

Chapter 19.20. Internal Accessory Dwelling Units (IADUs)

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19.20.01. Purpose.

This chapter is established to provide guidance related to the standards and location of an Internal Accessory Dwelling Unit (IADU) as part of a detached single-family primary dwelling. IADUs create new housing units, provide more housing options, and broaden the range of affordable housing in the City.

(Ord. 21-39)

19.20.02. Definitions.

For the purpose of interpreting this Chapter and to comply with Utah Code regarding IADUs, the following definitions shall apply to the construction of an IADU.

1. **“Internal Accessory Dwelling Unit (IADU)”** means a residential unit that is located on the same lot as a detached single-family dwelling unit and is internal or attached to a detached single-family dwelling.
2. **“Owns”** means possessing at least fifty percent ownership in a dwelling as shown by a recorded deed and Utah County records and includes ownership as trustors or beneficiaries of a family trust that possesses fee title ownership of the dwelling.
3. **“Owner Occupant”** means an individual who owns and occupies the dwelling unit of IADU with a bona fide intent to make it his or her primary residence.
4. **“Primary Dwelling”** means a single-family dwelling that is detached and occupied as the primary residence of the Owner Occupant. A dwelling with an IADU shall be considered to be a “Dwelling, Single-Family” as defined in Chapter 19.02 of the Land Development Code. A primary dwelling includes the garage if the garage is habitable space connected to the dwelling by a common wall.

(Ord. 23-25, Ord. 23-23, Ord. 21-39)

19.20.03. General Provisions.

An Internal Accessory Dwelling Unit (IADU) that is registered with the City is a permitted use in a single family dwellings in the A, RR, RA-5, R1-40, R1-20, R1-10, R1-9, R2-8, R3-6, MF-10, MF-14, and MF-18, MR, and PC zones, subject to the standards in this Chapter, including the following:

1. **Number of Units.** A maximum of one IADU shall be permitted on a lot with a Primary Dwelling.
2. **Owner Occupied.** The owner of a single-family property with an IADU shall occupy a portion of the dwelling, either the principal living area or the IADU. Except as provided herein, owner occupancy shall be maintained unless the owner has a bona-fide temporary absence of three years or less for a temporary job assignment, sabbatical, military service, or voluntary service, documentation may be required. If the owner leaves for one of the aforementioned absences, then:
 - a. the single-family property with and IADU may be rented or occupied in its entirety by one Family, as defined in Chapter 19.02; or
 - b. One of the dwelling units may be rented to a Family with the second unit remaining vacant.
3. **Minimum Lot Size.** The minimum lot size for a property with an internal accessory dwelling unit shall be greater than 6,000 square feet.
4. **Living Areas.** An IADU shall have living areas separate from the principal dwelling unit, including at least the following:
 - a. a sleeping area;
 - b. a kitchen, including facilities to store, prepare and cook food; and
 - c. a bathroom, consisting of a toilet, a sink, and a bathtub or shower.
5. **Parking.** A single-family dwelling with an IADU shall provide at least one (1) paved off-street parking space for the IADU, in addition to the minimum required for the primary dwelling, measuring a minimum of 9'x18' and located behind the front setback line.
 - a. No parking spaces may be located within the side yard setbacks adjacent to a street, except for within an approved driveway.
 - b. On-street parking does not meet the parking requirement.
 - c. Garage spaces may be counted towards required parking if there are a minimum of two enclosed parking stalls and the driveway provides sufficient room for two parking stalls, for a total area meeting the area for four off-street parking stalls, unless the IADU is contained in the garage.
 - d. If an IADU is within an attached garage, any parking spaces in the garage that were necessary to meet the minimum spaces required for the primary dwelling must be replaced so that a total of four off-street parking stalls are provided.
 - e. The required one paved off-street parking space for an IADU shall be deemed satisfied by using any of the required parking spaces for the single family residence if the single family residence is required by Title 19 to have at least four off-street parking spaces or equivalent driveway area and the IADU is not contained within an attached garage providing any of the required off-street parking spaces.
6. **Building Code.** All construction and remodeling of IADUs, shall comply with all building, residential, electrical, and fire codes; and ordinance requirements in effect at the time of legal construction or remodeling.

7. **Separate Entrance.** An IADU shall have a separate exterior entrance. All entrances, whether at or below grade, covered or uncovered, shall meet the applicable setbacks required by the underlying zone.
8. **Single Family Appearance.** The primary dwelling shall be architecturally compatible with adjacent single-family homes and not appear as a structure with two dwelling units.
9. **Address.** The principal dwelling unit and the IADU shall have the same address number, but shall refer to the IADU as unit B. Addresses must be located in a visible location on the street frontage side of the home.
10. **Utilities.** A single-family dwelling with an IADU may have separate meters for water, gas, and electricity utility service. Each utility meter shall be in the property Owner Occupant's name and the Owner Occupant shall be responsible to the City for payment of all utilities.
11. **Registration.** Any person owning an existing IADU that has not previously been permitted by the City, or any person constructing or causing the construction of a residence that has an IADU, or any person remodeling or causing the remodeling of a residence for an IADU, shall register the IADU with the Community Development Department. This shall be in addition to a building permit for any work to be performed and an occupancy permit for the IADU when constructed. In order to meet the requirements of the registration, the applicant shall:
 - a. submit a fee to be determined by the approved Fee Schedule with a completed registration form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed additions, dimensions from additions to property lines, the location of parking stalls, and utility meters;
 - b. provide detailed floor plans with labels on rooms indicating uses or proposed uses;
 - c. obtain a building permit and pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges;
 - d. make all corrections identified as necessary to comply with building code requirements, as identified by the building official or his designee;
 - e. prior to occupancy of the IADU, obtain an occupancy permit from the building department and pay all applicable fees; and
 - f. demonstrate and affirm that their property is otherwise in compliance with all other provisions of Title 19, the City Code, and all applicable law.
12. **Failure to Complete Registration.** If a property owner does not complete the registration as outlined above, the IADU shall not be considered legal or approved. Failure to complete the registration may result in a fine to be determined by the approved Fee Schedule or Title 20 of the City Code, which may result in a lien on the property as provided by law. A deadline of sixty days for compliance shall be established after the fine is assessed. The Building Official or his designee may approve an extension for compliance. An additional fine may be assessed for each deadline that is not met.
13. **Lien.** In addition to any other legal or equitable remedies available, as provided by law,

the City may hold a lien against a property that contains a non-compliant IADU.
(Ord. 23-23, Ord. 21-39)

19.20.04. Permitted Locations of IADUs.

The City may prohibit IADUs in up to 25 percent of the residential area of the City, except for newly constructed IADUs that have a Final Plat approved on or before October 1, 2021 that comply with the requirements of Section 19.20.03. All newly constructed IADUs on Final Plats approved after October 1, 2021 shall be deemed permitted so long as the requirements of Section 19.20.03 are met, and shall not be included in the calculation of 25 percent. Locations within the City where IADUs are prohibited, or approved in compliance with Section 19.20, are identified on the map in this Chapter and on the City's website.

1. Development Requirements for new Development Areas.
 - a. To the extent allowed by State law, new residential development plans that include the permitting of IADUs may be required to provide for any or all of the following: 1) wider roads, with widths up to the maximum permitted under Utah State Code, 2) infrastructure with increased sewer and water capacity, 3) increased off-street parking, or 4) other measures deemed necessary to mitigate for increased impacts from IADUs.

(Ord. 25-10, Ord. 24-43, Ord. 24-36, Ord. 24-27, Ord. 24-06, Ord. 23-23, Ord. 23-16, Ord. 22-52, Ord. 22-39, Ord. 22-37, Ord. 22-32, Ord. 22-17, Ord. 21-39)

See Interactive IAUD Map at <https://www.saratogasprings-ut.gov/1008/FAQs-for-Accessory-Units-Renting>