

ORDINANCE NO. 2014 - 9

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND MODIFYING CERTAIN CHAPTERS AND SECTIONS OF TITLE 16 - SUBDIVISION, and TITLE 17 - ZONING; ESTABLISHING PROVISIONS FOR SEASONAL SUBDIVISIONS; CREATING NEW ZONING DISTRICTS; ESTABLISHING USES FOR NEW ZONING DISTRICTS; PROVIDING FOR MAXIMUM NUMBER OF GUEST HOUSES FOR EACH ZONING DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that certain provisions and regulations be established that permit seasonal subdivisions with simpler infrastructure requirements in areas of the county that have limited or seasonal access;

WHEREAS, Iron County officials have the desire to permit guest houses in all residential zoning districts; and

WHEREAS, the proposed ordinance is designed to implement the objectives of the County to promote options for property use while reasonably regulating the same to serve the purposes of the Iron County Zoning and Subdivision Ordinances; 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 ordinances 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 and Subdivision Ordinances.

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

SECTION 1. Chapter 16.25 – Seasonal Subdivision Option, of the Iron County, shall be, and hereby is, identified and added to include a new chapter for seasonal subdivisions, and reads as follows:

Chapter 16.25 SEASONAL SUBDIVISION OPTION

Sections:

<u>16.25.010</u>	<u>Purpose and intent.</u>
<u>16.25.020</u>	<u>Use regulations.</u>
<u>16.25.030</u>	<u>General requirements.</u>
<u>16.25.040</u>	<u>Development standards.</u>
<u>16.25.050</u>	<u>Agricultural use and open space provision.</u>
<u>16.25.060</u>	<u>Submission of application.</u>
<u>16.25.070</u>	<u>County commission approval.</u>

16.25.010 Purpose and intent.

The seasonal subdivision option is provided and designed to encourage flexibility and creativity in subdivision design and layout and to preserve and protect the natural features and amenities of rural recreational and agricultural property in Iron County; to strengthen and preserve rural recreational activities; and to protect and enhance the amenities and qualities of ranching, wildlife, natural areas, and open space. To this end, the seasonal subdivision should be planned as a unified development rather than an aggregation of individual unrelated buildings located on separate unrelated lots. The intent is to allow the entire property to be divided into the number of lots permitted through the zoning of the property and configured with available subdivision options, including the maximum density option, the cluster subdivision option, or the minor subdivision option. Full compliance with all the provisions of this chapter, the Iron County zoning ordinance and all other applicable requirements of local, state and federal laws is required.

16.25.020 Use regulations.

The seasonal subdivision option may be allowed in the RR-20 zoning district, at the discretion of the county commission, following the receipt of a planning commission recommendation. An application for a seasonal subdivision shall be considered concurrently with a preliminary subdivision application or minor subdivision application. All use requirements of the zoning district in which the seasonal subdivision is located shall apply.

16.25.030 General requirements.

A. The number of subdivision lots allowed in a seasonal subdivision shall be the same as the number permitted by the lot area requirements of the zoning district, or districts, in which the seasonal subdivision is located. Land used for schools, churches, and other nonresidential

buildings and uses shall not be included in the area for determining the number of allowable lots.

B. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of the property.

C. The property adjacent to the seasonal subdivision shall not be adversely affected, and to this end, the planning commission and county commission may require that uses of least intensity or greatest compatibility be arranged around the boundaries of the seasonal subdivision area.

16.25.040 Development standards.

A. Qualification for Seasonal Subdivision. In order to apply for a seasonal subdivision, the proposed property must have limited seasonal access to the property, from a class B county road, because of seasonal road closures due to lack of maintenance during the winter months and/or the condition of the county road. Such county roads may be posted “closed” and designated to provide ingress and egress to seasonal subdivisions only during portions of the year when weather conditions are favorable. Seasonal subdivisions may be gated where access leaves a county road and enters the seasonal subdivision.

B. Subdivision Standards. Notwithstanding Chapter 16.12 – Preliminary Plats, and the Iron County Design and Construction Guidelines, seasonal subdivisions will not be required to provide subdivision improvements typical of subdivisions that provide year-round access/availability, as follows:

- i. Hauling of Water.
 - a. The hauling of water as a proposed source of culinary water may be allowed for the establishment of a building or structure for seasonal purposes only, and is thereby restricted by the approval of a seasonal subdivision for occupancy to a maximum of one-hundred-eighty (180) days, or less, for each calendar year (see Section 15.06.030 for details on water hauling regulations/approval for culinary purposes).
 - b. Seasonal subdivisions proposed with seven or less (1-7) lots must provide proof of an approved source for hauling water at the time of building permit. Water hauling for this size/type subdivision shall be limited to hauling from an approved source outside the subdivision boundary to no more than 6,000 gallons per year and is prohibited from landscape/outside watering.
 - c. Seasonal subdivisions proposed with eight or more (8+) lots shall be required to provide an approved culinary water source within the boundaries of the proposed subdivision, from which individual lot owners may access water for culinary purposes with maximum hauling and use restrictions determined by water rights only.

- i. Fire Protection.
 - a. The proposed subdivision shall meet the requirements for fire prevention, protection, and suppression specified in the Utah Wildland Urban Interface (WUI) Code, including the provision of survivable space, appropriate fire resistant building materials and vegetation, and other provisions or facilities necessary for fire protection and suppression as identified by the county fire warden in consultation with the fire department providing service to the subdivision.
 - b. Seasonal subdivisions proposed with seven or less (1-7) lots may choose to make an in-lieu payment, in the amount pre-determined by resolution of the board of county commission, for the purpose of acquiring appropriate fire management resources that can be strategically located to best serve the proposed subdivision; rather than providing onsite water storage for fire suppression, in volume determined by code and the county fire warden.
 - c. Seasonal subdivisions proposed with eight or more (8+) lots shall be required to provide an approved and accessible fire suppression water source within the proposed subdivision, from which fire fighters may access water for suppression purposes. This water source could include a pond with helicopter and/or fire truck access, or other approved water storage providing fire truck access. Appropriate storage volume and location will be determined by fire code and the county fire warden.
 - d. All seasonal subdivisions with gated private roads shall provide Knox Box locks specified by the local emergency service providers.
 - e. Vegetation management strategies or mitigation measures determined adequate to substitute water storage for fire suppression for seasonal subdivisions, as provided in (b) above, or in combination with water storage in (c) above, shall be completed as part of the common subdivision improvements, rather than at the time of building permits for individual lots. Vegetation management or mitigation measures necessary for individual buildings may be completed at the time of a building permit being issued.
- i. Roads.
 - a. Minimum road standards for private roads in seasonal subdivisions shall be as follows (see WUI Code, Section 403):

Type	R-O-W Width	Improved Road Width
Access Road	45'	20'
Shared Access Driveway	33'	16'
Single Access Driveway	33'	12'
Cul-de-sac	90'	75'

- b. Fifteen (15) foot utility easements are required on both sides of the R-O-W.
- c. No more than five (5) driveways are allowed to gain access from any access road.
- d. No more than three (3) lots are allowed to gain access from one shared driveway.
- e. Turnouts are required on driveways less than 20' wide at intervals determined by the county fire warden. Turnouts must be at least 10'x30'.
- f. Single or shared driveways less than 20' wide, longer than 150', must provide a turnaround approved by the county fire warden.
- g. All roads shall be constructed according to the appropriate county road standard and be finished with an all-weather gravel surface.
- h. A second access providing ingress and egress for the proposed seasonal subdivision shall be required when more than 50 lots are gaining access from a single access (must be calculated in combination with any and all existing or planned lots/subdivisions using the same access).
- i. Construction. All common or shared roads (private or public) shall be constructed as if typical subdivision public improvements, including shared driveways. Single access driveways may be constructed at the time of building permit.
- j. Slope/Grade (see Construction and Design Guidelines)
- k. Limited access/Road Closures. County roads providing access to seasonal subdivisions may be posted "closed" during portions of the year when weather conditions are unfavorable. Signage shall include notice to the public that, because of weather, ingress and egress to the seasonal subdivision is limited to that portion of the year when road conditions are favorable.

C. Minimum Lot Area. The minimum lot area for dwellings may be reduced below the area normally required by the zoning district regulations in which the seasonal subdivision is located, as recommended by the planning commission, and as approved by the county commission, when incorporated with the cluster or maximum density subdivision option. The proposed lot size must be sufficient to meet the requirements of the South West Utah Public Health Department and the Utah Department of Environmental Quality for the provision of culinary water and sanitary sewer services, as applicable. Cluster and maximum density seasonal subdivisions shall not have lots smaller than five acres unless the applicant can sufficiently demonstrate that lots smaller than five acres and associated small wastewater treatment systems on less than five acres will not be detrimental to the public health, safety and/or welfare, including specifically, but not limited to, groundwater quality, groundwater hydrology, and soils stability. In no case shall lots be smaller than two acres.

D. Minimum Lot Width and Yard Setback. The minimum lot width and yard requirements may be reduced below the width and yard normally required by the zoning district in which the seasonal subdivision is located, as recommended by the planning commission, and as approved by the county commission. However, no required side yard shall be less than ten (10) feet, no required front or rear yard shall be less than thirty (30) feet, and no corner side yard shall be less than thirty (30) feet. Any variation from the normally required setbacks for the zone shall be specified on the preliminary plat, and the recorded final plat, or record of survey as recorded in the office of the Iron County recorder.

E. Lot Frontage. Lots within the seasonal subdivision may be exempt from the required frontage on a dedicated public street or road when the lots are provided access from private access roads, shared access driveways, and single access driveways.

F. Use and Height Regulations. Use and height regulations shall be the same as for the zoning district in which the seasonal subdivision is located.

G. Building Envelope. An appropriately sized building envelope shall be designated for each lot where residential structures may be built, leaving the remainder of the lot free of structures. The building envelope can delineate the lot setbacks and identify other no-build areas due to geologic concerns and/or interests such as water source and water shed protections, preserving unique physical features, view shed protections, ridgeline building prohibitions, etc...

H. Subdivision Construction and Design Standards. Unless otherwise provided in this chapter, the 'Iron County Subdivision Construction and Design Standards' shall prescribe the required improvements for each zone. If there are any lots in the subdivision that are smaller than the normal minimum required lot area of the zoning district in which the subdivision is located, the planning commission shall recommend, and the county commission shall approve the appropriate required level of on-site and off-site subdivision improvements based on the number of lots and the lot sizes in the subdivision, as well as subdivision location, current and

anticipated future land use designations of adjacent properties, and all other relevant considerations.

I. Deed and Plat Restrictions. Seasonal subdivision recorded plats and lot deeds shall include a notation that the lots are for seasonal use only and no lot may be occupied year-round. Lots in seasonal subdivisions are taxed as secondary residences or recreational properties and may not be considered as primary residences.

16.25.050 Agricultural use and open space provision.

All areas on each lot outside the designated building envelope are to be designated and preserved for undeveloped agricultural use, natural areas, and/or open space areas and shall be designated as such on the preliminary plat, and the final plat, or record of survey, and specify that the maintenance and improvement responsibility shall belong to the owner(s) of that lot. The proposed building/structure envelope and resulting preserved undeveloped open space and/or agricultural land shall be reviewed and recommended by the planning commission, and approved by the board of county commissioners.

16.25.060 Submission of application.

An application for a seasonal subdivision shall be submitted to the county in accordance with this chapter and shall be accompanied by a preliminary subdivision plat application or minor subdivision application, as applicable, and as required herein.

16.25.070 County commission approval.

A preliminary and final plat or record of survey of the seasonal subdivision, showing the lot configuration and building envelope areas and resulting undeveloped areas reserved for agricultural uses and/or open space, shall be approved by the county commission, consistent with all requirements of this chapter, the Iron County zoning ordinance and other applicable local, state and federal laws.

SECTION 2. 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 recreational parks, services or

related purposes and services providing rural lodges and minimal rural estate living, and to encourage open areas for the protection 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 appropriate uses of a commercial nature that have similar impacts to agricultural uses and provides services in rural areas that are compatible and commensurate with typical 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 provides for 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 higher density or more intense development and activities is minimal.

B. 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.

C. The residential districts of Iron County (R-20, R-5, R-2, R-1 and R-1/2) 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. Hobby farms are consistent with the residential districts, so long as, the farms meet the requirements of Section 17.36.250 of this title.

D. 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.

E. 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.

F. 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.

G. 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 3. 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	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Accessory agricultural retail sales	P	P	X	P	X	X	X	X	X	X	P
Accessory dwelling	A	X	X	X	X	X	X	A	A	A	A
Uses	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA

Accessory outside storage	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	C	C	C	C
Accessory solar energy system, concentrated solar thermal	C	C	X	C	C	C	C	C	C	C	C
Accessory solar energy system, photovoltaic or hot water	P	P	P	P	P	P	P	P	P	P	P
Accessory structure	P	P	P	P	P	P	P	P	P	P	P
Accessory uses	P	P	P	P	P	P	P	P	P	P	P
Adult day care facility	A	A	X	A	X	X	X	C	X	X	X
Agricultural experiment station/agricultural field station	C	X	X	X	X	X	X	X	X	X	P
Agricultural fertilizer products and storage	C	X	X	X	X	X	X	C	C	C	C
Agricultural products processing and storage	C	X	X	X	X	X	X	C	C	C	C
Airport	C	C	X	C	X	X	X	X	X	C	C
Animal operation											
Type I (0—25 AUs)	P	P	A	P	P	P	P	X	X	X	P
Type II (26—999 AUs)	P	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	C	C
Type IV (1,000—2,000 ⁽¹⁾ AUs, >180 days/year)	C	X	X	X	X	X	X	X	X	X	C
Type V (>2,000 ⁽¹⁾ AUs, <90 days/year)	C	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	C
Assisted living facility	C	X	X	X	X	X	X	C	X	X	X
Bakery	C	X	X	X	X	X	X	P	P	P	X
Bank	X		X	X	X	X	X	P	P	P	X
Bed and breakfast	A	A	C	A	C	C	X	P	X	X	X

Boarding house	A	A	C	A	C	C	X	P	X	X	X
Building material or garden store	C	X	X	X	X	X	X	C	P	P	X
Cabinet shop, carpentry, furniture making	C	X	X	X	X	X	X	C	P	P	X
Uses	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA

Campground	C	X	X	X	X	X	X	C	X	X	X
Car wash	C	X	X	X	X	X	X	P	P	P	C
Cemetery	C	C	X	C	C	C	C	X	X	X	X
Chemical and explosives manufacture and storage	X	X	X	X	X	X	X	X	X	C	X
Child day care facility/preschool center	A	A	X	A	A	A	A	C	X	X	X
Church	A	A	C	A	A	A	A	P	P	X	X
Commercial hazardous industry	X	X	X	X	X	X	X	X	X	X	X
Commercial plant nursery	P	X	X	X	X	X	X	C	P	P	P
Community correctional facility	C	X	X	X	X	X	X	C	X	X	X
Composting facility	C	X	X	X	X	X	X	X	X	C	C
Contractor's shop/office	A	X	X	X	X	X	X	C	P	P	X
Convenience store	A	X	X	X	X	X	X	P	P	P	X
Correctional institution	C	X	X	X	X	X	X	C	C	X	X
Day care center/assisted care center	A	A	X	A	A	A	A	C	X	X	X
Distribution center	X	X	X	X	X	X	X	X	C	P	X
Dwelling, single-family	P ⁽²⁾	P	P	P	P	P	P	X	X	X	P ⁽²⁾
Electric substation	C	C	X	C	C	C	C	C	C	C	C
Electric transmission line	C	C	C	C	C	C	C	C	C	C	C
Emergency care facility	C	X	X	X	X	X	X	P	P	C	X
Expanded home occupation	A	A	X	A	A	A	A	X	X	X	A
Farm	P	X	X	X	X	X	X	X	A	P	P
Fish farm	P	X	X	X	X	X	X	X	C	P	P
General industrial activity	X	X	X	X	X	X	X	X	X	C	X
Geothermal power plant	C ⁽⁵⁾	X	X	X	X	X	X	X	X	C ⁽⁵⁾	C ⁽⁵⁾
Golf course	P	P	C	P	P	P	P	X	P	P	X
Guest house	A	A	A	A	A	A	A	X	X	X	A
Guest ranch	A	X	X	X	X	X	X	X	X	X	X
Heliport	C	X	X	X	X	X	X	C	C	C	C
Uses	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA

Hobby farm	P	P	X	P	P	P	P	X	A	P	P
Home occupation	P	P	X	P	P	P	P	X	X	X	P
Hospital	C	X	X	X	X	X	X	P	P	X	X
Hotel	A	X	X	X	X	X	X	X	P	P	X
Indoor recreation	C	X	X	X	X	X	X	C	P	X	X
Indoor theater	C	X	X	X	X	X	X	P	P	X	X
Junk yard	X	X	X	X	X	X	X	X	X	C	X
Kennel * 3-8 dogs (A) ** 9+ dogs (C)	A*, C**	X	X	X	X	X	X	X	C	P	C
Landfill	X	X	X	X	X	X	X	X	X	C	X
Laundry, self-service (laundromat)	C	X	X	X	X	X	X	P	P	X	X
Light industrial	C	X	X	X	X	X	X	X	P	P	C
Livestock auction facility	C	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
Meat or poultry processing facility	X	X	X	X	X	X	X	X	X	C	C
Membership club	C	C	C	C	X	X	X	P	P	P	X
Mortuary	A	X	X	X	X	X	X	P	P	X	X
Motel	A	X	X	X	X	X	X	P	P	X	X
Nursing home or convalescent care facility	C	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	C	C
Outdoor theater	C	X	X	X	X	X	X	C	C	C	X
Outdoor recreation	C	C	X	C	C	X	X	C	C	C	C
Park and ride facility	C	X	C	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	A
Personal service facility	A	X	X	X	X	X	X	P	P	X	X
Personal storage facility	A	X	X	X	X	X	X	P	P	P	X
Power plant, not otherwise listed	X	X	X	X	X	X	X	X	X	C	C

Uses	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Printing and/or publishing establishment	C	X	X	X	X	X	X	P	P	P	X
Private educational facility	C	X	X	C	C	C	C	C	C	C	X
Private club	C	X	X	X	X	X	X	C	C	X	X
Professional office	A	X	X	X	X	X	X	P	P	X	X
Protective housing facility	C	X	X	X	X	X	X	C	X	X	X
Public educational facility	C	X	X	C	C	C	C	C	C	C	X
Public use	C	C	C	C	C	C	C	C	C	C	C
Reception hall/reception center	C	X	X	X	X	X	X	P	P	X	X
Recreation, commercial	C	C	X	X	X	X	X	C	C	C	X
Recycling processing facility	X	X	X	X	X	X	X	X	X	C	C
Recycling collection center	C	X	X	X	X	X	X	C	C	C	C
Rehabilitation/treatment facility	C	X	X	X	X	X	X	C	X	X	X
Residential facility for elderly persons	P	P	X	P	P	P	P	X	X	X	X
Residential facility for persons with a disability	P	P	X	P	P	P	P	X	X	X	X
Resort lodge	C	X	X	X	X	X	X	X	X	X	X
Restaurant	A	X	X	X	X	X	X	P	P	C	X
Retail store	A	X	X	X	X	X	X	P	P	X	X
Retirement home	C	X	X	X	X	X	X	C	X	X	X
Saw mill	C	X	X	X	X	X	X	X	X	C	C
Seasonal Subdivision ⁽⁷⁾	X	X	P	X	X	X	X	X	X	X	X
Solar power plant	C ⁽⁶⁾	X	X	X	X	X	X	X	X	C ⁽⁶⁾	C ⁽⁶⁾
Subsurface mining	C	X	X	X	X	X	X	X	X	C	C
Surface mining	C	X	X	X	X	X	X	X	X	C	C
Swine operation											
Type I (0—5 swine)	P	P	X	P	P	P	P	X	X	P	P
Type II (6—50 swine)	P	X	X	X	X	X	X	X	X	C	P
Type III (51—249 swine)	C	X	X	X	X	X	X	X	X	X	C
Type IV (250 or more swine)	X	X	X	X	X	X	X	X	X	X	C
Telecommunications site/facility	A	A	C	A	A	X	X	C	C	C	C

Uses	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Temporary construction or sales office	P	P	P	P	P	P	P	P	P	P	P
Temporary dwelling unit	A	A	A	P	P	P	P	X	X	X	A
Temporary use	P	P	P	P	P	X	X	P	P	P	X
Travel trailer park	C	X	X	X	X	X	X	C	X	X	X
Utility service facility	P	P	P	P	P	P	P	P	P	P	P
Vehicle service center/service station	A	X	X	X	X	X	X	P	P	P	C
Vehicle sales/rental lot	C	X	X	X	X	X	X	C	P	P	X
Veterinary clinic, with outdoor holding facilities	A	X	X	X	X	X	X	C	C	P	P
Veterinary clinic, without outdoor holding facilities	P	A	X	A	X	X	X	P	P	P	P
Warehouse	X	X	X	X	X	X	X	C	P	P	P
Wind energy system, commercial	C	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	p ⁽³⁾	p ⁽³⁾	p ⁽³⁾	p ⁽³⁾
Wind monitoring tower and equipment	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	P,C ⁽⁴⁾	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 4. Within **Section 17.36.270 – Guest House**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

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:

<u>Zoning District:</u>	<u>Maximum number of guest houses per lot:</u>
A-20	Three (3)
R-20	Three (3)
RR-20	Two (2)
R-5	One (1)
R-2	One (1)
R-1	One (1)
R-1/2	One (1)

Note: If legal lots of record within the A-20, R-20, or RR-20 zoning district are less than 10 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 5. 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 6. 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 7. 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 13th day of October, 2014.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____

David J. Miller, Chair

ATTEST:

David I. Yardley,
County Clerk

VOTING:

Alma L. Adams _____

Dale M. Brinkerhoff _____

David J. Miller _____