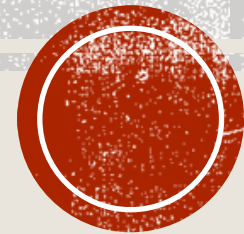


Spring 2022 APA
Conference
Kanab, Utah

ADUS & IADUS IN YOUR COMMUNITY



**SB-34 (2019)
ENCOURAGED ALL
MUNICIPALITIES,
METRO
TOWNSHIPS, AND
COUNTIES TO PLAN
FOR MODERATE
INCOME HOUSING
(MIHP)**

- Applies to all cities of the first, second, third, and fourth classes in addition to fifth class cities with a population greater than 5,000 if located within a county of the first, second, or third class.
- Metro townships and counties of the first, second, and third classes with unincorporated populations are also required to comply.



COMMUNITIES
CAN CHOOSE
FROM
SEVERAL
MENU ITEMS

Many communities selected the option to create or allow for, and reduce regulations related to Accessory Dwelling Units, ADUs.

Some communities have allowed ADUs as a permitted use.

Some communities have allowed ADUs as a conditional use.

Some communities haven't addressed it.

MODERATE INCOME HOUSING PLAN (MIHP)

- **(E) Allow for and reduce regulations for Accessory Dwelling Units in residential zones.**
- Santa Clara City has allowed a second dwelling unit, (Accessory Dwelling Units, ADUs) in R-1 zones for several years. In January 2020, Ordinance #2020-03 was adopted by the City Council allowing for detached ADUs. This allows for a separate detached dwelling on a property occupied by a single-family home. Passing of this ordinance has allowed for detached ADUs to be constructed in the community. Prior to ordinance adoption ADUs were allowed as follows:
 - a. Over a garage.
 - b. Inside the home through an internal conversion of the home.
 - c. By an addition to the house, with an internal connection between dwelling units.
- On October 27, 2021, Ordinance #2021-14 was adopted by the City Council allowing for Internal Accessory Dwelling Units, IADU's. This was put in place to allow for compliance with HB-82 which was approved by the legislature and signed by the governor earlier this year. The city believes that this change will allow for more affordable housing options in the community. The process will include a streamlined administrative permitted use and building permit review prior to construction.



HB-82 (2021) MANDATED INTERNAL ACCESSORY DWELLING UNITS AS A PERMITTED USE IN RESIDENTIAL ZONING DISTRICTS

- HB-82 gave communities until October 2021 to adopt an ordinance allowing for IADUs.
- Many communities had an ADU ordinance in place but did not have an IADU ordinance.
- The state legislature decided that IADUs would be a good tool to promote housing affordability.



ADOPTION OF AN ORDINANCE ALLOWS COMMUNITIES TO PUT REQUIREMENTS IN PLACE FOR IADUS

- HB-82 allows for a community to require the following:
 - The owner of the property must occupy the primary dwelling on the property.
 - One off-street parking space for the IADU.
 - IADUs must meet all applicable Health, Fire and Building Codes.
 - The lot where the IADU is located must maintain the single-family appearance and character of the neighborhood.
 - Only one IADU per property is permitted.
 - The lot where the IADU is located must be at least 6,000 square feet.
 - The total number of residents that reside in an IADU may not exceed the number allowed for a single-family dwelling.
 - An IADU shall not be permitted in a mobile home.
 - A property owner may not install power or culinary water meters that serve only the IADU.
 - No IADU may be located in a primary dwelling served by a failing septic tank.





THE IADU MUST BE RENTED FOR
30 CONSECUTIVE DAYS OR
MORE.



INSPECTIONS & PERMITS
REQUIRED PRIOR TO RENTING
THE IADU.



THE ISSUANCE OF A BUSINESS
LICENSE IS REQUIRED.



A NOTICE OF PERMIT OR DEED
RESTRICTION IS REQUIRED TO
BE RECORDED WITH THE
COUNTY RECORDER'S OFFICE.

ADDITIONAL IADU REQUIREMENTS





EXAMPLES OF ADUS IN OUR COMMUNITIES



EXAMPLES OF ADUS IN OUR COMMUNITIES



EXAMPLES OF ADUS IN OUR COMMUNITIES



EXAMPLES OF ADUS IN OUR COMMUNITIES



EXAMPLES OF IADUS IN OUR COMMUNITIES



EXAMPLES OF IADUS IN OUR COMMUNITIES



EXAMPLES OF IADUS IN OUR COMMUNITY



EXAMPLES OF IADUS IN OUR COMMUNITIES



COMMUNITY
REGULATIONS
FOR ADUS &
IADUS



Greater Salt Lake MSD

Washington City

Santa Clara City

HB-462 UTAH HOUSING (2022) AFFORDABILITY AMENDMENTS

- Modifies and expands menu items and requires that communities review their moderate-income housing plans and update with implementation elements by October 1, 2022, rather than December 2022.
- Reporting forms will be changed, and the reporting period will be tied to the fiscal year with subsequent reports due by October 1st.
- Implementation elements must include a timeline that has specific benchmarks for each chosen strategy but provides flexibility for the municipality to make adjustments.
- Increases the number of menu items.
- Menu items remain at 3 for communities without fixed transit and 5 for those with transit, one of which being Station Area Plan requirements.





SPRING 2022 APA CONFERENCE KANAB, UTAH

- Drew Ellerman
- Jim McNulty
- Travis Hair

