



Can I Rent Out Space in my Home?

The short answer is Maybe. Historically, Fruit Heights City ordinances have allowed for mother-in-law apartments only, meaning the Accessory Dwelling Unit (ADU) must be attached to the home, and the occupant of the ADU must be a blood relative of the home's owner.

However, with the passage of HB 82 in the 2021 Utah Legislative Session, Utah cities are now required to allow for Internal Accessory Dwelling Units (IADUs). An IADU is located within the primary dwelling on a property, and may be inhabited by non-relatives. The state focused on IADUs with the goal of addressing the housing shortage and increase in housing prices.

In response to this legislation, Fruit Heights City adopted an ordinance to regulate where IADUs are allowed and under what conditions.

What Does this Mean in Fruit Heights?

In Fruit Heights, all accessory dwelling units must be attached to the home, and must have complete, independent living facilities. This means the space must be located in the footprint of the primary structure, and must include some sort of studio or bedroom space, kitchen facilities, and a bathroom at a minimum for development standards and building code compliance.

Residents wishing to operate an IADU in Fruit Heights City must complete an application with the City, schedule an inspection with the City, and follow all regulations and requirements of the ordinance.

ADU Requirements in Fruit Heights

- **Space must be an Internal ADU**
The space must be located in the footprint of the primary structure, and meet building code size requirements.
- **Home must be owner-occupied**
The owner must occupy either the primary dwelling or the IADU.
- **Must complete application and inspection**
Owner must complete City IADU application, acquire a rental business license, and pass inspection of IADU.
- **Extra parking**
Owner must provide adequate parking for IADU. No on-street parking permitted.

Continued on Back

What is an ADU?

Accessory Dwelling Units (ADUs) are separate livable units that are on the same property as a primary residence.

ADUs have been known by many names over the years: granny flats, in-law apartments, and more. Some states and cities allow for different types of ADUs, such as detached, external units or attached, internal units.

Types of Internal ADUs Permitted in Fruit Heights



Why the Change to Ordinances?

In the past, individual cities in Utah had the authority to set their own ordinances about ADUs. In recent years however, state lawmakers saw the need to address housing needs in Utah, and looked to set laws requiring cities to allow for ADUs in certain situations.

House Bill 82, which passed in 2021, dictates where Internal Accessory Dwelling Units (IADUs) are allowed and permitted. The legislation focused on IADUs only, and not external or detached ADUs like a detached garage or shed.

HB 82 permits these in-home dwellings anywhere cities currently allow ADUs. The measure also changes existing building codes to eliminate rules that require IADUs to have their own additional utilities such as heating and cooling, electrical and sewer lines.

This bill put a statewide standard in place when it comes to internal ADUs. It is the hope of Utah lawmakers that these changes increase housing supply by repurposing existing single family homes.



ADUs in Fruit Heights must be attached to the primary dwelling, must be a minimum of 400 sq. feet, and have a bathroom, kitchen and at least one bedroom. Thirty day lease required, no short-term rentals allowed.

ADU Requirements in Fruit Heights

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- No short-term rentals

IADU may not be used as a vacation rental, Airbnb, VRBO or any similar short-term rental. It shall not be listed on short-term rental websites. A 30 day minimum rental agreement is required.

- Room requirements

The IADU shall provide a kitchen, at least one bedroom, and a bathroom with toilet, sink, and tub/shower.

- Liveable space

The minimum size of IADU shall be 400 square feet.

- Second mailbox

Owner must install a second mailbox, marking unit "A" and unit "B" located at the same address.

- Additional garbage can

The owner must provide a separate garbage can to the renter of the IADU.

- Submit floor plan

The owner must submit a site plan and floor plan drawn to scale to demonstrate all requirements are met prior to inspection.

Read the complete ordinance online at:

<https://www.fruitheightscity.com/201/Municipal-Code>

DETACHED STRUCTURES

External Accessory Dwelling Units (EADUs), meaning those that are not attached, or not in the footprint of the primary dwelling, are **NOT ALLOWED** in any zone or area of Fruit Heights City.

Mobile homes, recreational vehicles, travel/camp trailers, shipping container units, storage sheds, and any similar units are prohibited for use as an EADU or for any other dwelling purpose under this Title.

Questions or comments about these restrictions? Please email Brandon Green, City Manager, at bgreen@fruitheightscity.com, or call 801-546-0861.

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