

ORDINANCE NO. 2021-3

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND/OR MODIFYING SECTION 17.16.020 – ZONING DISTRICTS PURPOSE, SECTION 17.16.030 – TABLE OF USES, AND SECTION 17.16.040 – TABLE OF SITE DEVELOPMENT STANDARDS; SECTION 17.36.300 – R4K ZONING DISTRICT STANDARDS, SECTION 17.16.035 – TABLE OF RESIDENTIAL DWELLING TYPE, 17.84.010 – DEFINITIONS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined in accordance with need for more affordable and attainable housing options, certain provisions and regulations need to be modified that reduce minimum lot sizes and creates a new zoning district;

WHEREAS, the proposed ordinance is designed to implement the objectives of the County to promote options for housing opportunities while reasonably regulating the same to serve the purposes of the Iron County Zoning Ordinance; and

WHEREAS, the County Commission finds that it is in the best interest of the County after taking into consideration the citizen's health, safety and welfare, to amend the following ordinances; and

WHEREAS, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning and Subdivision Ordinances of Iron County, Utah and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

WHEREAS, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use, Development, and Management Act; the Iron County General Plan; and, the Iron County Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

SECTION 1. Within **Section 17.16.020 – Zoning Districts Purpose**, of the Iron County Code, shall be, and hereby is, identified and amended to reads as follows:

17.16.020 Zoning districts purpose.

Consistent with the goals and policies of the Iron County general plan, the zoning districts are formulated to provide and achieve the following purposes:

A. The agriculture (A-20) district is provided and designed to protect and preserve lands suited for farming, ranching, the production of food and fiber, open space, recreation, services or related purposes and minimal rural estate living, and to protect from encroachment of incompatible uses. Other purposes of this district include protection and enhancement of the economic base of the county, as well as the protection of environmentally sensitive lands, such as areas subject to flooding, wetlands, unstable soils and areas with steep slopes or other geologic conditions. This zone anticipates limited commercial uses that have similar impacts to agricultural uses and provides services in rural areas that are compatible and commensurate with typical commercial agricultural uses. The permitted and conditional uses identified in the "Table of Uses" (Section 17.16.030) for the A-20 zone are intended to be compatible with agricultural uses while encouraging economic growth and reasonable options for the use of private property. The district accommodates more intense uses when the required services are made available and the potential cost to Iron County residents of providing the services necessary to support more intense development and activities is minimal.

B. The rural agriculture (RA-20) district is generally intended to protect and preserve valuable agricultural and natural resources through low-density rural single-family detached residential development. It is created to foster conditions favorable to certain agricultural uses (see Table of Uses – Section 17.16.030) of the agriculture areas of Iron County by preventing incompatible forms and degrees of urban uses by limiting the type and density of development and intensive or commercial agriculture so that a harmonious relationship of land uses in the rural area is insured.

The primary purpose of requiring large minimum lots of not less than 20 acres is to discourage small lot subdivisions where public facilities such as central sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not as readily available, or could not reasonably be made available.

C. The intensive agricultural zoning district (I-A) is intended to help preserve existing agricultural land resources, promote the areas suitable for developing agricultural operations that can become or remain competitive by taking advantage of economies of scale, prevent the premature conversion of rural lands to urban use and accommodate animal agricultural uses and other uses that may be more intensive agriculture enterprises than have been historically developed in Iron County. The zone use and development regulations are designed to implement general plan goals by discouraging urban and suburban development on lands that have prime agricultural soils, water and locations that are conducive to agriculture and are not well served by public facilities and services typical of residential development. The I-A zone is generally compatible with the "agriculture" and "open space" land-use designations of the general plan. An I-A zone is intended for more intensive uses than historical agricultural. The I-A zone is not intended to be applied near urbanized areas and is not intended to accommodate residential uses as a principal use. The I-A zone is compatible with, and complimentary to, the A-20 zone and the classification of land into the I-A zone shall not be considered a spot zone when the land is surrounded by property zoned A-20, but is consistent with the intent of the Iron County general plan for agricultural

lands. Accordingly, it is inconsistent with the intent of the I-A zone to change land from A-20 zoning district to the I-A zoning district where the intended use of the land is a permitted use in the A-20 zone. It is also inconsistent with the intent of the I-A zone to zone land I-A for more land than is required by the intended use of the land.

D. The residential districts of Iron County (, R-5, R-2, R-1, R-1/2, and R4K) are formulated to provide single-family housing choices to meet the needs of Iron County residents, to offer a balance of housing types and densities, and to preserve and provide safe and convenient places to live. These districts are intended for well-designed residential uses free from any activity or use that may weaken the residential integrity of these areas. Generally, residential districts shall be located where adequate public services and facilities are available to meet the needs of residents. Typical uses include single-family dwellings, parks and public facilities necessary to meet the needs of residents. Urban and Hobby farms are consistent with the residential districts, so long as the farms meet the requirements of Section 17.36.250 of this title.

E. The residential recreation district (RR-20) is created to provide seasonal housing choices to meet the needs of the recreational second home owner looking for a limited access housing opportunity. This district is intended for well-designed recreational housing second homes that do not have year-round access because of limitations on road maintenance and snow removal. These areas are usually limited by minimal service availability (e.g. power, water, fire protection or other emergency services, etc.) and provide for water hauling to meet potable water needs. Subdivision roads within this district are generally private access roads and driveways built to a smaller width than typical county roads and are accessible in the summer only.

F. The commercial (C) district is intended to provide controlled and compatible locations for retail, office and business/commerce activities, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and to strengthen the county's tax base. Typical uses allowed in this district include retail sales and services, offices and institutional uses.

G. The purpose of the light industrial (LI) district is to provide locations for industrial uses that produce no appreciable impact on adjacent properties and which provide employment opportunities for residents of Iron County.

H. The industrial (I) district is formulated to recognize existing industrial sites and activities within Iron County, to provide opportunities for heavier industrial activities than allowed in the light industrial district, to provide economic stability and opportunity and to provide employment opportunities for county residents.

SECTION 2. Within **Section 17.16.030 – Table of Uses**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.16.030 Table of uses.

The table of uses identifies the uses allowed within each zoning district of the county. The purpose of the table of uses is to implement the goals and policies of the Iron County general plan. The table of uses identifies uses allowed as a permitted use (identified as "P" in the table of uses), uses allowed as an administrative land use (identified as "A" in the table of uses - see Chapter 17.38 Administrative Land Use Permits), and uses allowed as a conditional use (identified as "C" in the table

of uses). Uses not identified as either a permitted or conditional use are deemed to be a prohibited use (identified as "X" in the table of uses).

TABLE OF USES												
USES	ZONE DISTRICTS											
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Accessory agricultural sales	P	P	X	P	P	P	P	P	P	P	P	P
Accessory dwelling	A	X	X	X	X	X	X	X	A	A	A	A
Accessory outside storage	P	P	X	X	X	X	X	X	A	P	P	P
Accessory outside storage of flammable or hazardous materials	C	X	X	X	X	X	X	X	C	C	C	C
Accessory solar energy system, concentrated solar thermal	C	C	X	C	C	C	C	X	C	C	C	C
Accessory solar energy system, photovoltaic or hot water	P	P	P	P	P	P	P	P	P	P	P	P
Accessory structure	P	P	P	P	P	P	P	P	P	P	P	P
Accessory uses	P	P	P	P	P	P	P	P	P	P	P	P
Adult day care facility	A	A	X	A	X	X	X	X	C	X	X	X
Agricultural experiment station/agricultural field station	C	X	X	X	X	X	X	X	X	X	X	P
Agricultural fertilizer products and storage	C	X	X	X	X	X	X	X	C	C	C	C
Agricultural products processing and storage	C	X	X	X	X	X	X	X	C	C	C	C
Airport	C	C	X	C	X	X	X	X	X	X	C	C
Animal operation												
Urban (0-10 AUs)	P	P	P	P	P	P	P	X	X	P	P	P
Type I (11—25 AUs)	P	P	A	P	P	X	X	X	X	P	P	P
Type Ia (26-99 AUs)	P	P	X	X	X	X	X	X	X	C	P	P
Type II (100-999 AUs)	P	X	X	X	X	X	X	X	X	C	P	P
Type III (1,000—2,000 ⁽¹⁾ AUs, <180 days/year)	C	X	X	X	X	X	X	X	X	X	C	C
Type IV (1,000—2,000 ⁽¹⁾ AUs, >180 days/year)	C	X	X	X	X	X	X	X	X	X	X	C
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Type V (>2,000 ⁽¹⁾ AUs, <90 days/year)	C	X	X	X	X	X	X	X	X	X	X	C

Type VI (>2,000 ⁽¹⁾ AUs, >90 days/year)	X	X	X	X	X	X	X	X	X	X	X	C
Assisted living facility	C	X	X	X	X	X	X	X	C	X	X	X
Bakery	C	X	X	X	X	X	X	X	P	P	P	X
Bank	X	X	X	X	X	X	X	X	P	P	P	X
Bed and breakfast	P	P	P	P	P	P	P	X	P	X	X	X
Boarding house	P	P	P	P	P	A	A	X	P	X	X	X
Building material or garden store	C	X	X	X	X	X	X	X	C	P	P	X
Cabinet shop, carpentry, furniture making	C	X	X	X	X	X	X	X	C	P	P	X
Campground	C	X	X	X	X	X	X	X	C	X	X	X
Car wash	C	X	X	X	X	X	X	X	P	P	P	C
Cemetery	C	C	X	C	C	C	C	X	X	X	X	X
Chemical and explosives manufacture and storage	X	X	X	X	X	X	X	X	X	X	C	X
Child day care facility/preschool center	A	A	X	A	A	A	A	A	C	X	X	X
Church	A	A	C	A	A	A	A	A	P	P	X	X
Commercial hazardous industry	X	X	X	X	X	X	X	X	X	X	X	X
Commercial plant nursery	P	C	X	X	X	X	X	X	C	P	P	P
Community correctional facility	C	X	X	X	X	X	X	X	C	X	X	X
Composting facility	C	X	X	X	X	X	X	X	X	X	C	C
Contractor's shop/office	A	X	X	X	X	X	X	X	C	P	P	X
Convenience store	A	X	X	X	X	X	X	X	P	P	P	X
Correctional institution	C	X	X	X	X	X	X	X	C	C	X	X
Day care center/assisted care center	A	A	X	A	A	A	A	X	C	X	X	X
Distribution center	X	X	X	X	X	X	X	X	X	C	P	X
Dwelling, single-family	P ⁽²⁾	P	P	P	P	P	P	P	X	X	X	P ⁽²⁾
Electric substation	C	C	X	C	C	C	C	C	C	C	C	C
Electric transmission line	C	C	C	C	C	C	C	C	C	C	C	C
Emergency care facility	C	X	X	X	X	X	X	X	P	P	C	X
Expanded home occupation	A	A	X	A	A	A	A	A	X	X	X	A
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Farm	P	P	X	X	X	X	X	X	X	A	P	P
Farm Stand	A	A	X	A	A	A	A	X	A	A	A	A

Fish farm	P	P	X	X	X	X	X	X	X	C	P	P
General industrial activity	X	X	X	X	X	X	X	X	X	X	C	X
Geothermal power plant	C ⁽⁵⁾	X	X	X	X	X	X	X	X	X	C ⁽⁵⁾	C ⁽⁵⁾
Golf course	P	P	C	P	P	P	P	P	X	P	P	X
Guest house	A	A	A	A	A	A	A	X	X	X	X	A
Guest ranch	A	C	X	X	X	X	X	X	X	X	X	X
Heliport	C	X	X	X	X	X	X	X	C	C	C	C
Hobby farm	P	P	X	P	P	X	X	X	X	A	P	P
Home occupation	P	P	X	P	P	P	P	P	X	X	X	P
Hospital	C	X	X	X	X	X	X	X	P	P	X	X
Hotel	X	X	X	X	X	X	X	X	P	P	P	X
Indoor recreation	C	X	X	X	X	X	X	X	C	P	X	X
Indoor theater	C	X	X	X	X	X	X	X	P	P	X	X
Junk yard	X	X	X	X	X	X	X	X	X	X	C	X
Kennel * 3-8 dogs 9+ dogs	**	A*, C**	C*, X**	X	X	X	X	X	X	C	P	C
Landfill	X	X	X	X	X	X	X	X	X	X	C	X
Laundry, self-service (laundromat)	C	X	X	X	X	X	X	X	P	P	X	X
Light industrial	C	X	X	X	X	X	X	X	X	P	P	C
Livestock auction facility	C	X	X	X	X	X	X	X	X	X	P	C
Major facility of a public utility	C	C	C	C	C	C	C	C	C	C	C	C
Meat or poultry processing facility	X	X	X	X	X	X	X	X	X	X	C	C
Membership club	C	C	C	C	X	X	X	X	P	P	P	X
Mortuary	A	X	X	X	X	X	X	X	P	P	X	X
Motel	X	X	X	X	X	X	X	X	P	P	X	X
Nursing home or convalescent care facility	C	X	X	X	X	X	X	X	P	X	X	X
Oil and gas drilling facilities/production	C	X	X	X	X	X	X	X	X	X	C	C
Outdoor theater	C	X	X	X	X	X	X	X	C	C	C	X
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Outdoor recreation	C	C	X	C	C	X	X	X	C	C	C	C
Outside storage of flammable or hazardous materials	C	X	X	X	X	X	X	X	C	C	C	C
Park and ride facility	C	X	C	X	X	X	X	X	P	P	P	C

Permanent farm worker dwelling units, on farm	A	X	X	X	X	X	X	X	X	X	X	A
Personal service facility	A	X	X	X	X	X	X	X	P	P	X	X
Personal storage facility	A	X	X	X	X	X	X	X	P	P	P	X
Power plant, not otherwise listed	X	X	X	X	X	X	X	X	X	X	C	C
Printing and/or publishing establishment	C	X	X	X	X	X	X	X	P	P	P	X
Private educational facility	C	X	X	C	C	C	C	C	C	C	C	X
Private club	C	C	X	X	X	X	X	X	C	C	X	X
Professional office	A	X	X	X	X	X	X	X	P	P	X	X
Protective housing facility	C	X	X	X	X	X	X	X	C	X	X	X
Public educational facility	C	X	X	C	C	C	C	C	C	C	C	X
Public use	C	C	C	C	C	C	C	C	C	C	C	C
Reception hall/reception center	X	X	X	X	X	X	X	X	P	P	X	X
Recreation, commercial	C	C	X	X	X	X	X	X	C	C	C	X
Recreational Vehicle Seasonal Use	P	P	P	P	P	P	P	X	X	X	X	X
Recreational Vehicle Space	A	A	A	A	A	A	A	X	X	X	X	X
Recreation Vehicle Temporary Use	P	P	P	P	P	P	P	P	X	X	X	X
Recycling processing facility	X	X	X	X	X	X	X	X	X	X	C	C
Recycling collection center	C	X	X	X	X	X	X	X	C	C	C	C
Rehabilitation/treatment facility	C	X	X	X	X	X	X	X	C	X	X	X
Residential facility for elderly persons	P	P	X	P	P	P	P	P	X	X	X	X
Residential facility for persons with a disability	P	P	X	P	P	P	P	P	X	X	X	X
Residential Subdivision * 1-4 lots ** 5+ lots	P* X**	P	P	P	P	P	P	P	X	X	X	X
Resort lodge	C	X	X	X	X	X	X	X	C	X	X	X
Restaurant	A	X	X	X	X	X	X	X	P	P	C	X
Retail store	A	X	X	X	X	X	X	X	P	P	X	X
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Retirement home	C	X	X	X	X	X	X	X	C	X	X	X
Saw mill	C	X	X	X	X	X	X	X	X	X	C	C
Seasonal Subdivision ⁽⁷⁾	X	X	P	X	X	X	X	X	X	X	X	X
Short-Term Rental	P	P	P	P	P	P	P	P	P	X	X	X

Solar power plant	C ⁽⁶⁾	X	X	X	X	X	X	X	X	X	C ⁽⁶⁾	C ⁽⁶⁾
Subsurface mining	C	X	X	X	X	X	X	X	X	X	C	C
Surface mining	C	X	X	X	X	X	X	X	X	X	C	C
Swine operation												
Type I (0—2 swine)	P	P	X	P	P	P	P	X	X	P	P	P
Type II (3-5 swine)	P	P	X	P	P	P	X	X	X	X	P	P
Type III (6—20 swine)	P	P	X	X	X	X	X	X	X	P	P	P
Type IV (21—50 swine)	P	X	X	X	X	X	X	X	X	C	P	P
Type V (51-249 swine)	C	X	X	X	X	X	X	X	X	X	C	C
Type VI (250 or more swine)	X	X	X	X	X	X	X	X	X	X	C	C
Telecommunications site/facility	A	A	C	A	A	X	X	X	C	C	C	C
Temporary construction or sales office	P	P	P	P	P	P	P	P	P	P	P	P
Temporary dwelling unit	A	A	A	P	P	P	P	A	X	X	X	A
Temporary use	P	P	P	P	P	P	P	X	P	P	P	X
Travel trailer park * 1-4 spaces ** 5+ spaces	A*, C**	C*, X**	C*, X**	X	X	X	X	C	C	X	X	X
Urban Farm	P	P	P	P	P	P	P	X	X	A	P	P
Utility service facility	P	P	P	P	P	P	P	P	P	P	P	P
Vehicle service center/service station	A	X	X	X	X	X	X	X	P	P	P	C
Vehicle sales/rental lot	C	X	X	X	X	X	X	X	C	P	P	X
Veterinary clinic, with outdoor holding facilities	A	X	X	X	X	X	X	X	C	C	P	P
Veterinary clinic, without outdoor holding facilities	P	C	X	C	X	X	X	X	P	P	P	P
Warehouse	X	X	X	X	X	X	X	X	C	P	P	P
Wind energy system, commercial	C	X	X	X	X	X	X	X	X	X	C	C
Wind energy system, small	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	X	X	X	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Wind monitoring tower and equipment	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	X	X	X	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾

- (1) See Definition.
- (2) Requires an agricultural acknowledgment to be signed and recorded.
- (3) See also Section 17.34.030

- (4) See also Section 17.34.050
- (5) See also Chapter 17.35
- (6) See also Chapter 17.33
- (7) See also Chapter 16.25

Table of Uses Notes:

P = Permitted Use

A = Administrative Land Use

C = Conditional Use

X = Prohibited Use

SECTION 3. Within **Section 17.16.040 – Table of Site Development Standards**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.16.040 - Table of site development standards.

The table of site development standards accompanies the table of uses set forth in Section 17.16.030. With the exception of the minimum lot size in an A-20 zone and in accordance with the conditions in Section 17.16.040(3), this table identifies the lot requirements, required setback and yard standards, building height standards, site coverage standards and other requirements for the uses allowed within each zoning district. The values identified in the following table are the minimum standards that apply in the zones indicated. However, more restrictive or additional development standards may also apply, as set forth in other applicable sections of the Iron County Code. A thorough review of the Iron County zoning ordinance is required to ensure that all applicable development standards are identified.

TABLE OF SITE DEVELOPMENT STANDARDS

	ZONING DISTRICTS											
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2 ⁽²⁾	R4K	C	LI	I	I-A
Minimum lot width (feet)	300	300	200 ⁽⁶⁾	300	200	165	120	50	90	100	150	1,320
Minimum front yard setback (feet)	60	60	60	60	30	30	25	25	25	25	25	200 ⁽¹⁾
Minimum rear yard setback (feet)	60	60	60	60	40	30	25	15	25	30	50	200 ⁽¹⁾
Minimum side yard setback (feet)	30	30	30	30	30	20	10	20 combined (8 min. + 12)	10	25	40	200 ⁽¹⁾
Minimum side yard setback (corner lot) (feet)	30	30	30	30	30	30	25	25	NR	NR	NR	200 ⁽¹⁾
Minimum distance between buildings (feet)	15	15	15	15	15	15	15	10	NR	NR	NR	15
Maximum/ minimum building height (feet/stories)	NR	NR	NR	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories/ 1 story	3 stories / 1 story	3 stories / 1 story	NR	NR
Minimum lot size (acres) ⁽¹⁰⁾	20 ⁽³⁾⁽⁵⁾	20 ⁽³⁾⁽⁵⁾	20 ⁽³⁾⁽⁵⁾	5	2	1	1/2	0.0918 (4000 sq. ft.)	NR	NR	NR	80
Maximum total lot coverage (all buildings)	NR	NR	NR	5% ⁽⁹⁾	10%	15%	30%	75%	50%	50%	50%	NR
Accessory outside storage areas									(7)			

	ZONING DISTRICTS											
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2 ⁽²⁾	R4K	C	LI	I	I-A
Outside and security lighting									(8)			

Notes:

(1) All uses and buildings located within the I-A zoning district, except for dwellings and accessory uses for dwellings, shall meet the minimum setbacks required for the I-A zoning district. Accessory uses and buildings in the I-A zoning district shall meet the minimum setbacks of the A-20 zoning district.

(2) The R-1/2 zone, where a "Performance Subdivision Option" is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in Section 16.23.040 (Development standards).

(3) If a lot or parcel of property is located within an A-20 zone and is less than twenty acres but at least ten or more acres, and provided that the lot was legally created or existed prior to August 14, 2000, the lot or parcel shall be considered suitable for uses identified as permitted or conditional as set forth in the A-20 zone, except for kennels; provided that all listed uses (permitted and/or conditional) in the A-20 zone shall be considered conditional uses for lots or parcels in the A-20 zone and smaller than twenty acres, but at least ten or more acres, subject to the following provisions:

a. The requested use is allowed in the A-20 zone as a permitted, administrative land use, or conditional use;

b. The requested use complies with the requirements for the A-20 zone with respect to yard requirements, setback requirements, height, buffer and landscape standards, and all other requirements applicable to the district are sufficient to permit the requested use, other than the minimum area requirement; and

c. The requested use will not substantially impair or adversely impact the neighboring property owners, but if so asserted, or the planning commission believes that the requested use will negatively impact or impair a neighboring property owner, then the planning commission may impose such requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control and time limits, and other items for the

conditional use permit as deemed necessary for the protection of adjacent properties and the public interest.

d. Conditional use permit applications for a kennel in the A-20 zone shall only be considered eligible for lots with twenty or more acres.

If the proposed use requested does not comply with the requirements of this title, or cannot be reasonably mitigated by the property owner, the planning commission shall deny the application. Upon finding that the proposed use, building or structure complies with the standards and requirements of this title, the requirements of the land management code, can be adequately serviced by the existing or proposed infrastructure, and the negative impacts can be reasonably mitigated, the planning commission shall authorize the conditional use permit.

(4) Accessory Building Setbacks and Separations. Unless determined otherwise by the county commission, accessory building setbacks shall be five feet minimum for rear and side yard setbacks. Front yard setbacks are the same as for the principle building and accessory buildings may not be set closer to the front property line than the principle building. Accessory buildings may not be located in utility easements. Building separation distances for accessory buildings shall be regulated by the building code.

(5) For the purpose of calculating minimum lot size, one-half the width of public streets or rights-of-way along not more than two sides of the lot may be included if that public street or right-of-way is established in conformance with the Iron County transportation plan or the Iron County addressing coordinate grid system (i.e., along section lines, quarter section lines, etc. as commonly done with aliquot parts divisions). Such area of public streets and rights-of-way shall not exceed two acres of the minimum twenty acres required.

(6) Lot width for private lots in the RR-20 zoning district that do not have lot frontage on a public street shall consider the edge of the lot where the driveway enters the lot as the front of the lot.

(7) When located adjacent to any agricultural or residential district must be screened by a solid, non-landscape, fence or wall at least six feet in height.

(8) Lighting must reflect downward and away from adjacent agricultural and residential districts and structures.

(9) 5% (max. site coverage may be >5% for green-houses).

(10) Minimum lot size is used to calculate density and a lot may be less than the minimum acreage specified when various subdivision options are utilized.

SECTION 4. Within **Section 17.36.300 – R4K Zoning District Standards**, of the Iron County Code, shall be, and hereby is, identified and added to read as follow:

17.36.300– R4K Zoning District Standards

17.36.310 - Purpose and intent.

The R4K (Residential 4000 square foot) zoning district is provided and designed to create affordable housing options in a planned and organized park type community; to encourage flexibility and creativity in subdivision design and layout; and to preserve and protect development opportunities primarily in tracts of land where municipal type services are available and transportation systems can lead to higher densities than that generally found in the unincorporated areas of Iron County; and to protect and enhance the desirable amenities and qualities of residential development, natural areas, and open space. To this end, the R4K zoning district should be considered when a planned community of organized smaller lot residential housing opportunities is situated in the appropriate area that can meet the needs for transportation and municipal type services and infrastructure.

17.36.320 - General requirements.

Development projects/properties zoned R4K must:

1. be at least five (5) acres and not more than twenty (20) acres in size, of contiguous property, and must be located at least one thousand (1000) feet away from another R4K zoned project/property;
2. provide central water with fire flow and central sewer;
3. have forty-five (45) feet minimum public street widths with curb, gutter and sidewalks, and comply with the asphalt paving and road requirements described in the Iron County Construction and Design Standards;
4. provide two off-street parking spaces on each lot and have additional common parking spaces for use of guests/visitors at a rate of two parking spaces for every ten (10) lots or portion thereof;
5. create at least two (2) ingress/egress locations;
6. provide at least 2500 square feet of outside storage area for every ten (10) lots, or portion thereof, within the project area;

7. provide at least 4000 square feet of common park space/playground area for each ten (10) lots, or portion thereof, within the project area, with a minimum of 0.5 acres for any one park/playground/open space area;

8. provide a developer commitment or insure the creation of a community organization such as a home owner’s association (HOA) to operate and maintain community improvements such as private community facilities/buildings, public areas of parks and open space, private outdoor storage areas, and additional common parking spaces; and,

9. include a provision stated on the final plat that by means of a developer commitment or the creation of a community organization, such as a home owners association (HOA), that limits non-owner-occupied rental uses, whether short-term rentals or long-term rentals, to thirty-percent (30%) or fewer units in the subdivision, enforceable by any lot owner’s private right of action against the developer or community organization or other enforcement body for failure to enforce. This rental restriction may allow rental exceptions on an individual basis for up to two (2) years to account for sickness, military leave, and other factors, which exemptions must be counted toward the rental limit, but would not trigger a cause of action against the enforcement body.

SECTION 5. Within **Section 17.36.270– Guest House**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.36.270 - Guest house.

Guest houses may be authorized as an administrative land use permit by the zoning administrator in zones established in Section 17.16.030, Table of Uses, and in accordance with the provisions of Chapter 17.38, Administrative Land Use Permits.

The maximum number of guest houses allowed (in addition to the primary dwelling) for each legal lot of record shall be as follows:

Zoning District:	Maximum number of guest houses per lot:
A-20	Three
RA-20	Three
RR-20	Two
R-5	One
R-2	One

Zoning District:	Maximum number of guest houses per lot:
R-1	One
R-1/2	One
R4K	None

Note: If legal lots of record within the A-20, RA-20, or RR-20 zoning district are less than ten acres in size, the number of guest houses allowed shall be the same as the R-5 zoning district (one).

Regulations. Upon receipt of a complete application, the zoning administrator shall grant a permit for a guest house if the zoning administrator finds that all of the following requirements are met.

The proposed guest house:

- A. Shall not be recorded under a separate deed from the principal dwelling and shall not be sold separately from the principal dwelling;
- B. May be rented separately or as part of the principal dwelling;
- C. If attached to the principle dwelling, will be considered a duplex, which is not permitted in any zone;
- D. Shall be subject to the setbacks and separations established in the respective zone for dwellings;
- E. Must be consistent with the principal dwelling in building type, i.e., architectural style, color, etc.;
- F. Must provide adequate water and sewer resources and facilities (quantity and quality), including but not limited to, certification by the appropriate water and sewer authority or public health authority that the water and sewer services are adequate for the projected number of residents;
- G. Must be situated and oriented on the property to reduce the potential to invade the privacy of adjoining dwellings (on the same lot and surrounding properties) and maintain the aesthetics of the neighborhood, considering the physical characteristics surrounding the guest house, including landscape screening, fencing and window and door placement;
- H. Must provide for two off-street parking spaces particular to the guest house;
- I. Must share the same access to a public right-of-way as the principal dwelling;
- J. Dwellings meeting the definition of a "mobile home" are prohibited; and,
- K. Must comply with all required federal and state licensing/permitting requirements.

SECTION 6. Within **Chapter 17.84 - DEFINITIONS**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.84.010 - Definitions.

"Lot width" means for rectangular lots, lots having side lot lines not parallel and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel with the street or long chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured thirty feet behind the required minimum front yard line on a line parallel with the street or long chord.

"Manufactured home" means a transportable, factory-built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, and when erected on site, the home must be at least:

- a. twelve feet in width at the narrowest dimension, if greater than 500 square feet; and,
- b. eight (8) feet in width at the narrowest dimension, if equal or less than 500 square feet, and

have exterior and roofing materials acceptable to the county's building codes, have a minimum roof pitch of 2:12, and be located on a permanent foundation and connected to the required utilities, including plumbing, heating, air conditioning and electrical systems.

A manufactured home shall be identified as real property on the property assessment rolls of Iron County. All manufactured homes constructed on or after June 15, 1976, shall be identified by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

"Mobile home" means a transportable, factory-built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code). The following are excluded from this definition:

1. Travel trailers, motor homes, camping trailers, or other recreational vehicles; and
2. Manufactured home.

SECTION 7. Within **Section 17.16.035 – Table of Residential Dwelling Type**, of the Iron County Code, shall be, and hereby is, identified and added to read as follow:

17.16.035 – Table of Residential Dwelling Type

<u>Construction Type</u>	<u>Inspection Code</u>	<u>Size Min/Max</u>	<u>Zones/locations</u>
RV/Travel Trailer (Not for year-round living)	NFPA 1192 (RVIA)	8'-6" max. wide	See RV Ordinance (2021-1)
Tiny Homes: Tiny home on wheels	Unknown	8'-6" max. wide ≤ 500 sq. ft.	Travel Trailer Park
Park Model (PMRV)	ANSI A-119.5-15	8' wide min. ≤ 500 sq. ft.	Travel Trailer Park
Manufactured or Modular (Requires permanent foundation)	HUD or IRC	8' wide min. ≤ 500 sq. ft.	R4K
Mobile Home	pre-1976	8' wide min.	Existing Mobile Home Parks (Beryl) No placements outside MH Park
Manufactured (Retains chassis, permanent foundation)	HUD	12' wide min. > 500 sq. ft.	Residential & Agriculture zones & R4K
Modular (Requires foundation/off chassis) (Includes panelized and pre-cut homes)	IRC	NA	Residential & Agriculture zones & R4K
Site-Built (Requires foundation or pad)	IRC	NA	Residential & Agriculture zones & R4K

SECTION 8. General Provision.

Sections of the Iron County Code identified in this ordinance, shall be, and hereby are, amended with the express intent of allowing administrative land use permits to be issued by the zoning administrator for uses such as guest houses and expanded home occupations in accordance with Utah State code and Iron County code.

SECTION 9. Severability.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 10. Effective Date.

This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 12th day of April, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____
Michael Bleak, Chair

ATTEST:

Jonathan T. Whittaker,
County Clerk

VOTING:

Michael Bleak _____

Paul Cozzens _____

Marilyn Wood _____