

**ORDINANCE NO. 2024-09**

**AN ORDINANCE ESTABLISHING THE FRAMEWORK FOR PERMITTING AN INTERNAL ACCESSORY DWELLING UNIT (IADU) PURSUANT TO UTAH CODE ANN. §10-9A-530.**

**WHEREAS**, Parowan City, Iron County, State of Utah, a body politic, is a municipal corporation organized and established for the purpose, in part, of establishing certain land use and development standards for all land within the city limits.

**WHEREAS**, on or about May 3, 2023, the Utah State Legislature did, as part of its duties and functions, enact Utah Code Ann. §10-9a-530, titled, "Internal Accessory Dwelling Units" meant to allow for and further entitle landowners to build said internal accessory dwelling units on residential land within the state of Utah and did provide a framework wherein municipalities shall enact and further regulate internal accessory dwelling units for the purposes of community conformity and development but with the intent of allowing and authorizing said internal accessory dwelling units to be built therein.

**WHEREAS**, the Parowan City Planning Commission has been tasked with implementation and codification of the provisions of Utah Code Ann. §10-9a-530 and has now created a framework from which an ordinance within the Parowan City Municipal Code is now ready to be presented to the Parowan City Council for adoption thereof.

**WHEREAS**, the Parowan City Planning Commission has made a positive recommendation to take this action on the final revisions to the proposed Internal Accessory Dwelling Unit code to be contained within Chapter 15 of the Parowan City Municipal Code and shall be referenced as Chapter 15, Section 45 thereafter.

**NOW, THEREFORE**, the City Council of Parowan City, Utah, hereby adopts and passes the following:

**BE IT ORDAINED BY THE CITY COUNCIL OF PAROWAN, UTAH, THAT TITLE 15, CHAPTER 45 SHALL BE ADOPTED AS FOLLOWS:**

**15.45 Internal Accessory Dwelling Units**

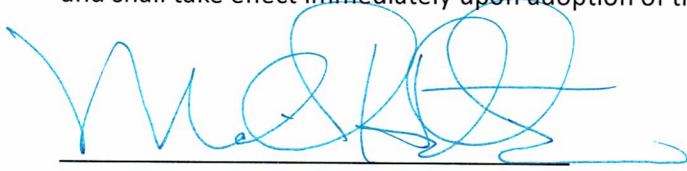
**15.45.010 Definitions**

- A. Internal Accessory Dwelling Unit (IADU, hereafter): means an accessory dwelling unit created:
  - 1. Within a primary dwelling;
  - 2. Within the footprint of the primary dwelling at the time the IADU is created and for the purpose of offering a long-term rental of 30 consecutive days or longer.
- B. Primary Dwelling: means a single-family dwelling that:
  - 1. Is detached; and
  - 2. Is occupied as the primary residence of the owner of record
  - 3. "Primary Dwelling" includes a garage if the garage:
    - a. Is a habitable space; and
    - b. Is connected to the primary dwelling by a common wall.

### **15.45.020 Requirements**

- A. One IADU is a permitted use within a primary dwelling unit located in any area zoned primarily for residential use.
- B. An IADU shall not be permitted on a property with a failing septic tank.
- C. An IADU shall not be permitted within a mobile home or within the property area of a mobile home.
- D. IADU's may be incorporated into a primary dwelling by converting the existing primary dwelling space to function as an accessory dwelling unit. This provision includes attached garages if they are a habitable structure.
- E. A minimum of one extra parking space beyond the parking required for the primary dwelling shall be provided on a property where an IADU is proposed.
- F. Parking spaces displaced by the construction of an IADU (i.e. parking within the garage or carport displaced after the construction of an IADU within the garage or carport) shall be replaced to meet the requirement above.
- G. Required parking shall be gravel or paved with a hard surface and shall not be in tandem with parking required for the primary dwelling unit.
- H. IADU's shall comply with all applicable building, health, and fire codes.
- I. Emergency egress windows are required in IADU's in accordance with Utah State Code.
- J. Entrance Locations: Entrances to accessory dwelling units that are located within a single-family dwelling are permitted in the following locations:
  - 1. An existing entrance to the single-family dwelling;
  - 2. On the side or rear of the building. Stairs leading to an ADU in the basement are permitted to encroach into the side yard.
  - 3. Exterior stairs leading to an entrance above the first level of the principal structure must not be visible from the street.
- K. IADU's may be added to a primary dwelling unit by constructing additional dwelling space attached to the primary dwelling with a common wall.
  - 1. Common walls shall extend floor to ceiling and shall extend from one exterior wall toward the interior of the dwelling for a distance that is at least half of the length or width of the primary dwelling.
  - 2. Architectural elements for new construction of IADU space shall be consistent with the City's regulation of single-family dwelling units, including those located in the Historic Preservation District.
- L. An IADU shall maintain the same address as the primary dwelling with the addition of "Unit B". The primary dwelling will be labeled "Unit A".

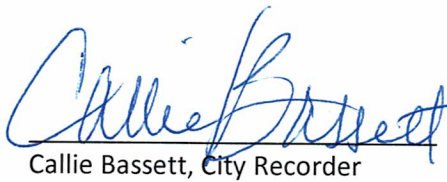
This ordinance is hereby passed and adopted by the Parowan City Council on the 27th day of June, 2024, and shall take effect immediately upon adoption of the same.



Mollie Halterman, Mayor  
Parowan City, Utah

<b>VOTING:</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
David Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rochell Topham	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Downey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Dean	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested by:



Callie Bassett, City Recorder



