

IRON COUNTY ORDINANCE 2025-2

AN ORDINANCE OF IRON COUNTY, UTAH, MODIFYING SECTION 17.36.320 – GENERAL REQUIREMENTS (R4K), REGARDING SEPARATION DISTANCES ASSOCIATED WITH THE R4K ZONING DISTRICT, AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with the desire to provide more opportunities in certain zones for higher densities and more affordable housing options, various provisions and regulations need to be amended or modified; 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 ordinance; and

Whereas, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Subdivision Ordinance 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 Subdivision Ordinance.

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

SECTION 1. Within **Section 17.36.320 – General Requirements**, a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.36.320 General Requirements.

Remainder of this section remains unchanged

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 separated from another R4K project property as follows:

- a. Single family residential lot projects:
 - i. new R4K project properties with single-family residential lots must be located at least five hundred (500) feet away from another R4K zoned single-family residential lots project property, or
 - ii. separated from another R4K zoned single-family residential lot project property by a master planned county road of seventy five (75) feet or larger right-of-way width;
 - b. Townhouse lot projects:
 - i. new R4K project properties with townhouse lots, or the portion of the property with the townhouse lots, must be separated by at least one thousand (1000) feet from other townhouse lots of a different R4K or R-½ townhouse project property, or
 - ii. separated from another R4K project property by a least 500 feet, if only one of the project properties has townhouse lots;
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. *Remainder of this Section remains unchanged*

SECTION 2. 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 3. 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 10th day of February, 2025.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____
Paul Cozzens, Chair

ATTEST:

Jonathan T. Whittaker, County Clerk

VOTING:

Michael Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Kenneth Robinson	<u> Nay </u>