

BIG WATER PLANNING AND ZONING COMMISSION
Big Water Town Hall, 60 Aaron Burr, Big Water, Utah 84741

AGENDA

6:00 PM WORK SESSION

6:00 PM TOWN HALL

7:00 PM MEETING

November 3, 2025

6:00 PM WORK SESSION

1.Call to Order:

2.Discuss Meeting Agenda Items-

3.Adjourn –

③

6:00 PM TOWN HALL DISCUSSION ON RESIDENTIAL SETBACKS

7:00 PM MEETING

1. CALL TO ORDER –

2. ROLL CALL –

3. APPROVAL OR AMENDMENT OF AGENDA-

4. APPROVAL OF OCTOBER 2025 MINUTES –

5. CONFLICT STATEMENT –

6. ADMINISTRATOR COMMENTS –

7. CITIZEN COMMENTS –

④

8. OLD BUSINESS –

A) Discussion and Possible Action on Special Events and Ordinance/Temporary Use Permits–

B) Discussion and Possible Action on Amending Off Street Parking spaces –

C) Discussion and Possible Action on Definitions –

D) Discussion and Possible Action on Commercial/Industrial/Mixed Use–

E) Discussion and Possible Action on Amending Table of Uses–

F) Discussion and Possible Action on Land Use Ordinance–

G) Discussion and Possible Action on Timeshare and Camp Resort Act –

H Discussion and Possible Action on Amending Municipal Code 14.20.030 Lot Line Adjustments Within a Recorded Plan and 14.20.020 Parcel Joinder (Lot Consolidation)–

I) Discussion and possible Action on Amending Zoning Code 15.10.160 Procedures For Lot Line Adjustments and 15.10.150 Standards and Requirements for Parcel Joinder (Lot Consolidation) –

9. NEW BUSINESS–

9-17

A) Discussion and Possible Action on Zoning Code Amendment for Mobile /
Recreational Vehicle (RV) Occupancy -

18-22

B) Discussion on Residential Setback Requirements-

10. FINAL CITIZEN COMMENTS-

11. FINAL COMMENTS -

12. ADJOURNMENT-

PUBLIC NOTICE

Community Town Hall – We Want Your Input!

Topic: Proposed Changes to Setback Requirements in All Zoning Districts

Hosted by: Big Water Planning & Zoning Commission

Date: November 3, 2025

Time: 6:00 PM

Location: Big Water Town Hall Council Chambers

Why Attend?

The Planning and Zoning Commission is reviewing setback standards—the required space between buildings and property lines—in every zoning area. We're seeking community feedback if any updates are to be made.

Your voice helps guide how our neighborhoods grow and develop!

Can't Attend?

Share your comments by November 3, 2025, at 3:00 PM

Email: pshort@bigwaterut.gov

Your Voice Matters

Your feedback will help shape the future of our community's land use and development standards. We encourage everyone to attend and take part in this important discussion.

Every citizen will be given a reasonable amount of time to speak and share their thoughts.

③

BIG WATER PLANNING AND ZONING COMMISSION
Big Water Town Hall, 60 Aaron Burr, Big Water, Utah 84741

DRAFT MINUTES

6:00 PM WORK SESSION

7:00 PM PUBLIC HEARING

7:01 PUBLIC HEARING

7:02 PM MEETING

October 6, 2025

6:00 PM WORK SESSION

1.Call to Order: at 6:11 PM Present: Robert Wilkes, Jack Brisbin and Wryht Short (on the phone) Absent: Nicole Wood and Mark Burkett

2.Discuss Meeting Agenda Items- Discussion on the public hearings about beekeeping and the single-family dwelling and moving of buildings.

Moving of Buildings: There was a concern about the decision being left to one person, but it will try to streamline the process because sometimes it takes 3 to 4 months and it shouldn't take that long. Jennie Lassen explained her situation of how our code is impossible to follow as it is written, because a building inspector from Utah cannot inspect anything outside of Utah and they need to explain what the building inspector is supposed to inspect, as code does not address this. Discussion addressed the habitability of the structure coming into Big Water. The Planning and Zoning Administrator could take a walk through with a video and let the commission know what condition the structure is in. Another issue is liability, but video and pictures would be allowable. Discussion about how planning and zoning sometimes does not have meetings, and the applicant would have to wait another month. Discussion on amending the proposed verbiage to the moving of buildings and single-family dwelling ordinance.

Discussion on all the changes for the beekeeping ordinance to match the state code.

3.Adjourn – at 7:11 PM

7:00 PM PUBLIC HEARING TO AMEND THE ZONING CODE 15.30.060 AND 15.24.080 TO ESTABLISH REGULATIONS FOR APIARIES AND BEEKEEPING TO MATCH STATE CODE- Opens at 7:11 PM, No comments. Closes at 7:13 PM.

7:01 PM PUBLIC HEARING TO AMEND THE ZONING CODE 15.24.020 SINGLE FAMILY DWELLINGS-PREINSPECTIONS AND 15.36 MOVING OF BUILDINGS- Opens at 7:13 PM.

Jennie Lassen: I just want to say I'm in support of changing the zoning ordinance about the single-family dwellings and pre-inspection just to clarify the wording and to make it actually possible for someone to comply with it and move pre-inspection time into town.

Closes at 7:15 PM.

7:02 PM MEETING

1. CALL TO ORDER – at 7:15 PM

2. ROLL CALL – Present: Robert Wilkes, Jack Brisbin and Wryht Short (on the phone) Absent: Nicole Wood and Mark Burkett

3. APPROVAL OR AMENDMENT OF AGENDA- Motion to approve the agenda made by Jack and seconded by Wryht. All in favor.

4. APPROVAL OF JULY 2025 MINUTES – Motion to approve the minutes made by Wryht and seconded by Jack. All in favor.

5. CONFLICT STATEMENT – none

6. ADMINISTRATOR COMMENTS – not present

7. CITIZEN COMMENTS – no comments

8. OLD BUSINESS –

A) Discussion and Possible Action on Special Events and Ordinance/Temporary Use Permits– Tabled

B) Discussion and Possible Action on Amending Off Street Parking spaces – Tabled

C) Discussion and Possible Action on Definitions – Tabled

D) Discussion and Possible Action on Commercial/Industrial/Mixed Use– Tabled

E) Discussion and Possible Action on Amending Table of Uses– Tabled

F) Discussion and Possible Action on Land Use Ordinance– Tabled

G) Discussion and Possible Action on Timeshare and Camp Resort Act – Tabled

H) Discussion and Possible Action on Transportation Master Plan, Dedicated Trails and Cross Section/Right of Way Road Planning – Motion to move to Town Council made by Jack and seconded by Wryht. All in favor.

I) Discussion and possible Action on Main Street Feasibility Study Proposal – Motion to move to send to Town Council made by Wryht and seconded by Jack. All in favor.

J) Discussion and Possible Action on Amending Municipal Code 14.20.030 Lot Line Adjustments Within a Recorded Plan and 14.20.020 Parcel Joinder (Lot Consolidation) – Tabled

K) Discussion and possible Action on Amending Zoning Code 15.10.160 Procedures For Lot Line Adjustments and 15.10.150 Standards and Requirements for Parcel Joinder (Lot Consolidation) – Tabled

9. NEW BUSINESS–

A) Discussion and Possible Action on Ordinance 13-2025 Amending the Zoning Code for Small Scale Apiary/Beekeeping to match the Utah State Code- Motion to approve ordinance 13 2025 amending the zoning code for small scale apiary beekeeping to match the Utah state code made by Wryht and seconded by Jack. All in favor.

B) Discussion and Possible Action on the Approval of an Apiary/Beekeeping Application- Motion to approve the application made by Jack and seconded by Wryht. All in favor.

C) Discussion and Possible Action on Ordinance 16-2025 Amending the Zoning Code 15.24.020 Single Family Dwellings and 15.36 Moving of Buildings - Wryht made a motion to approve with the changes of additional language “Homes from outside Kane County must be approved by P&Z Administrator prior to haul and inspected by Building Inspector after installation” and seconded by Jack. All in favor.

D) Discussion and Possible Action on Zoning Code Amendment for Mobile / Recreational Vehicle (RV) Occupancy - Tabled

E) Discussion and Possible Action on Residential Setback Requirements (this was requested by the Board of Adjustments in Sept 22 meeting) – Discussion on wanting the public opinion. This is to be tabled and put on the agenda for the next meeting as a discussion item.

10. FINAL CITIZEN COMMENTS-

Bodicca Joseph: Noted that ordinances are passed and aligned with state code but seldom enforced. Called for Planning & Zoning to put more pressure on the Town Council to ensure enforcement. Supported the rule prohibiting homes older than 25 years from being brought into town. Suggested extending this principle by requiring a certificate of occupancy before older, long-vacant homes can be

reoccupied. Concerned about safety hazards in such homes, particularly outdated wiring that hasn't been inspected for years. Worried about fire hazards due to vacant or substandard housing and cluttered lots. Complained of vehicles parked in the public right-of-way, including a box truck that sat for over a year. Reported large garbage containers and storage containers being placed in rights-of-way, reducing road access. Highlighted that roads in some neighborhoods are only 50 feet wide and using them for personal storage creates serious safety concerns, particularly for fire and emergency response. Acknowledged the Commission's work to align ordinances with state code but questioned the value of regulations without enforcement.

11. FINAL COMMENTS –

Robert Wilkes: Expressed agreement and empathy with the citizen's concerns regarding enforcement of zoning and safety issues, emphasizing that they share similar frustrations. Explained that while the Town Council cannot directly enforce ordinances, what the community truly needs is a dedicated code enforcer. Outlined the chain of command. Mentioned that in the past the State of Utah had law enforcement handle code enforcement, but this system had issues. Shared that as both a resident and the fire department engineer, they understand the citizen's perspective. Highlighted that narrow streets cluttered with cars create serious visibility and safety hazards, particularly for children playing outside and for emergency response vehicles like fire engines. Thanked citizens for attending and participating, noting that three people came this time compared to fewer at the last meeting. Emphasized a desire to keep discussions professional and respectful, with citizens speaking and commissioners responding in turn. Expressed appreciation for the commenting citizen's background and experience, noting that they have valuable insight to contribute. Also recognized the citizens' presence as important to maintaining quorum, which allowed the meeting to proceed.

Jack Brisbin: Thanked the commission for the opportunity to serve and agreed with the citizen's safety concerns, noting that fire code may be the best avenue for addressing such issues. They added that, although new to the commission, they are happy to help in any way they can.

12. ADJOURNMENT–Motion to adjourn made by Jack and seconded by Wryht at 7:48 PM.

CHAPTER 6

RESIDENTIAL ZONES

ARTICLE A. RESIDENTIAL ZONING DISTRICTS (R-¹/₂, R-1, R-2, R-5)

PLEASE NOTE: AS OF FEBRUARY 22, 2022 KANE COUNTY WILL NO LONGER ACCEPT NEW LOTS DESIGNATED WITH THE R-¹/₂ ZONE. THE R-¹/₂ ZONE REGULATIONS WILL REMAIN IN VARIOUS PARTS OF THIS CHAPTER FOR ADMINISTRATIVE PURPOSES ONLY.

SECTION:

9-6A-1: Purpose

9-6A-2: Area And Setback Regulations

9-6A-3: Height Regulations

9-6A-4: Modifying Regulations

9-6A-5: Codes And Symbols

9-6A-6: Uses Table

9-6A-1: PURPOSE:

To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-6A-2: AREA AND SETBACK REGULATIONS:

(Please note: As of February 22, 2022 Kane County will no longer accept new lots designated with the R-¹/₂ Zone. The R-¹/₂ will remain in the Area and Setback Regulations for administrative purposes only.)

District	Area	Front	Side	Rear
R- ¹ / ₂	¹ / ₂ acre	30 feet	10 feet	10 feet
R-1	1 acre	30 feet	10 feet	10 feet
R-2	2 acres	30 feet	10 feet	10 feet
R-5	5 acres	30 feet	10 feet	10 feet

(Ord. 2013-5, 8-12-2013, eff. 8-27-2013; amd. Ord. O-2022-06, 3-22-2022)

9-6A-3: HEIGHT REGULATIONS:

A building erected to a height greater than thirty five feet (35') requires a conditional use permit. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-6A-4: MODIFYING REGULATIONS:

A. Animals And Fowl: No building, structure or enclosure housing animals or fowl shall be constructed closer to a dwelling on adjacent lots closer than twenty five feet (25').

B. Accessory Building Side Yard: Accessory buildings located at least ten feet (10') behind the main building may have a three foot (3') side yard requirement except that the street side of a corner lot shall be a minimum of thirty feet (30') for all buildings.

C. Accessory Building Rear Yard: Accessory building located at least ten feet (10') behind the main building may have a rear yard of three feet (3') provided that a corner lot rearing on a side yard of another lot, the minimum rear yard for all buildings shall be eight feet (8').

D. Water And Sewer: Individual water supply and/or sewage disposal systems shall be subject to the approval of the department of health.

E. Manufactured Homes: A manufactured home shall meet all county snow loads at the time of siting and less than ten (10) years old shall meet all snow loads and energy codes at the time of siting. If older than ten (10) years, manufactured home must be inspected and approved by the Kane County building department.

F. Allowable Numbers Of Household Pets: Private holding and ownership of up to a maximum number of animals in a given land use (zoning) area as shown below; without a conditional use permit.

1. R- $\frac{1}{2}$ may house a maximum of six (6) household pets. (Please note: As of February 22, 2022 Kane County will no longer accept new lots designated with the R- $\frac{1}{2}$ Zone. The R- $\frac{1}{2}$ will remain in Modifying Regulations for administrative purposes only.)

2. R-1 may house a maximum of six (6) household pets.

3. R-2 may house a maximum of twelve (12) household pets.

4. R-5 may house a maximum of fifteen (15) household pets.

G. Livestock: The keeping of livestock for personal use is permitted, except that no more than one large animal, or no more than ten (10) small farm animals weighing fifty (50) pounds each or less, may be kept for each six thousand two hundred fifty (6,250) square feet of area dedicated for each animal not to exceed a maximum of ten (10) large animals on any lot.

H. Number of Dwellings Allowed per Lot or Parcel: No more than two single-family dwellings allowed per lot or parcel in Residential 1, 2 and 5 zones. Only 1 single-family dwelling is allowed in the Residential $\frac{1}{2}$ zone.

I. Short Term Or Vacation Rental: In the event that there is more than one dwelling on a single lot that may be considered a short term rental or vacation rental as defined in section 9-1-7 of this title only one renting of those dwellings may be used as a short term rental or vacation rental, except in the R-2 and R-5 Zones where a conditional use permit can be applied for to allow a second nightly/short term rental.

J. Private Cemeteries within a subdivision shall have a sealed concrete vault. A permanent marker will be placed on each individual grave site. The cemetery shall be 50 feet from any property line. The cemetery's legal description shall be recorded in the Recorder's Office. No green burials are allowed within platted subdivisions. Green burials will only be allowed on 10-acre or larger parcels. No more than two burial plots will be allowed on each individual lot within a platted subdivision, except in the R-5 zone which allows a maximum of five plots. No plots will be sold commercially. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013; amd. Ord. 2014-15, 7-28-2014; Ord. O-2019-5, 4-22-2019; amd. Ord. O-2022-06, 3-22-2022; Ord. O-2022-18, 4-26-2022; Ord. O-2022-60, 11-22-2022; Ord. O-2023-31, 9-26-2023)

9-6A-5: CODES AND SYMBOLS:

(Please note: As of February 22, 2022 Kane County will no longer accept new lots designated with the R- $\frac{1}{2}$ Zone. The R- $\frac{1}{2}$ will remain in the uses table for administrative purposes only.)

A. In section 9-6A-6 of this article is a table describing uses of land or buildings that are allowed in the zone as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit issued by the Land Use Authority are indicated by a "C" in the appropriate column. If a use is not allowed in a given zone, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-".

B. Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into this chapter by the Kane County Land Use Authority in a public hearing and approval of the County Commission. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013; amd. Ord. 2014-16, 8-25-2014; amd. Ord. O-2022-06, 3-22-2022)

9-6A-6: USES TABLE:

Use	R- $\frac{1}{2}$	R-1	R-2	R-5
Use	R- $\frac{1}{2}$	R-1	R-2	R-5
Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C
Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P
Accredited private educational institution having a curriculum similar to that ordinarily given in public schools	C	C	C	C
Animal shelter, commercial	-	-	C	C
Animal shelter, private	P	P	P	P
Apartments	-	-	-	-
Assisted living buildings	C	P	P	P
Barndominium	-	P	P	P
Bed and breakfast	-	-	C	C

Building with a height greater than 35 feet	C	C	C	C
Campground/glamp-ground	-	-	-	-
Cemetery private	C	C	C	C
Child daycare or nursery	C	C	C	C
Church	C	C	C	C
Commercial construction, storage yard	-	-	-	C
Condos	-	-	-	-
Construction equipment and supply trailer, temporary	C	C	C	C
Construction field office, temporary	C	C	C	C
Duplex (one per lot or parcel)	-	C	P	P
Electrical power substation or overhead lines with base structure greater than 70 feet in height	C	C	C	C
Group home ¹	P	P	P	P
Guest home	-	P	P	P
Helipad or the landing of helicopters	-	-	-	-
Home occupation	P	P	P	P
Internal Accessory Dwelling Unit (IADU)	P	P	P	P
Kennel and/or catteries (private)	P	P	P	P
Livestock	P	P	P	P
Lodges, residential	-	-	-	C
Park models	-	-	-	-
Personal agriculture, the tilling of the soil, the raising of crops, horticulture, and gardening, personal	P	P	P	P
Planned unit developments	C	C	C	C
Private road	P	P	P	P
Public parks and playground	P	P	P	P
Public, quasi-public, and private service utility lines, pipelines, power lines overhead lines with base structure over 70 feet	P	P	P	P
Recreational vehicle park	-	-	-	-
Residential facilities	P	P	P	P
Residential facilities for persons with disabilities ¹	P	P	P	P
Residential facilities for the elderly ¹	P	P	P	P
Single family dwelling (1 per lot or parcel)	P	P	P	P
Solar panels attached to a residential home producing less than 25 kW of energy	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for a guard, night watchman or family, which buildings must be removed upon completion or abandonment of the construction work	P	P	P	P
Townhomes	-	-	-	-
Vacation rental and/or short term rental (one per lot or parcel)	P	P	P	P
Vacation rental and/or short term rental (two per lot or parcel)	-	-	C	C

Note:

1. See article C of this chapter for general requirements; see also section 9-6C-3, "Nonpermitted Use", of this chapter.

(Ord. 2013-5, 8-12-2013, eff. 8-27-2013; amd. Ord. 2014-15, 7-28-2014; Ord. 2014-16, 8-25-2014; Ord. 2014-21, 12-22-2014; Ord. 2016-16, 12-12-2016; Ord. O-2018-2, 4-9-2018; Ord. O-2018-6, 7-9-2018; Ord. O-2018-7, 7-23-2018; Ord. O-2019-09, 5-14-2019; Ord. 2020-22, 10-27-2020; Ord. O-2022-18, 4-26-2022; Ord. O-2022-25, 5-24-2022; Ord. 2022-34, 6-14-2022; Ord. O-2023-31, 9-26-2023; Ord. O-2025-2, 2-25-2025)

ARTICLE B. MULTI-RESIDENTIAL ZONE

SECTION:

9-6B-1: Purpose

9-6B-2: Conditions

9-6B-3: Area And Setback Regulations

9-6B-4: Uses Table

9-6B-1: PURPOSE:

The purpose of the multi-family residential zone is to provide appropriate areas in the county where multi-family neighborhoods may be established, maintained and protected while protecting the integrity and characteristics of neighboring properties. In an effort to support affordable and moderate-income housing, short-term rentals are not permitted in multi-residential units. (Ord. O-2022-18, 4-26-2022; amd. Ord. O-2023-13, 11-28-2023; Ord. O-2025-09, 4-22-2025)

9-6B-2: CONDITIONS:

- A. Lot Coverage: Land coverage of all buildings shall not exceed thirty percent (30%) of the lot or parcel acreage.
- B. Density: Each parcel shall contain, no more than 8 units per acre.
- C. Water And Sewer: Individual water supply and/or sewage disposal systems shall be subject to the approval of the Board of Health and/or the County Engineer.
- D. Parking: Refer to chapter 13 of this title.
- E. Building Height: Buildings with a height over thirty five feet (35') need a conditional use permit.
- F. Site Plan: Site plan subject to approval by the Kane County Land Use Authority. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013; amd. Ord. 2014-16, 8-25-2014; Ord. O-2022-18, 4-26-2022; Ord. O-2023-12, 4-25-2023)

9-6B-3: AREA AND SETBACK REGULATIONS:

Zone	Area	Front	Side	Rear
MR	1 acre minimum	30 feet	20 feet	20 feet

(Ord. O-2022-18, 4-26-2022)

9-6B-4: USES TABLE:

Use	
Use	
Accessory buildings and uses customarily incidental to conditional uses	C
Accessory buildings and uses customarily incidental to permitted uses	P
Apartments	C
Condominiums	C
Church	C
Home Occupation	P
Household Pets	P
Mobile Home Park	C
Multiple-Family Dwellings	C
Park or Playground	P
Plex Housing - Not to exceed 8 units	C
Private Recreation Grounds and Facilities	C
Public, quasi-public, and private service utility lines, pipelines, power lines overhead lines with base structure over 70 feet	P
School	P
Single Family Dwellings	P
Town Homes	C

ARTICLE C. RESIDENTIAL FACILITIES FOR ELDERLY PERSONS; RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY; GROUP HOMES

SECTION:

9-6C-1: Intent; Compliance

9-6C-2: Requirements

9-6C-3: Nonpermitted Use

9-6C-1: INTENT; COMPLIANCE:

The purpose of this article is: a) to ensure residential facilities for elderly persons ("facility"), residential facilities for persons with a disability ("facility"), and group homes ("home") do not suffer from a discriminatory land use impact or action, b) to ensure such facilities, uses, and homes do not have an adverse impact on the character of adjacent neighborhoods or individuals, by posing a direct or serious threat to them or property, even with reasonable accommodation(s), and c) to ensure that issues of public safety, traffic, and parking are mitigated. To carry out these purposes, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be governed by the provisions that follow. (Ord. 2014-21, 12-22-2014)

Each section under this article shall comply with and be enforced only to the extent allowed by: a) title 57, chapter 21, Utah fair housing act, and applicable jurisprudence; b) the fair housing amendment act of 1988, 42 USC section 3601 et seq., and applicable jurisprudence; and c) section 504, rehabilitation act of 1973, and applicable jurisprudence.

"Disability" or "disabled", as referred to in this article, shall have the same meaning as defined in chapter 1 of this title, Utah code section 17-27a-103, and the United States Code, title 42, section 12102, as may be amended or renumbered, with any disparities between the separate definitions being resolved by adherence to the United States Code. For purposes of this chapter, "residential facilities for persons with a disability" also includes residential facilities for the rehabilitation and treatment of the disabled.

Discriminatory actions against elderly or disabled persons, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes are prohibited. (Ord. 2014-16, 8-25-2014)

9-6C-2: REQUIREMENTS:

A. Zones Permitted: Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be permitted in any zone where a single-family dwelling is permitted, and shall not be considered a multiple-family dwelling when there is compliance with the provisions of this chapter.

B. Single-Family Dwelling Regulations: Wherever situated, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be subject to the same federal, state, and local laws, regulations and land use practices that govern single-family dwellings.

C. Reasonable Accommodation: Reasonable modifications to or reasonable accommodations in application of the ordinances, policies, rules and practices shall be granted, to the extent required by applicable law and jurisprudence, upon application to the land use authority, subject to the process and review outlined in chapter 15, "Conditional And Temporary Uses", of this title when such accommodation(s) may be necessary to afford an applicant to use and enjoy a dwelling.

D. Business License: If operating as a business, a residential facility for elderly persons, residential facility for persons with a disability, or a group home shall be required to obtain a business license before operating the facility or home.

E. Anticipatory Reasonable Accommodation: As an anticipatory reasonable accommodation permitted under this article, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes located within a single building/dwelling or single-family dwelling may be occupied by up to eight (8) persons who are not related by blood, marriage or adoption, without application to the land use authority.

F. Licensure And Reports: Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall acquire and abide by any state, federal, or local licensure and inspection requirements. The facility or group home shall provide to the land use administrator: 1) a copy of any reports issued by the department of health or by the department of human services; b) a copy of the policy and procedures manual for the specific location, if required and provided through the state licensing process; and c) a copy of any pertinent license issued to the land use administrator. These items shall be kept on file, as well as any renewed or updated license or documents. This requirement must be fulfilled in order to be considered a permitted use.

G. Proximity: If a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is being occupied by more than four (4) unrelated persons, under the explicit reasonable accommodation outlined herein, then the facility or home may not be located closer than three-fourths ($\frac{3}{4}$) mile from a similar facility, in order to avoid or

mitigate any detrimental impact resulting from an excessive concentration of such facilities in close proximity.

H. **Parking:** Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall comply with the parking regulations of chapter 13 of this title, providing sufficient off street parking and circulation to prevent issues of public safety and traffic.

I. **Voluntary Basis:** In order to avoid and mitigate health and safety concerns, and to be considered a permitted use, placement in a residential facility for elderly persons, residential facility for persons with a disability, or a group home shall be on a strict voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution, or a condition of probation/parole.

J. **Safety Plan:** If a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is being occupied by more than four (4) unrelated persons, under the explicit reasonable accommodation outlined herein, then a safety plan must be developed and submitted to the land use administrator, for the use to be a permitted use, demonstrating adequate supervision and control of the residents, in order to ensure the safety of the residents and surrounding community.

1. Any denial, rejection, or request to modify the safety plan must be based on written findings articulating grounds related to a serious or direct threat(s) to health or safety.

2. The safety plan shall be reviewed by and must be determined to be satisfactory to the Kane County sheriff's office and be approved by the land use administrator.

3. The safety plan shall include, but not be limited to: a) a parking and circulation plan; b) security and surveillance plan; and c) visitation hours, if any.

4. If considered necessary for traffic safety, pursuant to applicable requirements, additional parking in a reasonable number may be required by the land use administrator.

K. **Safety Plan; Substance Abuse Facilities:** For residential facilities for persons with a disability that are substance abuse facilities and are located within five hundred feet (500') of a school, where more than four (4) unrelated persons reside, then a safety plan must be developed and submitted to the land use administrator, for the use to be a permitted use, demonstrating adequate supervision and control of the residents, in order to ensure the safety of the residents and surrounding community.

1. Any denial, rejection, or request to modify the safety plan must be based on written findings articulating grounds related to a serious or direct threat(s) to health or safety.

2. The safety plan shall be reviewed by and must be determined to be satisfactory by the Kane County sheriff's office and be approved by the land use administrator.

3. The safety plan shall include, but not be limited to: a) a security and surveillance plan; b) twenty four (24) hour supervision of residents; c) other twenty four (24) hour supervision measures; if any.

L. **Adequate Personal Space:** The owner/operator of the facility or home shall ensure that each resident has adequate personal space.

M. **Rehabilitation/Treatment Of Individuals Diagnosed With Addiction:** To ensure the health and safety of adjacent neighbors, when a residential facility for persons with a disability involves the rehabilitation and/or treatment of individuals diagnosed and suffering from an addiction to alcohol or a controlled substance (as defined in the controlled substance act, 21 USC 802), the following provisions must be complied with in order to be considered a permitted use under this chapter:

1. Individual residents have completely abstained from the use of alcohol and all controlled substances for a continuous period of at least thirty (30) days immediately prior to becoming a resident of the home.

2. All residents of the home must completely abstain from using alcohol and controlled substances during the period that they are residents of the home. Any resident who uses alcohol or a controlled substance, whether on or off the premises, shall be immediately expelled from the facility and shall not be readmitted for a period of at least thirty (30) days following the violation. However, nothing contained herein shall be construed to prohibit a resident from taking a prescribed medication for which a resident has a valid and current prescription.

N. **Threat To Health Or Safety:** Residency within a residential facility for elderly persons, a residential facility for persons with a disability, or a group home shall not be available to or occupied by any individual whose tenancy or recent personal history would constitute an articulable, direct or serious threat to the health or safety of other individuals or whose tenancy could result in substantial physical damage to the property of another.

1. Prior to allowing an individual to reside in a facility or home, an owner/operator of a facility or home shall conduct an individualized assessment of each person desiring to become a resident of the facility or home to determine if such person would constitute a direct or serious threat to the health or safety of other individuals or property. Such assessments should consider such things as the individual's past criminal history, violent or aggressive sexual acts, passage of time since such acts, and evaluations and treatments the individual has received.

2. No individual determined to pose a risk for commission of sexual offenses, or being classified as having predatory tendencies may be accepted as a resident.

O. Investigations: The owner/operator of a facility or home shall promptly investigate, and cooperate in any law enforcement investigation, of any and all allegations, of which it is or may become aware, relating to the acts of an individual residing in or employed by such facility or home as may constitute a violation of the provisions of this article. The owner/operator shall provide the land use administrator with the details of any allegation(s), results of the investigation, and any proposed remedial measures. If an allegation is found to be substantiated, the owner/operator shall take immediate and reasonable action under the circumstances to correct, mitigate, or remedy the violation and any harm or damage resulting therefrom, and to protect the person or property of such individual and others residing or employed in and near the facility or home. (Ord. 2014-16, 8-25-2014)

9-6C-3: NONPERMITTED USE:

A. The permitted use designation of a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is contingent upon compliance with the provisions in this article. Noncompliance with this article constitutes a nonpermitted use under this article.

B. A residential facility for elderly persons, a residential facility for persons with a disability, or a group home that poses a serious or direct threat to the health or safety of another person or another's property, and the threat to health and safety cannot be adequately abated with a reasonable accommodation(s), is not a permitted use.

C. Determining whether an individual resident, a residential facility for elderly or disabled persons, or group home poses a direct or serious threat, thereby constituting a nonpermitted use, must be made on an individualized basis, based on overt acts, past criminal history, violent or aggressive sexual acts, passage of time since such acts, evaluations, and/or factually supported reports. Such determination shall not be based on general assumptions or speculation about the nature of a disability, group home, or residential facility.

D. The normal and proper procedures for abating a nonpermitted use shall be followed should an existing home or facility be found in noncompliance with this article. The land use administrator is encouraged to advise an owner, operator, or applicant of the application process to request a reasonable accommodation, if appropriate. (Ord. 2014-16, 8-25-2014)

ARTICLE D. SHORT TERM RENTAL AND LODGE REGULATIONS WITHIN RESIDENTIAL ZONES

SECTION:

9-6D-1: Definitions

9-6D-2: Scope

9-6D-3: Terms Of Use

9-6D-4: Maintenance Standards

9-6D-5: Prevention Of Noise, Trespass, Prohibited Activities

9-6D-6: Required Posting

9-6D-7: Tax Responsibilities

9-6D-8: Enforcement

9-6D-1: DEFINITIONS:

The following definitions shall apply to this article:

LODGES, RESIDENTIAL:	A building or dwelling with one or more rooms that are rented out by the day for not more than thirty (30) days by a single paying affiliated group of fifteen (15) or more individuals, but not more than twenty four (24) individuals. In the case that the subject property is serviced by Municipal scale water and sewer, an additional eleven (11) individuals may be permitted for a maximum occupancy of thirty five (35) through the conditional use application.
NIGHTLY/SHORT TERM RENTAL:	A detached single-family dwelling unit used as a transient lodging facility occupied at any time by no more than ten (10) individuals of a single group on a temporary basis for less than thirty (30) days as an alternative to a hotel or motel.
OWNER:	The recorded property owner of the residence being used as a short term rental or lodge. The owner may be a person or any form of business entity recognized by the State of Utah. If the owner is a business entity, the business shall maintain current registration with the Utah Department of Commerce.
PROPERTY MANAGEMENT COMPANY:	The owner's agent for renting and/or managing the property, if any. (Ord. O-2019-5, 4-22-2019; amd. Ord. 2019-09, 5-14-2019; Ord. O-2022-60, 11-22-2022)

9-6D-2: SCOPE:

This article shall apply only to short term rentals and lodges located within a Residential Zone. (Ord. 2019-09, 5-14-2019)

9-6D-3: TERMS OF USE:

Short term rental and lodge use of a single family dwelling shall be an allowed use in Residential Zones if the following terms are complied with:

- A. Each short term rental or lodge shall maintain a current Kane County business license.
- B. Owner shall maintain active registration with the State of Utah and remit all taxes deemed necessary by the Utah State Tax Commission.
- C. Short term rental or lodge shall comply with all applicable rules and regulations set forth by the local Health Department, County Building Department, and Kane County Land Use Authority.
- D. Short term rentals and lodges are limited to one short term unit per property, unless allowed otherwise by zone.
- E. Short term rental shall not exceed the maximum occupancy of ten (10) individuals at a time.
- F. Lodges shall not exceed the maximum occupancy of twenty four (24) individuals, if the property is serviced by Municipal scale water and sewer, an additional eleven (11) individuals may be permitted for a maximum occupancy of thirty five (35) through the conditional use application.
- G. In the R-5 zone a conditional use permit is required for all lodges.
- H. If a CUP is obtained for a lodge a fire suppression system shall be installed.
- I. Short term rentals and lodges shall provide a minimum of four (4) off street parking spaces. (Ord. 2019-09, 5-14-2019; Ord. O-2022-60, 11-22-2022; Ord. O-2024-19, 5-14-2024)

9-6D-4: MAINTENANCE STANDARDS:

All short term rentals and lodges shall conform to maintenance standards as defined in the Kane County Nuisance Ordinance. (See subsection 4-3-3B of this Code.) (Ord. 2019-09, 5-14-2019)

9-6D-5: PREVENTION OF NOISE, TRESPASS, PROHIBITED ACTIVITIES:

The owner/property manager of a short term rental or lodge property shall be responsible to ensure that guests or occupants of the short term rental or lodge property comply with all noise, trespass, and safety conditions as defined in the Kane County Nuisance Ordinance. (See section 4-3-3 of this Code.) (Ord. 2019-09, 5-14-2019)

9-6D-6: REQUIRED POSTING:

The following information must be posted in clear and prominent area near the primary entrance of the short term rental or lodge.

- A. Business License: A copy of the Kane County business license;
- B. Owner, Property Manager Information: The name, address, and phone number of the owner or property manager;
- C. Maximum Occupancy: Total occupants of the dwelling shall not exceed the allowed amount as listed in the use definition. (Ord. 2019-09, 5-14-2019)

9-6D-7: TAX RESPONSIBILITIES:

The owner of any dwelling licensed as a short term rental or lodge shall be required to collect and remit Transient Room Tax and any other tax deemed necessary by the State Tax Commission. Failure to do so may result in civil or criminal penalties, or both, under County and/or State Code. (Ord. 2019-09, 5-14-2019)

9-6D-8: ENFORCEMENT:

All violations of this chapter shall constitute a Class C misdemeanor and shall be enforced in compliance with section 9-1-9 of this title. (Ord. O-2019-5, 4-22-2019)

ARTICLE E. RECREATIONAL VEHICLE REGULATIONS WITHIN RESIDENTIAL ZONES

SECTION:

9-6E-1: Definitions

9-6E-2: Scope

9-6E-3: Occupied Recreational Vehicles

9-6E-4: Unoccupied Recreational Vehicles

9-6E-5: Miscellaneous Requirements

9-6E-1: DEFINITIONS:

The following definitions shall apply to this article:

OCCUPIED:	Lived in or slept in for twenty four (24) hours or more.
RECREATIONAL VEHICLE:	A motor vehicle or trailer equipped with living space and amenities found in a home which may include a kitchen, bathroom, bedroom, living room, water and sewer; including, but not limited to, a camp trailer, motor home, travel trailer, fifth wheel trailer, pop up trailer, and slide-in camper.
SEASONALLY:	No more than six (6) consecutive months in any calendar year. (Ord. 2013-9, 9-23-2013, eff. 10-8-2013; amd. Ord. 2020-17, 8-24-2020)

9-6E-2: SCOPE:

This article shall apply only to recreational vehicles located within residential zones. (Ord. 2013-9, 9-23-2013, eff. 10-8-2013)

9-6E-3: OCCUPIED RECREATIONAL VEHICLES:

- A. No occupied recreational vehicle shall be located in a residential zone anywhere within the county except as follows:
1. Within a:
 - a. Recreational vehicle park (see chapter 18 of this title);
 - b. Manufactured/mobile home park subject to the requirements of chapters 17 and 18 of this title; or
 - c. Designated camping area; or
 2. As allowed by this article.
- B. A recreational vehicle may be occupied seasonally if the following terms are complied with:
1. No more than two (2) recreational vehicles are located on the property whether occupied or unoccupied;
 2. The recreational vehicle is not occupied more than six (6) consecutive months in any calendar year;
 3. No rent or other form of payment is charged or received;
 4. The recreational vehicle shall comply with the required setbacks for the zone;
 5. The recreational vehicle is connected to the culinary water system;
 6. The holding tanks and any wastewater are emptied using an approved on site septic system; no more than two (2) recreational vehicles shall be hooked up to a single septic system;
 7. The power is connected in accordance with all applicable safety standards;
 8. The recreational vehicle is:
 - a. Removed from the property when not occupied,
 - b. Vacated and removed from the property after six (6) months of occupation in any calendar year, or
 - c. Unoccupied and stored according to section 9-6E-4 of this article;
 9. The recreational vehicle is licensed and ready for highway use.
 10. If the recreational vehicle will be used for less than fourteen (14) consecutive days, section 9-6E-3B.5. and 9-6E-3B.6 do not apply.
- C. Upon application of the landowner, the Land Use Authority may approve a temporary use permit for the occupation of more than two (2) recreational vehicles on one residential property depending upon the size and contour of the property, if the property is one acre or larger.
- D. Upon application of the landowner, the Land Use Authority may approve a temporary use permit for the occupation of recreational vehicles on one residential property for a period exceeding six (6) months but not more than nine (9) months in any calendar year.
- E. If living in a recreational vehicle while building a home, a building permit must be issued before a temporary use permit can be granted. A temporary use permit allowing occupation of a recreational vehicle while building a home may be authorized for more than nine (9) months so long as the building permit remains active. The Land Use Administrator or the Zoning Administrator shall review the permit annually and may reauthorize the permit for an additional year if the building

permit is still active.

F. The Land Use Authority may deny, approve, or approve with additional requirements any application submitted under subsection C or D of this section.

G. The temporary permit shall state the number of recreational vehicles authorized if more than two (2) and the dates that the vehicles will be on the property if for more than six (6) months.

H. Any failure to comply with this section is grounds for immediate revocation of the temporary use permit and immediate removal of the recreational vehicle unless the recreational vehicle complies with another section of this article.

I. Note: Individual lots may belong to a homeowners' association or have restrictive covenants which have greater restrictions regarding recreational vehicles. Nothing in this article shall be construed as to prevent private enforcement of any restrictive covenants or HOA rules. (Ord. 2013-9, 9-23-2013, eff. 10-8-2013; amd. Ord. 2014-15, 7-28-2014; Ord. O-2019-4, 3-25-2019; Ord. 2020-17, 8-24-2020)

9-6E-4: UNOCCUPIED RECREATIONAL VEHICLES:

A. An unoccupied recreational vehicle may be located as follows:

1. No more than two (2) recreational vehicles shall be located on one (1) residential property, whether occupied or unoccupied;

2. Upon application of the landowner, the Land Use Authority may approve a temporary use permit for the storage of more than two (2) recreational vehicles on one (1) residential property depending upon the size and contour of the property if the property is an acre or larger.

3. All unoccupied recreational vehicles shall be winterized, all holding tanks emptied, and readily available for immediate highway use. (Ord. 2013-9, 9-23-2013, eff. 10-8-2013; amd. Ord. 2020-17, 8-24-2020)

9-6E-5: MISCELLANEOUS REQUIREMENTS:

A. Any recreational vehicle, located in a Residential Zone, that has fallen into disrepair, collapsed, or is otherwise uninhabitable shall constitute a nuisance and shall be removed from the property within sixty (60) days of notice by the Land Use Administrator. Failure to remove recreational vehicles deemed a nuisance hereunder after notice shall be a violation of this article.

B. Trash, refuse, or waste generated from use, storage or occupancy of a recreational vehicle must be contained and disposed of properly at all times.

C. Setbacks still apply according to the zone the recreational vehicle is placed in.

D. Any violation of this article is punishable as a Class C misdemeanor. (Ord. 2013-9, 9-23-2013, eff. 10-8-2013)

E. Any reported violation requires three (3) directly affected property owners within five hundred feet (500') of the property reportedly in violation. (Ord. 2014-15, 7-28-2014)

Section 1 – Definitions

1. **Permanent or Primary Residence** – The principal dwelling where a person resides for more than six (6) months in a calendar year or claims as their domicile for legal, tax, or voting purposes.
2. **Temporary Occupancy** – Use of a mobile or recreational unit for seasonal, recreational, or transient purposes where the occupant maintains a verifiable primary residence elsewhere.

Section 2 – Occupancy Regulations

A. Prohibited Occupancy

At no time shall a mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper, or motor home be occupied as a permanent or primary residence within the Town limits, except in a duly approved and licensed mobile home park or other location specifically authorized by zoning regulations.

B. Permitted Temporary Occupancy

1. Temporary occupancy for seasonal, recreational, or transient purposes is permitted when:
 - a. The unit is not the occupant's sole and permanent residence;
 - b. The occupancy period does not exceed one hundred eighty (180) consecutive days, unless extended under a written month-to-month rental agreement that preserves the transient nature of the stay; and
 - c. The occupant maintains a verifiable primary residence elsewhere.
2. Examples of permitted temporary occupancy include but are not limited to:
 - a. Seasonal "snowbird" stays;
 - b. Short-term vacation use;
 - c. Temporary worker or contractor accommodations with a defined end date.

C. Business Use

Operators of parks, resorts, or campgrounds offering temporary occupancy must:

1. Maintain a current business license;
2. Comply with all applicable zoning, building, and health regulations; and
3. Retain documentation verifying compliance with this section for each guest.

15.20.060 Tables Of Development Standards

The Tables of Development Standards (Tables 2 and 3) accompanies the Table of Uses. These tables identify the required minimum site development standards for each Zoning District.

TABLE 2
MINIMUM REQUIRED DEVELOPMENT STANDARDS
RESIDENTIAL ZONES

with Health Department approval required for the Principal Building required for the Principal Building

MINIMUM DEVELOPMENT STANDARDS					
DEVELOPMENT STANDARD	RESIDENTIAL ZONING DISTRICT				
	RE-2	RE-1	R-1	R-2	M-1
PRINCIPAL BUILDINGS					
Lot Required	Principal Buildings shall be on a Legal Lot, as defined by this Ordinance				
Utilities	Principal Buildings shall be permanently connected to and approved for all required utilities				
Permanent Foundation	Principal Buildings must be located on a site-built permanent foundation which meets the Building Code, and all other Codes, as adopted or if a Manufactured Home meets the requirements for manufactured housing installations				
Minimum Lot Size Required	1.0 acres, or larger as required by the Health Department to provide culinary water and sanitary sewer services	0.5 acres, or larger as required by the Health Department to provide culinary water and sanitary sewer services.	12,000 square feet, or larger as required by the Health Department to provide culinary water and sanitary sewer services.	6,400 square feet, or larger as required by the Health Department to provide culinary water and sanitary sewer services	0.5 acres, or larger as required by the Health Department to provide culinary water and sanitary sewer services
Maximum Building Height	27 feet	27 feet	27 feet	27 feet	35 feet
Minimum Lot Width	80 feet	80 feet	80 feet	66 feet	80 feet
Minimum Front Yard	30 feet	30 feet	20 feet	20 feet	30 feet

Minimum Rear Yard	20 feet. 10 feet for all building s on a Corner Lot if the Rear Yard is adjacent to the Side yard of adjoinin g lot	20 feet. 10 feet for all buildings on a Corner Lot if the Rear Yard is adjacent to the Side Yard of adjoining lot	10 feet.	7.5 feet.	30 feet. 20 feet for all building s on a Corner Lot if the Rear Yard is adjacent to the Side Yard of adjoinin g lot.
Minimum Side Yard	10 feet. 30 feet for a corner lot for the Side yard adjacent to the street	10 feet. 30 feet for a corner lot for the Side yard adjacent to the street	10 feet. 20 feet for a corner lot for the Side yard adjacent to the street	7.5 feet. 20 feet for a corner lot for the Side yard adjacent to the street	10 feet. 30 feet for a corner lot for the Side Yard adjacent to the street.
Minimum Distance Between Buildings Housing Animals and Dwelling	60 feet 100 feet from neighbo rs	60 feet 100 feet from neighbors	60 feet 100 feet from neighbors	60 feet 100 feet from neighbor s	60 feet 100 feet from neighbor s
Minimum Floor Area for Dwelling, excluding any area used as a detached or attached garage.	1,000 sq. ft. excludin g any area used as a detache d or attached garage.	1,000 sq. ft. excluding any area used as a detached or attached garage.	1,000sq. ft. excluding any area used as a detached or attached garage.	No Minimu m Require ment	1,000 sq feet excludin g any area used as a detache d or attached garage.
Total Maximum Lot Coverage (all structures, Principal and Accessory)	50%	50%	50%	50%	50%
Individual Sewage System	Allowed with Health Departm ent approval	Allowed with Health Department approval	Allowed with Health Department approval	Allowed with Health Departm ent approval	Allowed with Health Departm ent approval

Power	Buried, unless the system is independent or prohibited by Power provider.	Buried, unless the system is independent or prohibited by Power provider.		Buried, unless the system is independent or prohibited by Power provider.
ACCESSORY BUILDINGS				

<p>Lot and Principal Building Required</p>	<p>All Accessory Structures shall be on a Lot, as defined by this Ordinance. No permit for an accessory building shall be issued by the Town unless a permit for the construction of a principal building has been issued, or is being issued concurrently with a permit to establish a principal building, or a legally established principal building already exists on the lot.</p>	<p>All Accessory Structures shall be on a Lot, as defined by this Ordinance, and must be clearly incidental and typically associated with the Principal Use existing on the lot or a Principal building must be constructed on the lot within one (1) year of the construction or establishment of any accessory building or accessory use</p>			<p>All Accessory Structures shall be on a Lot, as defined by this ordinance and must be clearly incidental and typically associated with the Principal Use existing on the lot, or a Principal building must be constructed on the lot within one year of the construction or establishment of any accessory building or accessory use</p>
--	--	--	--	--	--

Minimum Front Yard	As required for the Principal Building	As required for the Principal Building	As required for the Principal Building	As required for the Principal Building	As required for the Principal Building
Minimum Rear Yard	10 feet	10 feet	10 feet	6 feet	10 feet
Minimum Side Yard	10 feet. 30 feet for a corner lot for the Side yard adjacent to the street	10 feet. 30 feet for a corner lot for the Side yard adjacent to the street	8 feet. 20 feet for a corner lot for the Side yard adjacent to the street.	6 feet. 20 feet for a corner lot for the Side yard adjacent to the street.	10 feet, 30 feet for a corner lot for the Side Yard adjacent to the street
Maximum Height for Accessory Building	27 feet	27 feet	27 feet	27 feet	35 feet

TABLE 3
TABLE OF REQUIRED DEVELOPMENT STANDARDS
BIG WATER NONRESIDENTIAL ZONES

REQUIRED DEVELOPMENT STANDARDS			
SITE DEVELOPMENT REQUIREMENT	ZONING DISTRICT		
	C-1		I-2
PRINCIPAL BUILDINGS			
Lot Required	Principal Buildings shall be on a Legal Lot, as defined by this Ordinance		
Utilities	Principal Buildings shall be permanently connected to and approved for all required utilities, unless provided by an approved onsite system		
Permanent Foundation	Principal Buildings must be located on a site-built permanent foundation which meets the Building Code and all other Codes, as adopted		
Minimum Lot Size	Sufficient to meet all site requirements of this Ordinance, Conditions for Conditional Use approval, and requirements of Health Department for culinary water and sanitary sewer service, as applicable		
Maximum Building Height	35 feet		
Minimum Lot Width	One-third of lot depth		
Minimum Front Yard	10 feet, covered parking shall have no minimum front yard, except on a corner lot where it should meet the requirements in Section 15.22.070		
Minimum Rear Yard	30 feet if located adjacent to a residential use or residential zone otherwise as allowed by the Building Code, as adopted		

Minimum Side Yard	30 feet if located adjacent to a residential use or residential zone otherwise as allowed by the Building Code, as adopted
ACCESSORY STRUCTURES	
Lot and Principal Building Required	All Accessory Structures shall be on a Legal Lot, as defined by this Ordinance, and must be clearly incidental and typically associated with a Principal Use existing on the lot
Minimum Front Yard	10 feet, covered parking shall have no minimum front yard, except on a corner lot where it should meet the requirements in Section 15.22.070
Minimum Rear Yard	30 feet if located adjacent to a residential use or residential zone, otherwise as allowed by the Building Code, as adopted
Minimum Side Yard	30 feet if located adjacent to a residential use or residential zone, otherwise as allowed by the by the Building Code, as adopted
Maximum Height	35 feet

HISTORYAmended by Ord. [2004-235](#) on 12/21/2004Amended by Ord. [2005-238](#) on 1/25/2005Amended by Ord. [2005-242](#) on 2/22/2005Amended by Ord. [2005-241](#) on 2/22/2005Amended by Ord. [2013-270](#) on 6/17/2013Amended by Ord. [2014-275](#) on 1/27/2014Amended by Ord. [2020-04](#) on 3/23/2020Amended by Ord. [2022-2](#) on 12/21/2022Amended by Ord. [07-2024](#) on 4/17/2024