section 1-4-1 of this code for any person to remove a stop work order posted upon a building within the project by the building official, or community development director, or their designee.

E.3: It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person to continue working on any building or project or building within a project when a stop work order has been posted by the building official, or community development director, or their designee.

E.4: The building official, or community development director, or their designee may issue citations for any violation of the building code adopted by subsection A of this section.

Title 10.2.1 Definitions

Amend BUILDING OFFICIAL: The person authorized by the city to issue certificates of occupancy, temporary certificates of occupancy, and certificates of completion, and may perform inspections on building code compliance for all structures, both newly constructed and renovated. Will interpret the IRC and IBC codes, as well as their interpretations under Utah's State Construction Code.

Add COMMUNITY DEVELOPMENT DIRECTOR: The person authorized to oversee city development, including subdivision development and improvements, building permits, and building throughout the city. The person works closely with the planning commission, plan reviewers, city engineers, inspectors, the qualified building official, and city staff to ensure plans and buildings conform to the International Residential Fire Code, city building standards/codes, and ensure AWPAs Standards are followed.

Add CERTIFICATES OF COMPLETION: A certificate issued for a remodel, ADU, or accessory building once all the modifications have been completed and all required code inspections have been performed and passed.

Title 10.3.1 Enforcement Authority

In any case where any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or where any building, structure, or land is used in violation of this title, the zoning enforcement officer and/or the building official, community development director, or city council, in addition to other remedies, may initiate any appropriate action or legal proceedings to

prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent occupancy of such building, structure, or land, or to prevent any illegal act, conduct of business, or use in or about such premises.

Title 10.3.2 Penalty

It is a class C misdemeanor for any person to violate any of the provisions of this title, or to fail to observe and obey any of the requirements and restrictions hereof.

It shall be the duty of the zoning enforcement officer and/or building inspector, community development director, or city council to enforce all provisions of this title strictly. An owner, tenant, general agent, architect, building contractor, or any other person who commits, takes part in, or assists in any violation of this title, or who maintains any building or land in or on which any violations of this title exist, is guilty of a class C misdemeanor. Violators may be subject to penalty as provided in section 1-4-1 of this code. Each day that a violation is permitted to exist constitutes a separate offense.

Title 10.3.3. Zoning Enforcement Officer

The mayor shall appoint a zoning enforcement officer to enforce and carry out the purposes of this chapter. The zoning enforcement officer may authorize such other persons as may be necessary to serve as his representatives in carrying out the zoning enforcement functions under this chapter, including, but not limited to, the community development director, fire chief, and health officers. Such authorized persons shall have the powers and duties of the zoning enforcement officer in carrying out their duties under this chapter.

Title 10.4.2 General Procedures

- A. Administration: The administration of this title is vested in the following officials, commissions and boards of the city:
1. City council;
 2. Planning commission;
 3. Appeal authority;
 4. City engineer;
 5. ~~Building inspector~~ Community Development Director; and
 6. Zoning enforcement officer.

B. To remain as written

C. To remain as written

D. Certificates of Non-Compliance: In the event that the proper permits are not obtained or approvals given by the city for any work or activity requiring such in the Woodland Hills City code, the ~~city building official~~ **Community Development Director**, or zoning/code enforcement officer may issue a Certificate of Non-Compliance against the property where the illegal/unapproved activity occurred or is occurring. That Certificate will remain on file with the city until the activity prompting the issuance of the Certificate is resolved. Further, the city may file such a Certificate with the Utah County Recorder's Office against the particular piece of property, giving public notice, until such time as the matter is resolved by the appropriate city's approving officials.

Issues that can prompt the issuance of a certificate **of non-compliance** include, but are not limited to:

1. Building without the required permit or approval
2. Building with an expired permit
3. Occupying a home without a valid Certificate of Occupancy
4. Occupying a home on an expired temporary occupancy certificate
5. Building contrary to or disregarding the city's building and zoning codes

The offending party can be notified of the referenced action by email, postal mail, or in person. This action is in addition to any fines or other actions that may be incurred as a result of the actions involved.

The Certificate is to include the name and address of the property owners, the location of the property, the parcel number, date of issuance of the certificate, the name and signature of the person authorizing it, and a detailed reason for the issuance.

Title 10.4.3 Zoning Requirements For Building Permits

Excavations for buildings or site improvements shall not be started, nor buildings or structures, or parts thereof, shall not be erected, altered, or moved, until a building permit has been applied for and issued by the ~~building official~~ **building department**. If the building permit is for new-home construction, a permit will not be issued unless the required water shares have been deeded to the city **and building permit fees have been paid**.

A. Approval of Site Plans: Whenever a site plan has been submitted by the developer/builder as required by this title, the preliminary plan and final plan for recording of the project shall have been approved by the planning commission and city council before a building permit may be issued by the ~~building official~~ **building department**.

B. Compliance with Zoning Regulations: Permits for the construction of a building or improvements or change in use may be issued by the Community Development Director, or his/her designee, only if the work described in an application clearly complies with all provisions of this title and other ordinances of the city. If the proposed building or use does not clearly comply with the provisions of this title, the Community Development Director shall not have the power to grant variances or make exceptions, but must refer the builder to the City hearing officer as the Appeal Authority for their review and determination.

C. To remain as written

D. To remain as written

Title 10.4.5 Required Drawings and Information:

In addition to drawings required by the provisions of the building code, application for a building permit shall be accompanied by:

A. A site plan for the construction project submitted shall contain the following information unless specifically waived by the ~~Building Official~~ Community Development Director and Zoning Enforcement Officer, in whole or in part:

1. The name, address, and contact information of the applicant; and the construction manager/general contractor for the construction project.
2. Date, north arrow, and scale on the plat. (No more than 1" = 20'; supplementary site plans at a larger scale are encouraged).
3. Existing zoning of the property, lot size, and dimensions
4. All lot and/or property lines are to be shown with dimensions, including building setback lines and easements.
5. Street name(s) adjacent to the property.
6. Topographical details if the slope of the lot is greater than 10%
7. Location of proposed retaining walls. Please note that all retaining walls over 4 feet or greater than a 2:1 slope requires engineering.
8. The location and dimensions of all existing and proposed drives, sidewalks, curb openings, curbing, and parking areas including the total number of parking spaces (show dimensions of a

typical parking space), recreation areas, common use areas, and areas to be conveyed for public use and purpose.

9. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer (if applicable) or water supply systems. All lines shall be a minimum of 1 1/2" diameter.

10. Homes requiring a septic tank must submit a letter of approval along with a copy of the permitted design that has been signed and approved by the Utah County Health Department Private Wastewater Treatment Department.

11. The following statement must appear on the site plan. "Actual construction will comply with applicable local ordinances and the state construction code."

B. Construction plans and drawings, including:

1. Elevations
2. Floor plans for each level, including the location and size of doors and windows;
3. Foundation, structural, and framing detail; and
4. Electrical, mechanical, and plumbing design;

C. Documentation of energy code compliance

D. Structural calculations, except for trusses

E. A natural hazard study for homes located in identified hazard areas.

Title 10.4.7 Certificate of Occupancy:

A. General:

1. The city may issue a building permit upon application, in compliance with all laws, ordinances, rules and regulations. A fire safety permit, confirming compliance with the wildland interface ordinance, is also required. No building permits will be issued until compliance with the uniform fire code to allow access to the construction site by fire apparatus vehicles. Once approval has been granted, a building permit may be obtained.
2. A certificate of occupancy must be obtained from the building official before the building is occupied. A certificate shall only be issued if the building is in conformity with the building code, the zoning ordinance and all other applicable ordinances; provided however, if the only deficiency is the inability to complete the required hard-surfaced driveway because of inclement weather, a

temporary certificate may be issued if a sum equal to one hundred and twenty-five percent (125%) of the estimated cost of such driveway, as determined by the building official is placed in an escrow account available to the city for the purpose of completing the driveway if the applicant has not completed the driveway within nine (9) months of receipt of the temporary certificate.

B. Application: A certificate of occupancy shall be applied for by the owner or agent and shall be issued by the building official as a condition precedent to the occupancy and/or use of a building and land as follows:

1. Occupancy of Building Erected or Altered: A certificate of occupancy shall be required before occupancy of a new building, or before occupancy of an existing building which has been altered, moved, changed in use or increased in off-street parking requirements. Such a certificate shall only be issued after the erection or alteration of a building, or a component thereof, or after a required accessory use has been provided and found by inspection to be in conformity with the provisions of this title and the building code.
2. Change in Use of Conforming Building or Land: A certificate of occupancy shall be required before occupancy of a conforming building or land where the use has been changed, provided the use is different than the prior use, and shall be issued, when found by inspection, to be in conformity with provisions of this title.
3. Change in Use of Nonconforming Building or Land: A certificate of occupancy shall be required whenever a nonconforming building or land is changed and shall not be issued until the planning commission has approved the change in accordance with the provisions of chapter 14 of this title.

C. Record Of Existing Building and Land Use: Upon application by the owner, or agent, the building official shall inspect a building or tract of land and shall issue a certificate of ~~occupancy~~ **compliance** therefore certifying:

1. The present use of the building or land.
2. If such use conforms to all the provisions of this title; and
3. If it is a lawfully existing nonconforming use.

D. Application For Certificate:

1. Applications for a certificate of occupancy may be submitted separately or may accompany an application for a building permit. Accurate information shall be furnished by the owner

or his agent, as to size and location of the lot, buildings or structures occupying the lot, the dimensions of all yards and open spaces, the use of land or building, and all such information as may be included on a form to be furnished by the city.

2. A record of all applications and certificates issued shall be kept on file in the office of the city recorder and copies shall be furnished, upon request, to any person having a proprietary or tenancy interest in the building or land affected.

Title 10.4.8 Enforcement

The duty of administering and enforcing the provisions of this title is hereby conferred upon the zoning enforcement officer, except for those provisions specifically within the purview of the ~~building official~~ **Community Development Director**. The zoning enforcement officer may promulgate rules and regulations as he may determine necessary to supplement the administration of this title. After approval by the city council, such rules of the zoning enforcement officer shall have the same force and effect as other provisions of this title.

A. Duties: remain unchanged

B. Inspections: Inspections shall be made by the zoning enforcement officer or ~~the building official~~ the **Community Development Director**, or their designees.

C. To remain unchanged

D. To remain unchanged

E. To remain unchanged

Title 10.4.9. Development Approval Process

A. Site plan review:

1. Submit all required information to the city recorder which is on the building permit site plan checklist unless it is waived in whole or in part by the ~~building officials~~ conducting the review. Any residential building construction requires a site plan regardless of the district/zone it is being constructed in.
2. Required fees must be paid to the city before a review of the site plan may occur.
3. The **Community Development Director** will review the site plan for completeness, accuracy, and to ensure it complies with all city building codes, except for zoning regulations. The zoning enforcement officer and his/her designees shall review the site plan to ensure compliance with all city zoning provisions.

4. If there is compliance with number 3 above, a building permit will be issued by the Community Development Director.

B. Conditional use permits:

1. Preapplication reviews with planning commission.
2. Submit application to zoning enforcement officer.
3. Planning commission review, public hearing, review and final recommend.
4. City council public hearing, review and final action.

C. Zoning ordinance amendments (including rezoning):

1. Preapplication review with zoning enforcement officer and planning commission (optional).
2. Submit application form and fee to city recorder.
3. Application referred to city council for consideration.
4. City council refers application to planning commission for recommendation.
5. Council hold public hearing and considers planning commission recommend.
6. Final action.

D. Zoning variances (as defined by ordinance):

1. Submit application to appeal authority.
2. Appeal authority meets within thirty (30) days to hear appeal.
3. Appeal authority hears appeal, final action.
4. Decision is effective on date of final action.

Title 10.6.5 Appeals

- A. To remain as written
- B. To remain as written
- C. To remain as written
- D. To remain as written
- E. To remain as written
- F. Zoning decisions applying the ordinance and conditional use decisions by the city council or planning commission may be appealed to the land use hearing officer, and other appeals as outlined in city ordinances.
- G. To remain as written
- H. To remain as written

Title 10.12.1. Site Plan Required

- A. No building, fence or wall shall be constructed, or any grading performed on any lot or parcel of land, and no driveway shall be constructed on or providing access from a public street to any lot or

parcel of land, until a site plan has been submitted to and approved by the ~~building official~~, **Community Development Director**, zoning enforcement officer or their designees.

B. The ~~building official~~ **Community Development Director** shall not issue a building permit for construction on any lot or parcel until the site plan for said lot or parcel has been approved. All plans and specifications for the proposed construction shall conform to the approved site plan.

Title 10.12.2 Contents of Site Plan

Each site plan shall include all items listed on the site plan requirement checklist (section 10-4-5D), unless the ~~building official~~ **Community Development Director** and the zoning enforcement officer concur to waive the inclusion of any item.

Title 10.12.3 Submission and Review

- A. Submittal: The person seeking approval of a site plan shall submit copies as detailed in the building permit packet and in the site plan approval flow chart.
- B. Additional Review: The Community Development Director, or zoning enforcement officer, may request the city engineer, city attorney, or other designee to review a site plan and provide comments.
- C. Decision Of Community Development Director and Zoning Enforcement Time Limit: The Community Development Director and zoning enforcement officer shall act to approve, approve with conditions, or disapprove the site plan per state statute.

Title 10.12.4 Standard Of Review

- A. Approval: If the ~~building official~~ **Community Development Director**, and zoning enforcement officer determine that the proposed work shown on the site plan conforms to all requirements of this title, the subdivision ordinance, building code, and all other city ordinances and regulations, they shall approve the site plan. Upon approval, **Community Development Director** shall file one copy of the site plan showing his signature and date of approval with the city recorder and return one copy showing his signature and date of approval to the applicant.
- B. Approval With Minor Changes: If the **Community Development Director** and zoning enforcement officer determine that the proposed work shown on the site plan does not conform to all requirements of this title, the subdivision ordinance, building code, and all

other city ordinances and regulations but can be made to conform with minor changes to the site plan, Re they shall approve the site plan subject to condition that such changes be made to the site plan before a building permit is issued as the Community Development Director and zoning enforcement officer may require. Upon approval, the Community Development Director shall file one copy of the site plan and written conditions of approval with the city recorder and return one copy showing his signature and date of approval to the applicant.

- C. Disapproval: If the Community Development Director and zoning enforcement officer determine that the proposed work shown on the site plan does not conform to all requirements of this title, the subdivision ordinance, building code, and all other city ordinances and regulations and cannot be made to conform except with major changes to the site plan, they shall disapprove the site plan and notify the applicant in writing of the reason or reasons for disapproval. A copy of this letter will be given to the city recorder for retention.

Title 10.12.5 Duration Of Approval

Each approval of a site plan pursuant to this chapter shall expire as follows:

- A. If a building permit is required for any of the improvements shown on the site plan, approval shall expire six (6) months after the date of approval unless a complete application for a building permit is submitted to the Community Development Director before such expiration;
- B. If a building permit is required for any of the improvements shown on the site plan and a building permit is issued but construction is not completed before expiration of the building permit, approval of the site plan shall expire upon expiration of the building permit;
- C. If none of the improvements shown on the site plan require a building permit, approval of the site plan shall expire six (6) months after date of approval unless construction is commenced before such expiration; provided, however, if such construction is not prosecuted diligently to completion, approval of the site plan shall expire at the later of:
1. Failure to diligently continue the construction; or
 2. Six (6) months after approval. If approval of a site plan expires as provided herein, the site plan shall be of no further force or effect.

Title 10.12.6 Appeal

The applicant or any other person aggrieved by a decision of the Community Development Director or Zoning Officer pursuant to this chapter may appeal that decision to the appeal authority as provided by section 10-6-4 of this title.

Title 10.18.1 Accessory Dwelling Units

An accessory dwelling unit (ADU) located within a primary dwelling ("Internal ADU") or external to the dwelling unit is a permitted use in all residential zones. In the zones where they are permitted, an ADU shall meet these requirements:

- A. The owner of the property must reside on the property. Exceptions shall be permitted if the property owner applies to have the occupancy requirement suspended, if the owner has resided on the property for at least one (1) year, and if any of the following situations exist:
 - 1. The owner has a bona fide temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling unit shall not qualify for this suspension).
 - 2. The owner is placed in a hospital, nursing home, assisted living facility, or other similar facility.
- B. All ADUs must be located on an existing lot or parcel with a single-family dwelling. Only one ADU may be created on a parcel. The building containing an Internal ADU shall maintain the appearance of a single-family dwelling. Entrances for an Internal ADU must be on the side or rear of the dwelling, unless an existing dwelling already has two doors facing the front.
- C. For Internal ADUs, an interior access between the main living area and the accessory apartment must be maintained.
- D. Each ADU must have its own mailing address provided by the City of Woodland Hills.
- E. ADUs are only permitted in single-family dwellings on lots of 19,000 square feet or larger. Lots or parcels in residential zones may have an ADU in a detached garage or accessory structure. A detached ADU can be located in an accessory structure or a stand-alone dwelling unit.
- F. Single-family dwellings with ADUs must have a total of five (5) off street parking spaces. Tandem parking arrangements are allowed. Any parking spaces contained within a garage or carport that are lost by creation of an Internal ADU within the garage or carport shall be replaced. An ADU shall have legal access from the lot upon which the main dwelling is located on a recorded easement. Driveway access to an ADU must meet the same standard as any other approved driveway. The access to the ADU shall be located within 500 feet of a fire hydrant.
- G. Utility connections shall be shared with the main dwelling. If utility service to the main dwelling is not large enough to accommodate an ADU, it shall be upsized at the applicant's expense.

- H. An ADU may not be created within a mobile home.
- I. The minimum time period for rental of an ADU shall be 30 consecutive days.
- J. The ADU must be registered with the city. Any fees required for registration shall be established in the City's Fee Schedule.
- K. The ADU shall meet all applicable building and fire codes. Building permits are required to ensure inspections and compliance with codes. An external ADU requires a site plan and building permit and must adhere to the setback requirements outlined in City Code 10.8.5. It must also adhere to all applicable building codes.
- L. ADUs previously created without a building permit shall comply with minimum health and safety standards, including, but not limited to, the following:
 - 1. Minimum height, measured from floor to ceiling in each room, shall not be less than seven feet, or mitigated to the satisfaction of the Building Inspector and/or Building Official.
 - 2. Smoke detectors must be installed in each bedroom and the hallways or room adjacent to the bedrooms.
 - 3. GFCI protection must be provided in all required circuits per the IRC Building Code.
 - 4. One window in each bedroom must meet the emergency egress standards established in the building code or mitigated to the satisfaction of the Building Inspector and/or Building Official.
 - 5. Handrails must be installed for any interior or exterior stairway with more than three steps.
 - 6. The ADU must be inspected to ensure compliance with all city and building codes related to an ADU.
 - 7. A business license must be obtained from the city to have an ADU.
- M. A final inspection must be conducted by the Building Inspector and Fire Chief to assure that minimum health and safety standards are satisfied.
- N. Pursuant to Utah Code Ann. 10-9A-530, the City may hold a lien against the property that contains an ADU and require a notice to be recorded with the Utah County Recorder disclosing the conditions of the ADU for potential future purchasers of the dwelling.

Title 11.2.1 Definitions

- A. Words in this Title are normally used in their ordinary English usage. Certain terms are, however, defined in this Chapter, and wherever used in this Title, they shall have the meaning as set forth in

this Chapter, except where the context clearly indicates a different meaning.

- B. The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of said criteria or standard is desired and essential unless commensurate criteria or standards are achieved.
- C. All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.

- 1. **ADMINISTRATIVE LAND USE AUTHORITY:** The Planning Commission appointed by the City to make final subdivision application decisions, excluding the city council or a city council member as the legislative body. "Administrative land use authority" includes any appropriately authorized designees.
- 2. **AFFECTED ENTITIES:** Any entity, county, municipality, local district, or special service district that provides a service to an owner of record of the portion of the plat that is being vacated or amended.
- 3. **APPLICANT:** Any person, firm, corporation, partnership, association, or other entity that files a completed subdivision application with the City for subdivision approval.
- 4. **ASSOCIATION:** A corporation or other legal entity, any member of which:
 - a. Is an owner of a residential lot located within the jurisdiction of the association, as described in the governing documents; and
 - b. By virtue of membership or ownership of a residential lot is obligated to pay:
 - 1. Real property taxes;
 - 2. Insurance premiums;
 - 3. Maintenance costs; or
 - 4. For improvement of real property not owned by the member.

- 5. ~~BUILDING OFFICIAL~~ **COMMUNITY DEVELOPMENT DIRECTOR:** The person

identified and authorized in City Code 9.1.1.B charged with the enforcement of this Title.

6. thru 43. To remain the same

Title 12.9.2 Violations

A. Violations Enumerated - No person shall fail, refuse, or neglect to comply with the following:

1. Provisions of this Chapter;
2. Orders issued by the City Engineer or the **Community Development Director** pursuant to the provisions of this title;
3. Conditions imposed on the excavation permit pursuant to the provisions of this title; and
4. Rules and regulations of the office of the City Engineer or public works director with respect to grading, which were in effect at the time the excavation permit was issued.

B. Continuing Violation. Each and every day, or portion thereof, during which any violation of any of the provisions of this title are violated, continued, or land disturbance permitted, shall be considered a separate offense.

PASSED AND ADOPTED by the City Council of Woodland Hills, Utah, this 9th day of September, 2025.

Brent T. Winder
Mayor of Woodland Hills, Utah

ATTEST:

Jody Stones
Jody Stones, City Recorder



CERTIFICATE OF POSTING ORDINANCE

For the City of Woodland Hills

I, Jody Stones, the duly appointed Recorder for the City of Woodland Hills, hereby certify that copies of the foregoing Ordinance No. 2025-31 were posted at three public places within the municipality this 10 th day September of 2025 which public places are:

1. Utah Public Notice Website
2. Woodland Hills City Center, 690 S. Woodland Hills Drive
3. Woodland Hills Web Site, www.woodlandhills-ut.gov

Dated this 10th day of September 2025.


Jody Stones, Recorder