

BIG WATER TOWN
ORDINANCE 16-2025 SINGLE FAMILY DWELLINGS

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF BIG WATER, KANE COUNTY, UTAH, TO AMEND ZONING CODES 15.24.020 AND 15.36 MOVING OF BUILDINGS

WHEREAS, the Town Council of the Town of Big Water has the authority under state law and the Town Code to regulate land use and housing standards within the Town; and

WHEREAS, the Town Council desires to ensure that manufactured, prefabricated, and modular homes placed within the Town meet minimum safety and quality standards in order to protect the health, safety, and welfare of the community; and

WHEREAS, the Town Council finds that clarifying the approval and inspection process for such homes promotes consistency, accountability, and effective oversight; and

WHEREAS, the Town Council has determined it is in the best interest of the Town and its residents to amend Section 15.24.020 of the Town Code to require review by the Planning and Zoning Administrator in addition to inspection by the building inspector.

WHEREAS, the Planning and Zoning Commission held a public hearing on the amendments to the apiary/beekeeping in accordance with the Utah State Code on October 6, 2025, and has duly considered such recommendations as was received;

WHEREAS, the Planning and Zoning Commission passed these updates on October 6, 2025;

NOW THEREFORE, be it ordained by the Council of the Big Water Town, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “15.24.020 Single Family Dwellings” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.24.020 Single Family Dwellings

All Single-family dwellings, including manufactured homes, shall meet the following requirements;

1. Conform to all applicable codes, ordinances and regulations and have the minimum floor square footage of the particular zone and ratio of length footprint to the width footprint of not more than four (4) unless proposed to be located in the R-2 Zoning

- District where this requirement does not apply.
2. Be placed on permanent foundation. All single family dwellings, including manufactured housing units will be set on conventional-type foundations that meet the requirements of the Building Codes, as adopted by the Town.
 3. Have a minimum floor area of 1,000 square feet in Zoning Districts R-1 and RE-1, and RE-2. , not including a garage.
 4. Have a minimum width of 24 feet, unless proposed to be located in the R-2 Zoning District where this requirement does not apply.
 5. All manufactured, prefabricated and modular homes shall be “new”, meaning they have never been inhabited or titled, except that if the aforementioned home is proposed to be located in the R-2 Zoning District, it shall be no more than 25 years old from the date of issuance of the building permit. All manufactured homes coming from somewhere other than Kane County, Utah must be approved by the Planning and Zoning Administrator and inspected by the building inspector. ~~prior to entering the Town.~~

SECTION 2: **AMENDMENT** “15.36.050 Certificate Of Occupancy” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.36.050 Certificate Of Occupancy

Prior to the issuance of any certificate of occupancy, the Planning and Zoning Administrator Building Official will ensure that the building complies with all requirements of the Planning Commission in authorizing the moving of the building and the Building Codes, as adopted.

SECTION 3: **AMENDMENT** “15.36.030 Approval Procedures” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.36.030 Approval Procedures

An application for the moving of buildings shall be reviewed and approved by the Planning and Zoning Administrator Planning Commission.

In considering the request for the moving of buildings the Planning Commission shall consider the following, among other items, and find that the building will have no material negative effect on the surrounding area and property values in the area to which the building is to be moved.

1. The building will comply with the requirements for the zoning district in which the property is located to which the building is to be moved.
2. That the building and the property on which the building is proposed to be located complies fully with all the provisions of this Ordinance and all applicable Building Codes, as adopted.
3. The building and its proposed location does not adversely affect existing buildings, uses or property in the area.
4. That all approvals, dedications and improvements required by the Town are provided in conformity with the standards of this Ordinance, and all other Ordinances.

Upon a finding of compliance with this Ordinance and the adopted Building Code, and any other items deemed necessary, the Planning and Zoning Administrator ~~Planning Commission~~ may approve the application for the moving of buildings.

SECTION 4: AMENDMENT “15.36.060 Restoration Of Old Site” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.36.060 Restoration Of Old Site

When the site to be vacated by the moving building or structure is located within the Town, the Planning and Zoning Administrator ~~Planning Commission~~ may require a bond for all costs to restore the vacated site to a safe and sightly condition.

SECTION 5: AMENDMENT “15.36.040 Permits And Guarantees Required” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.36.040 Permits And Guarantees Required

Before building permits can be issued, and as a condition of approval of the application for the moving of buildings, the Planning and Zoning Administrator ~~Planning Commission~~ may require the applicant to post a bond as determined necessary to adequately cover the installation of all improvements required by the Town.

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor David Schmuker	_____	_____	_____	_____
Council member Jim Lybarger	_____	_____	_____	_____
Council member Luke McConville	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____
Council member James Loyd	_____	_____	_____	_____
Presiding Officer	Attest			

David W. Schmuker, Mayor, Big
Water Town

Katie Joseph, Clerk, Big Water Town