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**Notice of Public Hearing  
For Proposed Text Amendments and  
Creation of Ordinances:**

**Title 3: Short-Term Rentals  
Title 7: Public Ways & Property  
Title 10: Land Use and Development Regulations  
Title 11: Subdivision Development and Regulations**

**NOTICE IS HEREBY GIVEN** that several **Public Hearings** will be held before the **Honeyville City Planning Commission** on **Wednesday, May 27, 2026**, at **7:00 p.m. or shortly thereafter** in the Honeyville City Hall located at 2635 W. 6980 N. Honeyville, UT

The purpose of this hearing is to take public comments on proposed text amendments and creation of ordinances in the following Titles: Title 5- Short-Term Rentals, Title 7 – Public Ways & Property, Title 10 – Land Use and Development Regulations and Title 11 – Subdivision Development and Regulations.

This Public Meeting will be held **IN-PERSON** at Honeyville City Hall. If you wish to make a Public Comment at this meeting, please be in attendance at 7:00 p.m.

A handwritten signature in blue ink that reads "Brittiny Charlson".

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Brittiny Charlson  
Honeyville City Recorder  
Posted 30<sup>th</sup> day of April 2026.

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## **CHAPTER 5: SHORT-TERM RENTAL RULES AND REGULATIONS**

### **3-5-1: Short-Term Rental Rules and Regulations**

Short-term rental refers to a dwelling, or any portion of a dwelling, which the owner of record, or the lessee of the dwelling, offers for occupancy for fewer than thirty (30) consecutive days.

The owner of record, or lessee of the dwelling must obtain a Utah State sales tax ID (STC) and Utah State transient room tax ID (TRT) before an application for a Honeyville City business license and short-term rental permit may be submitted.

Regulations and restrictions imposed by this section are in recognition of the premise that a short-term rental provides lodging for a transient population that may not honor neighborhood mores or exhibit neighborly consideration to the same extent as permanent residents. Separation requirements listed in Section D are based on a desire to maintain the overall character of neighborhoods and the purpose of established zones.

All Honeyville City ordinances must be followed in addition to the regulations and restrictions imposed by this section.

### **3-5-2: Number of Short-Term Rental Units and Density Requirements**

- A. The total number of short-term rental units operating in the City shall not exceed ten (10) per 1,000 residents.
- B. The minimum distance between short-term rental unit locations shall be six hundred feet (600 feet).

### **3-5-3: Business License Required**

No dwelling shall be occupied or used as a short-term rental, or advertised for use as a short-term rental, until such time that the owner has obtained a business license issued in accordance with the provisions of this section. A business license for a short-term rental must be renewed each year.

### **3-5-4: Rental Permit Required**

No dwelling shall be occupied or used as a short-term rental or advertised for use as a short-term rental, until such time that the owner has obtained a short-term rental permit issued in accordance with the provisions of this section. A short-term rental permit must be renewed each year.

### **3-5-5: Conditions for Issuance of a Business License for a Short-Term Rental**

In addition to any other requirement of this section, a business license for a short-term rental shall be approved by the Planning & Zoning Commission if:

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- A. Another dwelling licensed as a short-term rental is not located within the same lot where the proposed short-term rental business license is being sought. No more than ten (10) percent of the dwellings in any subdivision phase or designated area to be defined by Honeyville City may be licensed as short-term rentals.
  - B. The application lists the name, address, and phone number of the owner or other person designated by the owner as the property manager who shall be responsible for ensuring compliance with the rules and regulations specified in this section. This person shall be a permanent resident of Honeyville City and be ready and willing to receive phone calls at any hour to promptly deal with complaints, violations, or any other safety or nuisance issues in connection with the short-term rental property or the occupants thereof.
  - C. The contact information of the responsible party may be furnished to property owners/residents within a five hundred (500) foot radius of the short-term rental property to enable direct contact in the case of complaints, zoning violations, or any other safety or nuisance issue with respect to the short-term rental property.
  - D. The application includes a valid Utah State tax number for remittance of transient lodging taxes.

### **3-5-6: Parking Regulations**

The owner of any property licensed as a short-term rental shall provide off-street parking for guests in accordance with the following:

- A. Off-street parking shall be provided on the same lot as the dwelling which is licensed as a short-term rental.
- B. Parking shall be provided at the rate of one space per bedroom. Tandem spaces on a driveway may be used. The number of vehicles allowed by the occupants of a short-term rental shall be restricted to the number of off-street parking spaces provided by the owner.
- C. All guest parking should be contained on the site.
- D. No off-street parking space may be located in front of the living area of the dwelling unless there is a circular driveway.

### **3-5-7: Maintenance Standard**

Any property that contains a dwelling which is licensed as a short-term rental shall conform to the following standards:

- A. Structures shall be properly maintained, painted, and kept in good repair, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood.

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- B. The use of a dwelling as a short-term rental shall not in any way change the appearance of the dwelling or property.
  - C. Each sleeping room must meet current International Residential Code for egress and be equipped with smoke and CO detectors.

### **3-5-8: Prevention of Noise, Nuisance or Trespass**

The owner of any dwelling licensed as a short-term rental shall be responsible to ensure that guests or occupants of the short-term rental do not:

- A. Create noise that by reason of time, nature, intensity, or duration are out of character with noises customarily heard in the surrounding neighborhood.
- B. Disturb the peace of surrounding property by engaging in shouting, fighting, playing of loud music, racing of cars or recreational vehicles on streets, engaging in outside recreational activities after 10:00 p.m., or other similar activities.
- C. Interfere with the privacy of surrounding properties or trespass onto surrounding properties.
- D. Allow pets or animals to create noise, roam the streets, trespass on neighboring properties, or create a mess that is not cleaned up by the owner or custodian of the pet or animal.
- E. Engage in any disorderly or illegal conduct, including illegal consumption or production of drugs and alcohol.

### **3-5-9: Required Posting**

The following information must be posted in a clear, concise, and unambiguous manner and in a conspicuous location inside any dwelling licensed as a short-term rental:

- A. A copy of the short-term rental business license.
- B. The name, address, and phone number of the owner of the property manager.
- C. The location of all fire extinguishers.
- D. A list of all rules applicable for short-term rentals.
- E. The maximum occupancy of the short-term rental and the maximum number of vehicles allowed.

### **3-5-10: Miscellaneous Rules and Regulations**

The following rules and regulations shall apply to any dwelling for which a short-term rental business license has been issued:

- A. Outdoor pools, hot tubs, or spas shall not be used between the hours of 11:00 p.m. and 6:00 a.m.

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- B. Maximum occupancy in any dwelling licensed as a short-term rental shall be ten (10) persons at any one time. If, however, the property has a fire sprinkler system or other fire suppression system acceptable to the Honeyville City Fire Department, a greater occupancy may be approved. Maximum occupancy of the dwelling must be included as part of the interior posting per Section H above.
  - C. The owner or property manager shall provide information on current occupants to police, emergency, or City personnel as requested. The owner or other person designated as the property manager shall respond to complaints and concerns within one (1) hour of any phone call or other notification. Failure of the owner or property manager to respond in a timely manner may result in a violation and possible fines to the business license holder and property owner.
  - D. The requirements of this section shall be in effect throughout the time a short-term rental license is in effect on the property, regardless of whether the property is occupied by the owner, non-paying guests of the owner, or paying guests of the owner. The City finds that, given the practical difficulty of determining whether or not the occupants are paying guests, enforcement of the requirements contained in this section shall be based on whether the property is licensed as a short-term rental.
  - E. An inspection of a short-term rental property for compliance with these regulations may be performed at the time of business license review. Additional inspections may be performed with twenty-four (24) hour notice to the license holder/property manager if deemed necessary by the City.
  - F. The owner of any dwelling licensed as a short-term rental shall be required to collect and remit on a timely basis transient lodging taxes and all other applicable sales and use taxes to the Utah State Tax Commission.
  - G. In the event of a sale or other transfer of any property containing a dwelling licensed as a short-term rental, the purchaser or transferee of the property shall be required to apply for a new license within forty-five (45) days of the date of purchase or transfer. In the event that the purchaser or transferee fails to apply for a new license within said forty-five (45) days, the license will be forfeited and the owner must re-apply for any available license or be placed on the waiting list.

### **3-5-11: Enforcement Provisions**

- A. Any owner of any dwelling within Honeyville City who allows or permits occupation of said dwelling as a short-term rental, as defined herein, without having first obtained a business license in accordance with the provisions of this section shall be guilty of a Class B misdemeanor, which shall be punishable by a fine of up to \$1,000.00, imprisonment for up to six (6) months, or any combination thereof for each such violation.
- B. Any owner of any dwelling within Honeyville City, who, having first obtained a business license for use or occupation of said dwelling as a short-term rental, thereafter operates or permits operations of said short-term rental in violation of the terms and provisions of this section shall be guilty of an Infraction, and shall be punished by a fine of not less than \$750.00 for such violation.

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- C. Any person who occupies a short-term rental as a guest and who violates any local ordinance or state law shall be subject to arrest, issuance of a citation, or other criminal process in accordance with all state, federal or local statutes, rules, or ordinances.
  - D. Violation of any provision of this section regulating short-term rentals shall constitute a separate offense for each day said violation occurs or continues.
  - E. In the event of three (3) or more violations of this section committed by an owner or guest, or any combination of the two, within any twelve (12) month period, the City Council will proceed immediate revocation of the business license for any short-term rental property in accordance with the provisions of the general business license ordinance.

### **3-5-12: Applicability on Existing Short-Term Rentals**

The provisions of this Section apply to all short-term rentals within the City limits regardless of when the short-term rental was commenced. Any short-term rental that is in active operation on the date this Section goes into effect must be compliant with this Section within ninety (90) days of the effective date of this Section.

**BE IT FURTHER ORDAINED** that the subject matter of this ordinance shall be deemed to be of an urgent nature or in the nature of an emergency, and that this ordinance, upon passage and approval, shall take effect at the earliest possible time permitted by law after publication or posting.

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## 7-1-6: Sidewalk regulations

- A. Driving or Parking: It shall be unlawful for any person to drive or park a self-propelled vehicle or lead, drive or ride any animal upon any sidewalk, except across a sidewalk at established crossings. This section pertains to riding a horse on city sidewalks except across a sidewalk at established crossings. This section does not pertain to snow removal of sidewalks with a motorized vehicle by private citizens or the City. This section does not pertain to electric powered kids' riding toys including electric scooters and hoverboard. Violation of this section is an infraction and subject to penalty as follows: first violation shall be \$25 fine; second violation shall be \$50 fine; third violation shall be \$75.00 fine; fourth violation shall be \$100 fine; and further violations shall be fined in \$25 increments thereafter.
- B. ~~Businesses to Keep Clean: It shall be unlawful for any owners or occupants of any place of business to refuse, neglect or fail to cause the sidewalk abutting thereon to be swept or cleaned each morning before the hour of nine o'clock (9:00) A.M.~~
- The owner of property abutting planting strips along public rights-of-way and sidewalks shall be responsible for the maintenance and control of any lawn, tree, or shrubbery growing in said planting strip to the extent of preventing infringement of vegetation of gutters, streets, and sidewalks, and maintaining the property in an acceptable well-maintained condition.
- C. Placing Goods for Sale or Show: No goods, wares or merchandise shall be placed, maintained or permitted for sale or show in or on any parking area, street or sidewalk beyond two feet (2') from the front line of the lot, without first obtaining the written approval of the city council. Such approval shall be granted only when such sale or show shall be a promotional activity not exceeding forty-eight (48) hours and when participated in by a majority of firms seeking approval in their business areas. The city council's written approval shall specifically provide that no goods, wares or merchandise shall be placed in such a manner as to leave less than a six-foot (6') passageway for pedestrians.
- D. Placing Goods for Receipt or Delivery: It shall be unlawful for any person to place, or suffer to be placed or kept upon any sidewalk, any goods, wares or merchandise which he may be receiving or delivering, without leaving a six foot (6') passageway upon such sidewalk. It shall be unlawful for any person receiving or delivering such goods, wares or merchandise to suffer the same to be or remain on such sidewalk for a longer period than four (4) hours.
- E. Playing: Every person who obstructs the sidewalk or street by playing any game or engaging in any activity which obstructs the free travel thereon is guilty of an infraction and subject to penalty as provided in section 1-4-1 of this code.
- F. Congregating: It is an infraction and subject to penalty as provided in section 1-4-1 of this code for any person to congregate about or upon any sidewalks, stairway, doorway, window or in front of any business or dwelling house, theater, lecture room, church or elsewhere and by so doing to obstruct or interfere with the free passage of persons entering, leaving or occupying such building or premises.

(Adopted by Ord. 1976 Code §§ 11-366, 11-367, 11-368, 11-369, 11-370, 11-371 on 1/1/1976; Amended by Ord. 2001 Code on 1/1/2001; Amended by Ord. 2017-02 on 6/14/2017)

**10-22-11: Flag lots**

REPEAL

**11-4-11. Flag Lot Subdivisions**

A. General:

1. Purpose: Flag lot subdivisions for single-family dwellings located in an agricultural or Rural Residential zone east of Hwy 38 may be allowed to accommodate the development of land that otherwise cannot reasonably be developed under the regulations contained in this title or other titles adopted by the city. The primary purpose of allowing flag lots is not to make development of land easier and more profitable, but rather, allowance of flag lots is intended to serve as a "last resort" for land which may not otherwise be reasonably subdivided under ordinary lot development standards.
2. Intention: It is the intention of the City, when considering subdivisions with flag lots, to consider the future conversion of the staff portions of flag lots to a public road, specifically contiguous staffs.
3. General Configuration: A flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion. See Exhibit A for more information.

B. Land Use Authority: The following table outlines the Land Use Authorities:

Type of Application	Reviewing Body	Recommending Body	Land Use Authority	Appeal Authority
Preliminary Flag Lot Subdivision	Development Review Committee	Planning Commission	City Council	Hearing Officer
Final Flag Lot Subdivision	Development Review Committee	Planning Commission	City Council	Hearing Officer

C. Subdivision Application Process and Requirements:

1. The Flag Lot Subdivision Application Process and Requirements shall be the same as that described in Title 11, Chapter 4-2.
2. A Flag Lot Subdivision application shall be considered a special subdivision application in which the City Council may set conditions for approval as found in this chapter.

D. Conditions to Be Considered: When land is subdivided, flag lots shall not be approved by right but may be allowed after considering the following:

1. More than two (2) flag lots with contiguous staffs shall not be approved. See Exhibit A for more information.
2. Whether development of the property in question under otherwise applicable provisions of this title is reasonable and practical.
3. Creation of a flag lot shall not foreclose the possibility of future development of large adjacent interior lots unless a street can be extended to such lots from other property.

E. Findings Required: Flag lots shall be prohibited unless all the following findings are made:

1. Flag lots shall be created only from a legally created lot of record which abuts State Highway 38.
2. The flag portion of the flag lot shall be entirely located in an agricultural or Rural Residential zone; the flag portion shall not be split-zoned.

3. The developer provides written and illustrative evidence showing property development with and without proposed flag lots which demonstrates:
    - a. The design of the flag lot(s) is compatible with the design of the overall subdivision and adjacent property(ies).
    - b. No other viable subdivision design alternatives exist that will allow for a conventional lot, including consideration of:
      - i. The current, proposed, or alternative zoning;
      - ii. The possibility of incorporating the subject property with adjacent property to achieve a more unified development of the area and eliminate the need for a flag lot;
      - iii. Alternative street designs and improvements; and
      - iv. Any other reasonable means that would render a flag lot unnecessary.
    - c. Access to the flag lot is provided through the staff portion of the lot.
    - d. The viability of future expansion and extension of the staff into a future public street right of way.
- F. Development Standards:
1. Flag lot subdivisions shall contain no more than two (2) lots.
  2. The staff portion of a flag lot shall:
    - a. Front on and be contiguous to State Highway 38 right of way;
    - b. Be straight with a uniform width of thirty (30) feet, minimum, or if contiguous with an existing staff, be of such width to make a combined total uniform width of sixty (60) feet;
    - c. Be used only for ingress/egress with no structures or buildings erected within the staff portion; and
    - d. Be improved with a hard surface such as concrete, asphalt, or compacted road base with an approved dust prevention treatment, capable of meeting fire code requirements.
  3. The flag portion of a flag lot shall:
    - a. Conform to the minimum lot size requirement of the zone where the flag portion is located; and
    - b. Contain sufficient turnaround space for emergency vehicles near the buildable area on the lot, sufficient to meet fire code requirements.
  4. The front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag portion of the flag lot is located.
  5. Fire Protection: A main building shall be located not more than 300 feet from a fire hydrant, as measured along the highway right of way and/or along the staff portion of a flag lot.
    - a. When the distance exceeds 300 feet, the developer, as his own expense, shall install water line and a fire hydrant as needed to obtain required fire flow and pressure. City Engineer shall determine required size of water line. Water line and fire hydrant(s) shall become the property of the City upon final acceptance of the improvements.
    - b. Developer shall dedicate to the City a twenty (20) foot wide easement for any water line and/or fire hydrant located on private property for access to and maintenance of the water line and/or fire hydrant.

6. Clear address signage shall be installed and maintained at the intersection of the staff and State Highway 38 by the owner, including notice that the driveway is a private right of way.
  7. All improvements in a flag lot subdivision, including installation of the hard surface and fire hydrants, shall be provided at the subdivider's expense. No building permits shall be issued for a proposed flag lot until improvements are fully installed. Required improvements and applicable conditions of approval for a flag lot subdivision shall be constructed and bonded pursuant to Title 11 Chapter 5.
  8. Developer shall submit proof of an approved Conditional Access Permit granted by the Utah Department of Transportation with final flag lot subdivision application.
  9. See Exhibit A for more information.
- G. In addition to the above Development Standards, the City Council may, as part of a preliminary or final flag lot subdivision approval, impose additional conditions on a flag lot including, but not limited to, the following:
1. Fencing and screening requirements.
  2. Location and height of the dwelling.
  3. Additional off-street parking and/or backup space designed in accordance with standards set forth in chapter 19 of this title.
  4. Upon review, the city may require installation of curb, gutter, and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties.

(Adopted by Ord. 2026-## on mm/dd/yyyy)

## CHAPTER 21: SIGNS

### 10-21-1: Purpose

The purpose of this chapter is to protect and promote the health, safety and welfare of city residents by regulating the design, construction and installation of signs to achieve the following objectives:

- A. To provide a reasonable system for controlling signs within the city.
- B. To permit signs that are well designed and pleasing in appearance, while allowing variety, good design relationships and spacing between signs and adjacent buildings.
- C. To foster a community character which has a minimum of visual clutter.
- D. To enhance the economic strength of the city by regulating matters such as sign size, location, design and illumination.
- E. To provide on-site identification and public convenience by directing persons to various commercial and noncommercial activities.
- F. To encourage signs that are compatible with adjacent land uses.
- G. To minimize traffic and safety hazards.

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-21-2: Scope

The provisions of this chapter shall apply to the display, construction, erection, alteration, use, location and maintenance of any sign within the city which is visible to the public from a public right of way unless the sign is legally nonconforming under the provisions of this title or is not regulated under the provisions of this chapter. The requirements of this chapter shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws.

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-21-3: Permit required

A sign permit shall be issued prior to the erection, installation, or use of any sign for which a permit is required by a provision of this chapter. Such permit is distinct from any other permit that may be required by applicable provisions of this code and shall be issued in accordance with the procedures set forth in section 10-5-17 of this title.

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-21-4: Prohibited signs and devices

- A. Prohibited Signs: The following signs and devices are prohibited:
  - 1. Animated sign.

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2. Movable (portable) sign, except when permitted as a temporary sign in accordance with the provisions set forth in section 10-21-6 of this chapter.
  3. Roof sign.
  4. Graffiti.
  5. Off premises sign (including a billboard).
  6. Projecting sign.
  7. Spotlights directed into the night sky, except as permitted by a temporary use permit issued pursuant to the provisions of chapter 29 of this title.
  8. Balloons, including cold air, helium, and other balloons used for commercial advertising purposes or to direct attention to a place of business.
  9. Flags, pennants, streamers or other decorative materials used for commercial advertising purposes or to direct attention to a place of business.
- B. Unlawful Prohibition: If any of the foregoing signs are deemed lawful by a court of competent jurisdiction, such signs shall be permitted.

(Adopted by Ord. 2007-02 on 7/11/2007)

#### **10-21-5: Exempt signs**

Any sign not regulated by the provisions of this chapter shall be permitted and shall not require a sign permit.

(Adopted by Ord. 2007-02 on 7/11/2007)

#### **10-21-6: Temporary signs**

In addition to signs permitted by right under section 10-21-8 of this chapter, one or more temporary signs, up to thirty (30) square feet in total area, may be placed on a lot for which a temporary use permit has been issued pursuant to chapter 29 of this title. Such signs shall:

- A. Not require a sign permit.
- B. May include any lawful commercial or noncommercial message.
- C. Be limited to A-frame, banner, freestanding, movable, or wall signs.
- D. Be removed upon the expiration of the associated temporary use permit.

(Adopted by Ord. 2007-02 on 7/11/2007)

#### **10-21-7: Subdivision signs**

In addition to signs permitted by right under section 10-21-8 of this chapter, one nonilluminated, low profile sign shall be permitted per exclusive entrance to a subdivision, subject to the following provisions. Such signs shall require a sign permit and may include any lawful commercial or noncommercial message.

- A. Area: The total area of each sign shall not exceed twenty-four (24) square feet.
- B. Location: A low profile subdivision sign may be located in a required front yard provided:
  1. The sign is not higher than four feet (4') above finished grade.

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2. The sign is at least three feet (3') from a front or street side lot line.

(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-21-8: Signs permitted by right**

The following signs shall be allowed by right subject to the following provisions and shall not require a sign permit. Such signs may include any lawful commercial or noncommercial message.

- A. Agricultural or Residential Zones: Any type or number of signs shall be permitted on a lot in an agricultural or residential zone, provided:
  1. The total area of all signs is not more than six (6) square feet.
  2. No sign is higher than three feet (3').
  3. Each sign is at least five feet (5') from a front or street side lot line.
- B. Public Facility, Commercial, and Industrial Zones: The following signs shall be permitted on a lot in a public facility, commercial, or industrial zone:
  1. Wall Sign: Any number of wall signs may be permitted, provided the total area of all wall signs is not more than thirty (30) square feet.
  2. Freestanding Sign: One freestanding sign shall be permitted, provided:
    - a. No sign is higher than four feet (4').
    - b. The sign is at least ten feet (10') from a front or street side lot line.
    - c. The total area of the sign does not exceed thirty (30) square feet.

(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-21-9: Signs in commercial zones**

In addition to signs permitted by right under section 10-21-8 of this chapter, the following signs shall be allowed in a commercial zone subject to the following provisions. Such signs shall require a sign permit and may include any lawful commercial or noncommercial message.

- A. Wall Signs: Any number of wall signs may be permitted, provided the total area of all wall signs on a building elevation does not exceed fifteen percent (15%) of the wall area where the sign is attached.
- B. Low Profile Signs: One low profile sign shall be allowed for each separately owned lot with a single tenant building subject to the following requirements:
  1. Each lot shall have at least thirty feet (30') of street frontage.
  2. Each low profile sign shall have an opaque pedestal designed as part of the foundation which conceals pole support.
  3. Sign height shall not exceed seven feet (7'). The combined height of a sign located on a berm shall not exceed ten feet (10') as measured from the nearest top back of curb.
  4. A low profile sign shall be located at least three feet (3') from any adjacent property line and at least thirty-five feet (35') from another low profile sign.
  5. A corner lot with more than one street frontage may have one low profile sign for each frontage which is thirty feet (30') or more.

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6. The area of a low profile sign shall not exceed one-half (0.5) square foot for every one linear foot of street frontage with a minimum sixteen (16) square feet and a maximum of eighty (80) square feet for any such sign.

C. Freestanding Signs: A freestanding sign which exceeds thirty (30) square feet may be located in a commercial zone subject to the issuance of a conditional use permit. Such sign shall be not more than two hundred (200) square feet in area and thirty feet (30') in height.

(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-21-10: Signs in industrial zones**

In addition to the signs permitted by right under section 10-21-8 of this chapter, the following signs shall be allowed in an industrial zone subject to the following provisions. Such signs shall require a sign permit and may include any lawful commercial or noncommercial message.

- A. Wall Signs: The regulations of section 10-21-9 of this chapter shall apply.
- B. Low Profile Signs: The regulations of section 10-21-9 of this chapter shall apply. Not more than one low profile sign shall be allowed per required street frontage for any lot in an industrial zone.
- C. Freestanding Signs: Freestanding signs shall not be permitted.

(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-21-11: Billboard Regulations**

The purpose of this section is to regulate off-premises advertising signs in a manner that protects public safety, preserves community character and ensures compliance with all applicable standards of the Utah Department of Transportation (UDOT).

**A. Permitted Zones and Conditions:**

- 1. Billboards shall be permitted only within commercial or industrial zoning districts and only upon issuance of a Conditional Use Permit.

**B. All Proposed Billboards Must:**

- 1. Comply with all applicable location, spacing, size, lighting and permitting requirements established by the Utah Department of Transportation.
- 2. Meet a minimum spacing of 1,000 feet from any existing billboard.
- 3. Be located at least 1,000 feet from any residential zone.
- 4. Receive recommendation from the Planning Commission and final approval by the City Council.
- 5. Billboards are prohibited in all other zoning districts.

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C. Neighbor Consent Requirements:

1. No billboard permit shall be approved unless the applicant provides verified written consent from property owners within a one (1) mile radius of the proposed location.
2. Such consent must:
  - Represent no less than ninety percent (90%) of all property owners within the radius.
  - Be submitted on forms approved by the City.
  - Be subject to verification by the City prior to approval.
  - Failure to meet this requirement shall result in an automatic denial of the application.

D. General Standards: All billboards shall comply with applicable standards of the Utah Department of Transportation, including but not limited to height, size, lighting and digital display regulations.

### 10-21-~~11~~ 12: Development standards

The following development standards shall apply to any sign regulated by the provisions of this chapter:

- A. Area Computation: The measured area of a sign shall be the entire area within the smallest square, circle, rectangle, or triangle enclosing the limits of a writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the sign display.
    1. The supports, uprights, or structure on which any sign is supported shall not be included in determining sign area unless such supports, uprights, or structure are designed in such a manner as to form an integral part of the sign display.
    2. The total area of a sign painted or mounted on a marquee, fascia, canopy, or awning shall be limited to the area allowed for a wall sign on the face of the building where the sign is located and shall be considered a wall sign. When an awning, canopy, marquee or fascia is constructed of translucent material, is illuminated from within the structure, and contains sign copy, the entire area of the structure shall be calculated in the allowance for a wall sign.
  - B. Building Codes: A sign shall be installed and constructed in accordance with provisions of applicable building codes.
  - C. Clearance:
    1. No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and electrical power lines than prescribed by the laws of the state of Utah or its agencies.
    2. Adequate clearance shall be provided between the ground or sidewalk and any part of a wall sign projecting more than twelve inches (12") from a building or other support, particularly in pedestrian and vehicular areas.
    3. A freestanding sign shall not extend over any pedestrian or vehicular access area.
  - D. Electrical Power Supply: Electrical wiring, conduit, and appurtenances for a sign shall be underground or concealed behind a building wall or fascia.
  - E. Height: No sign shall be taller than the height permitted for buildings in the zone where the sign is located. No freestanding sign shall exceed twenty-five feet (25') in height except as allowed by a conditional use permit approved pursuant to a provision of this chapter.
  - F. Illumination: A lighted sign shall be illuminated indirectly. In no case shall direct rays of light be permitted to penetrate property in a residential zone.
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- G. Landscaping: Unless otherwise provided in this chapter, the ground space within a radius of ten feet (10') from the base of a low profile or freestanding sign shall be landscaped and maintained in accordance with the landscaping standards set forth in this title.
  - H. Pole Covers: Structural supports for a freestanding sign shall be covered or concealed with pole covers which are at least twenty-five percent (25%) of the width of the sign cabinet.
    - 1. A pole cover shall be harmonious in design and finish with other parts of the sign and shall be architecturally designed to match the building which the sign serves.
    - 2. Square tube supports may be used instead of pole covers, provided that such supports are:
      - a. Monolithic in appearance from grade to the bottom of the sign with no increase or reduction in size or dimension;
      - b. Proportionate to the size of the sign copy area;
      - c. Harmonious in design and finish with other parts of the sign; and
      - d. Architecturally designed to match buildings on the lot or parcel where the sign is located.
  - I. Relocation and Replacement: No sign shall be moved to a new location on a lot or building, or enlarged or replaced unless the sign complies with the provisions of this chapter.
  - J. Separation: A freestanding sign shall be located at least one hundred feet (100') from another freestanding sign located on the same or immediately adjoining lot. In addition to the foregoing separation requirement, a freestanding sign shall be set back from a side lot line a distance equal to or greater than the height of the sign.
  - K. Setback: All business signs shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which the signs are located.
  - L. Signs on Public Property: No privately owned sign shall be located within a public right of way.
  - M. Traffic Hazard: No sign or advertising device shall be erected in a manner that:
    - 1. Obstructs free and clear vision of traffic.
    - 2. May be confused or interfere with an authorized traffic sign, signal, or device.
  - N. Maintenance: Every sign and any required landscaping shall be maintained in good condition and kept free of weeds and debris.

(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-21-~~12~~ 13: Appeal**

Any person adversely affected by a final decision of the planning commission or zoning administrator regarding the administration of this chapter may appeal that decision to the hearing officer as provided in section 10-5-21 of this title.

(Adopted by Ord. 2007-02 on 7/11/2007; Ord. No. 2025-02, § 1, 7-9-2025)

## CHAPTER 22: SUPPLEMENTARY DEVELOPMENT STANDARDS

### 10-22-3: Abandoned, wrecked, or junk vehicles

This ordinance is designed to maintain neighborhood and environmental safety, cleanliness and appearance, and to prevent de-facto junk yards. It is unlawful for property owners or tenants to keep unlicensed, inoperable, unused, or abandoned vehicles, equipment, scraps or parts on their premises unless the property is licensed for such use.

Exemptions. This section shall not apply to items which are clearly accessory and incidental to any agricultural use permitted in the zone, or to items completely and lawfully enclosed within a legally constructed and completely enclosed building or enclosure where it is not visible from a public or private way or other public or private property and which does not constitute a nuisance, endanger or adversely affect the health or welfare of the community, or the keeping of which does not violate any other law or ordinance.

Non-working vehicles (and vehicle parts or equipment) may leak fluids like gas, diesel, and anti-freeze which can contaminate the groundwater and the soil. They can also contain heavy metals and other contaminants in the metal, tires, plastics and paint.

Non-working vehicles present a hazard to children. Non-working vehicles can attract rodents and a variety of insects.

Non-working vehicles shall be determined by if they are:

- a. Unlicensed or unregistered: does not have current registration or license plates.
- b. Dismantled or wrecked: The vehicle is in a state of disrepair, has been taken apart, has been wrecked, can not move under their own power or is missing essential parts.
- c. Is used as storage for other items
- d. Unused or abandoned: Left on a property or the street for an extended period, without valid licensing or evidence of ownership.

Outside storage or parking of more than two non-working vehicles or non-working trailers, or a combination thereof, for longer than eight weeks is prohibited. Trailers may not be used to store trash or detritus for longer than 4 weeks.

- ~~A. — Abandoned Vehicles Prohibited: It shall be unlawful to park or permit the parking of any licensed or unlicensed motor vehicle or parts thereof in an abandoned condition upon any public or private property within the city except as follows:~~
- ~~1. — In any residential or agricultural zone, two (2) or less such vehicles or parts thereof may be stored in a building or within a rear yard; or~~
  - ~~2. — In a commercial or industrial zone, any number of such vehicles or parts thereof may be permitted if:~~
    - ~~a. — Such use is authorized in the zone where the use is located, and~~
    - ~~b. — Vehicles and parts thereof are stored within a building or are completely screened by a six foot (6') high opaque, sight-obscuring fence.~~

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~~B. — Nuisance: The accumulation and storage of more than the permitted number of vehicles or parts thereof on private or public property except as set forth above shall constitute a nuisance, detrimental to the health, safety, and welfare of the inhabitants of the city. It shall be the duty of the owner of such vehicle or parts thereof, or lessee, or other person in possession of private property upon which such vehicle or parts thereof is located, to remove the same from such property.~~

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-22-7: Condominium projects

- A. State Law Requirements: The owner of real property may construct a new condominium project or convert existing land and/or structures into a condominium project by complying with the provisions of the condominium ownership act, Utah Code as annotated §57-8as-amended, and applicable provisions of this title and other titles of this code.
- B. Uses Permitted: Uses permitted within a condominium project shall be limited to those uses permitted within the zone in which a project is located.

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-22-8: Easements

No dwelling, main building, ~~or~~ permanent accessory building, or permitted retaining wall shall be located within a recorded easement area unless the property owner either produces evidence satisfactory to the zoning administrator that the easement has been abandoned. Such evidence shall be a release of easement executed by the beneficiary of the easement and recorded with the County Recorder, or executes a recordable document, in a form approved by the city attorney, indicating that notwithstanding apparent abandonment of the easement, the structure may be subject to the superior interest of the easement holder and may be required to be relocated at the property owner's expense to accommodate such interest.

~~A. — Location: Any structure in an easement area shall be located pursuant to the setback and other applicable requirements of this title.~~

~~B. — No Expansion of Legal Rights: Nothing in this section is intended to expand or restrict the rights or obligations of any party to any recorded easement.~~

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-22-9: Effect of master street plan

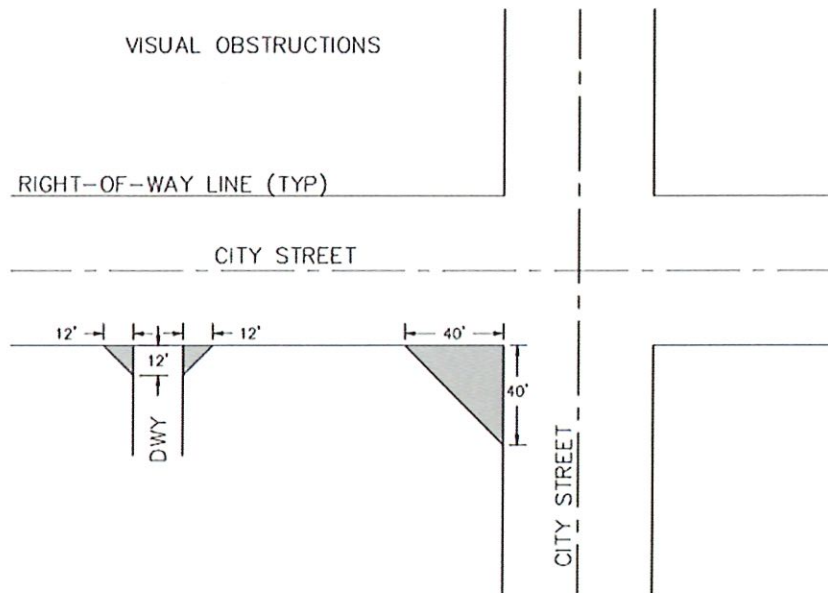
Whenever a front or side yard is required for a building which abuts an n existing street shown on the master street plan, the depth of such front or side yard shall be measured from the planned street line.

(Adopted by Ord. 2007-02 on 7/11/2007)

### 10-22-10: Fences and walls

- A. Height of Fences and Walls: No fence, hedge, wall or other similar structure shall be erected to a height which exceeds the following:

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1. In a required front or street side yard: Five feet (5').
  2. In a required interior side or rear yard: Seven feet (7').
  3. In a yard bordering the front yard of an adjoining lot: Four feet (4').
- B. Retaining Walls: When a retaining wall protects a cut below natural grade and is located on a line separating lots, such retaining wall may be topped by a fence, wall, or hedge of the same height that would otherwise be permitted at such location if no retaining wall existed.
- C. Fences in Front or Side Yards: No opaque fence or wall or other similar structure exceeding **forty-eight inches** **four feet** (4'8") in height shall be erected within a required front yard.
- D. Swimming Pools: Swimming pools of permanent construction not enclosed within a building shall be set back at least five feet (5') from all property lines and shall be completely surrounded by a fence or wall having a lockable self-closing gate and a height of at least six feet (6') which conforms to building code requirements.
- E. Visual Obstructions: To avoid creating a visual obstruction and promote public safety, a fence, wall, sign, or other similar structure or landscaping located in a required front yard shall meet the following requirements:
1. **Driveways:** No opaque fence, wall, sign, or other similar structure, or landscaping which exceeds two feet (2') in height shall be placed within a triangular area formed by a driveway line, the street **property right of way** line, and a line connecting them at points twelve feet (12') along the driveway line and twelve feet (12') along the street **property-right of way** line, except for a reasonable number of trees pruned high enough to permit unobstructed vision for **drivers-operators of motor-passenger** vehicles.
  2. **City Street:** No fence, hedge, wall, **sign**, landscaping or other structure which **obstructs-clear view** **exceeds two feet (2') in height** shall be placed on any corner lot within a triangular area formed by the street **property-right of way** lines and a line connecting them at points forty feet (40') from the intersection of the street **right of way** lines, except a reasonable number of trees pruned high enough to permit unobstructed vision **for operators of passenger vehicles, to automobile drivers.**
  3. **State Highways 38 and 240:** No fence, hedge, wall, sign, landscaping or other structure which exceeds two feet (2') in height shall be placed on any corner lot at the intersection of State Highways 38 and 240 and a city street within the triangular area defined as the sight triangle pursuant to AASHTO Green book, as amended by UDOT Road Design Manual.



(Adopted by Ord. 2007-02 on 7/11/2007)

### **10-22-11: Flag lots Repeal**

Flag lots for single-family dwellings located in an agricultural or residential zone may be allowed to accommodate the development of land that otherwise cannot reasonably be developed under the regulations contained in this title or other titles adopted by the city. The primary purpose of allowing flag lots is not to make development of land easier and more profitable. Rather, allowance of flag lots is intended to serve as a "last resort" for land which may not otherwise be reasonably subdivided under ordinary lot development standards.

- A. Factors to Be Considered: When land is subdivided, flag lots shall not be approved by right but may be allowed after considering the following:
  1. More than two (2) flag lots with contiguous staffs shall not be approved.
  2. Whether development of the property in question under otherwise applicable provisions of this title is reasonable and practical.
  3. Creation of a flag lot shall not foreclose the possibility of future development of large adjacent interior lots unless a street can be extended to such lots from other property.
- B. Locational Limitations: Flag lots shall be created only on a legally created lot of record which abuts State Highway 38.
- C. Findings Required: Flag lots shall be prohibited unless all of the following findings are made:
  1. The flag lot is located in an agricultural or rural residential zone.

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2. The developer provides written and illustratory evidence showing property development with and without proposed flag lots which demonstrates:
    - a. Flag lots will result in more efficient use of land.
    - b. The design of the flag lots are compatible with the design of the overall subdivision and adjacent property.
    - c. No other viable subdivision design alternatives exist that will allow for a conventional lot, including consideration of:
      - (1) The current, proposed, or alternative zoning;
      - (2) The possibility of incorporating the subject property with adjacent property to achieve a more unified development of the area and eliminate the need for a flag lot;
      - (3) Alternative street designs and improvements; and
      - (4) Any other reasonable means that would render a flag lot unnecessary.
    - d. Access to the flag lot is provided through the pole portion of the lot.
- D. Development Standards: When permitted, a flag lot shall be subject to the following development standards:
1. A flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion.
  2. The staff portion of the lot shall front on and be contiguous to a public street. The minimum width of the staff portion at any point shall be thirty three feet (33').
  3. The size of the flag portion of a lot shall conform to the minimum lot size requirement of the zone where the lot is located. Sufficient turnaround space for emergency vehicles shall be provided near the buildable area on the lot.
  4. The staff portion of a flag lot shall be:
    - a. Used only for ingress/egress.
    - b. Landscaped in harmony with other adjacent property.
    - c. Improved with a hard surface such as concrete, asphalt or compacted road base with a dust prevention treatment.
  5. The front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag lot is located.
  6. A main building shall be located not more than three hundred feet (300') from a fire hydrant, measured along a public or private right of way or along the staff portion of a flag lot. An easement for any fire hydrant located on private property shall be provided to the city for access to and maintenance of the hydrant.
  7. Upon review the city may require installation of curb, gutter, and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties.
  8. Clear address signage shall be installed and maintained at the street by the owner, including notice that the driveway is a private right of way.

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9. ~~All improvements to or on a flag lot, including installation of the hard surface and fire hydrants, shall be provided at the subdivider's expense. No certificate of occupancy shall be issued for the proposed flag lot until improvements are fully installed. Required improvements and applicable conditions of approval for a flag lot shall be constructed and bonded pursuant to chapter 33 of this title.~~
10. ~~In addition to the above minimum requirements, the planning commission may, as part of a preliminary or final subdivision plat approval, impose additional conditions on a flag lot including, but not limited to, the following:~~
- a. ~~Fencing and screening requirements.~~
  - b. ~~Location and height of the dwelling.~~
  - c. ~~Installation of one or more fire hydrants.~~
  - d. ~~Additional off-street parking and/or backup space designed in accordance with standards set forth in chapter 19 of this title.~~

~~(Adopted by Ord. 2007-02 on 7/11/2007)~~

### 10-22-12: Height exceptions and limitations

- A. Exceptions to Height Limitations: Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, parapet walls, skylights, towers, steeples, flagpoles, chimneys, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space for human occupancy.
- ~~B. Maximum Height of Accessory Buildings: No building which is accessory to a single family or a multiple family dwelling with four (4) or fewer dwelling units shall be erected to a height greater than twenty feet (20') unless a greater height is authorized by a conditional use permit.~~
- ~~BC. Minimum Height of Main Buildings: No dwelling shall be erected to a height less than one story above grade except earth sheltered dwellings authorized by the provisions of this title.~~
- ~~CD. Additional Height Allowed for Public Buildings: Public buildings and churches may be erected to any height, provided the building is set back from the required building setback lines a distance of at least one and one-half feet (1.5') for each additional foot of building height above the maximum height otherwise permitted in that zone.~~

~~(Adopted by Ord. 2007-02 on 7/11/2007)~~

### 10-22-14: Lots and yards

- A. Every Building on Legally Created Lot:
- 1. Every building shall be located and maintained on a legally created "lot" as defined in this title, unless such lot is a legally nonconforming lot.
  - 2. ~~1.~~ Such lot shall have required frontage on an existing or dedicated public street, ~~or on an approved right of way.~~
  - 3. ~~2.~~ Only one dwelling structure shall be located on any lot except as otherwise authorized by the provisions of this title.

B. ~~Prior Created Lots:~~

~~1. On any legally nonconforming lot of record held under separate ownership at the time of passage of this title, such lot may be used for a single-family dwelling. The side yard requirements may be reduced in proportion to the reduced width of the front lot line of the property, but in no case shall the side yards be reduced to less than eight feet (8') on one side or twenty feet (20') combined.~~

C. Sale or Lease of Required Land:

~~1. No land needed to meet the size, width, yard, area, coverage, parking or other requirements of this title shall be sold, leased, or otherwise transferred away, whether by subdivision or metes and bounds, so as to create or increase the nonconformity of a lot, building, or site development.~~

~~2. No lot having less than the minimum width and area required by the zone where it is located may be divided from a larger parcel of land, except as permitted by this section.~~

~~3. If a portion of a lot which meets minimum lot area requirements is acquired for public use in any manner, including dedication, condemnation or purchase, and such acquisition reduces the minimum area required, the remainder of such lot shall nevertheless be considered as having the required minimum lot area if all of the following conditions are met:~~

~~a. The lot contains a rectangular space of at least thirty by forty feet (30 x 40') exclusive of applicable front and side yard requirements, an exclusive of one-half ( $1/2$ ) of the applicable rear yard requirements, and such rectangular space is usable for a principal use or structure.~~

~~b. The remainder of the lot has an area of at least one-half ( $1/2$ ) of the required lot area of the zone in which it is located.~~

~~c. The remainder of the lot has access to a public street.~~

~~D. Adjacent Lots when Used as One Building Lot: When a common side lot line separating two (2) or more contiguous lots is covered or proposed to be covered by a building, such lots shall constitute a single building site and the setback requirements of this title shall not apply to a common lot line if a document is recorded indicating the owner's intent to use the combined lots as a single development site. The setback requirements of this title shall apply only to the exterior side lot lines of the contiguous lots so joined.~~

E. Setback Measurement:

~~1. The depth of a required yard abutting a street shall be measured from the lot line except on blocks where more than fifty percent (50%) of the buildable lots have main buildings which do not meet the current front yard setback of the zone where the block is located. In such case, the minimum front yard requirement for new construction shall be equal to the average existing front yard size on the block, up to a maximum of thirty feet (30').~~

F. Yards to Be Unobstructed;

~~1. Exceptions: Every part of a required yard shall be open to the sky and unobstructed except for:~~

~~a. 1. Accessory buildings in a rear yard or interior side yard.~~

~~b. 2. The ordinary projections of window bays, roof overhangs, skylights, sills, belt courses, cornices, chimneys, flues and other ornamental features, which shall not project into a yard more than four feet (4').~~

~~c. 3. Open or lattice enclosed fire escapes, fireproof outside stairways and balconies open upon fire towers projecting into a yard not more than five feet (5').~~

~~d. 4. Any part of a deck or patio less than three feet (3') in height, excluding nonopaque railings.~~

~~e. 5. Landscaping and associated improvements.~~

G. Yard Space for One Building Only. ~~A required yard for any building shall be located on the same lot as the building. No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this title, shall be considered as providing a yard or open space for any other building, nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.~~

H. Lot Coverage:

~~1. In no zone shall a building or group of buildings with their accessory buildings cover more than fifty percent (50%) of the area of the lot.~~

(Adopted by Ord. 2007-02 on 7/11/2007)

### ~~10-22-20: Development standards.~~

~~A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit, the D-ADU, or I-ADU as their permanent residence. Applications for a D-ADU or I-ADU shall include evidence of owner occupancy as defined in section 10-3-4.~~

~~B. D-ADUs or I-ADUs shall not be sold separately from the main unit.~~

~~C. A property including a D-ADU shall not be subdivided in a way that separates the D-ADU and the primary dwelling into separate parcels. The primary dwelling and the D-ADU must remain on the same parcel.~~

~~D. D-ADUs or I-ADUs shall not be rented on a transient basis (periods less than thirty (30) days).~~

~~E. Only one D-ADU or I-ADU may be created per lot or property in zones that allow single family dwellings.~~

~~F. The design and size of the D-ADU or I-ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.~~

~~G. Installing separate water meters for a D-ADU shall be required.~~

~~H. Separate addresses for the D-ADU or I-ADU are prohibited.~~

~~I. D-ADUs and I-ADUs are not exempt from impact fees (10-32-1).~~

~~J. The total square footage of a D-ADU shall be no more than forty percent (40%) of the total square footage, excluding the garage, of the primary residence. Documentation of square footage of the primary residence must be obtained by the applicant from the Box Elder County Assessor or a licensed real estate appraiser and provided to the city at the time the CUP application is submitted.~~

~~K. The minimum lot size required for construction of a D-ADU in all zones that allow single family dwellings shall be one acre (forty three thousand five hundred sixty (43,560) square feet).~~

~~L. D-ADUs or I-ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.~~

~~M. D-ADUs shall be compatible with the exterior color and materials of the surrounding area. I-ADUs shall be designed in a manner that does not change the appearance of the primary dwelling as a single family dwelling.~~

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- N. ~~The maximum height for ADUs or IADUs shall be no taller, in elevation, than the highest point of the primary structure.~~
  - O. ~~See table 10-19 for parking requirements. A minimum of one off street parking space shall be provided per bedroom included in the D-ADU or I-ADU.~~
  - P. ~~Where an existing subdivision has CC&Rs in place that govern ADUs the more restrictive regulation shall govern the use and development within that subdivision.~~
  - Q. ~~The planning commission may place other appropriate or more stringent conditions deemed necessary in approving ADUs.~~
  - R. ~~Multi family homes, mobile homes, RV's, trailers, campers, tents, and/or any other temporary structure and/or vehicle shall not qualify as D-ADU or I-ADU.~~

### **10-22-20 Shipping Containers:**

Shipping containers placed on any site shall comply with the following provisions of this section. Exception: Portable moving container/moving pods placed on private property for no more than thirty (30) days in any twelve (12) month period shall not be regulated by this chapter.

- A. RESIDENTIAL ZONE. Shipping containers are allowed in residential zones. A permanent shipping container will be treated as an accessory building and requires a building permit to approve location placement within setbacks and verification of septic/drainfield locations and/or easement and natural waterway boundaries and/or any other applicable codes for placement on the property. A shipping container must be painted, or otherwise camouflaged, so it does not look like a shipping container. The shipping container shall be painted a solid neutral color such that all insignia, writing, or numbers on the shipping container are masked. Shipping containers may not be used for any type of housing.
- B. LIGHT INDUSTRIAL ZONE. Shipping containers are allowed in the light industrial zone; provided the use is in conformance with current permitted zoning uses. Placement of a shipping container for permanent or semi-permanent use shall require a building permit and an engineered foundation, and shall meet all other codes for placement on the property. The shipping container shall be painted a solid neutral color such that all insignia, writing, or numbers on the shipping are masked. Shipping containers may not be used as an alternative to reasonably expected lot improvements such as fencing, buildings, etc. Sight-obscuring fencing or landscaping approved may be required by the land use authority. Shipping containers must meet any other applicable codes for placement on the property. Shipping containers are not allowed on industrial zone properties on which the primary use is a nonconforming residential use. Shipping containers in an industrial zone may never be used for any type of residential housing.
- C. COMMERCIAL ZONE. Shipping containers are allowed in the commercial zone provided said containers are screened with sight-obscuring fencing or landscaping approved by the administrative land use authority; and are being used for shipping and that all applicable Department of Transportation (DOT) licenses for the containers are active and valid. The city may require proof of active DOT licenses; and that they are not permanently installed. Shipping containers are not allowed in the commercial zone when the primary use is a nonconforming residential use and may never be used as housing. A temporary permit for a shipping container may be obtained for containers used ancillary to a project with a valid building permit. A temporary permit may allow placement of a container at a building site for up to one hundred eighty (180) days for temporary use after the building permit is issued. The temporary permit cannot be extended. Shipping containers may not be used as an alternative to reasonably expected lot improvements such as fencing, buildings, etc. Shipping containers must meet any other applicable codes for placement on the property. Placement of a shipping container for permanent or semi-permanent use shall require a building permit and an engineered foundation and shall meet all other codes applicable to the zone and property.

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D. CITY PROPERTY. Shipping containers may be placed on city property for city use without a building permit in situations and places acceptable to the city public works director or the city engineer with the approval of city council. Look-alike shipping buildings or metal buildings marketed as "container" or "portable units" are regulated as shipping containers to which this section shall apply. Placing a shipping container on a city street or right-of-way is not allowed.

(Ord. No. 2024-06, § 1, 7-10-2024)

**10-22-21: Use of a recreational vehicle, motor home or vehicle**

A Motor Home, Recreational Vehicle ("RV") shall not be located, placed, used or occupied for residential purposes for more than seven (7) consecutive days per calendar quarter.

(Ord. No. 2024-07, § 1 (Att.), 8-14-2024)

## CHAPTER 35: DETACHED ACCESSORY DWELLING UNITS AND INTERNAL ACCESSORY DWELLING UNITS

### 10-35-3: General Regulations

- A. Except as provided in this Code, no D-ADU or I-ADU shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the use district in which it is located.
- B. All D-ADUs and I-ADUs hereafter erected in Honeyville City shall comply with the current standards of the International Residential Code, and all other codes and ordinances adopted by Honeyville City.
- C. All D-ADUs and I-ADUs must be reviewed and approved for septic feasibility by the Bear River Health Department.
- D. All D-ADUs and I-ADUs shall be maintained in good condition.
- E. No person may engage in the business of erecting, altering, relocating, or constructing D-ADUs or I-ADUs without a valid Utah contractor's license.
- F. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit, the D-ADU, or I-ADU as their permanent residence. Applications for a D-ADU or I-ADU shall include evidence of owner occupancy as defined in section 10-3-4. Upon approval of the D-ADU or I-ADU, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the D-ADU or I-ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and reauthorize the D-ADU or I-ADU.
- G. D-ADUs or I-ADUs shall not be sold separately from the main unit.
- H. A property including a D-ADU shall not be subdivided in a way that separates the D-ADU and the primary dwelling into separate parcels. The primary dwelling and the D-ADU must remain on the same parcel.
- I. D-ADUs or I-ADUs shall not be rented on a transient basis (periods less than thirty (30) days).
- J. Only one D-ADU or I-ADU may be created per lot or property in zones that allow single-family dwellings.

(Ord. No. 2024-06, § 1, 7-10-2024)

### 10-35-4: Development Standards

- A. The design and size of the D-ADU or I-ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- B. A separate water meter shall be required for a D-ADU.
- C. Separate addresses for the D-ADU or I-ADU are prohibited.

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- D. D-ADUs and I-ADUs are not exempt from impact fees (10-32-1).
  
  - E. The total square footage of a D-ADU shall be no more than forty percent (40%) of the total square footage, excluding the garage, of the primary residence. Documentation of square footage of the primary residence must be obtained by the applicant from the Box Elder County Assessor or a licensed real estate appraiser and provided to the city at the time the CUP application is submitted.
  
  - F. The minimum lot size required for construction of a-D-ADU in all zones that allow single-family dwellings shall be one acre (forty-three thousand five hundred sixty (43,560) square feet).
  
  - G. D-ADUs or I-ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
  
  - H. D-ADUs shall be compatible with the exterior color and materials of the surrounding area. I-ADUs shall be designed in a manner that does not change the appearance of the primary dwelling as a single family dwelling.
  
  - I. The maximum height for D-ADUs or I-ADUs shall be no taller, in elevation, than the highest point of the primary structure.
  
  - J. A minimum of one off street parking space shall be provided per bedroom included in the D-ADU or I-ADU.
  
  - K. Where an existing subdivision has CC&Rs in place that govern ADUs the more restrictive regulation shall govern the use and development within that subdivision.
  
  - L. The planning commission may place other appropriate or more stringent conditions deemed necessary in approving D-ADUs.
  
  - M. Multi-family homes, mobile homes, RV's, trailers, campers, tents, and/or any other temporary structure and/or vehicle shall not qualify as D-ADU or I-ADU.

#### **10-35-~~54~~: Permitted and Conditional Use Permit Required**

- A. A D-ADU meeting the regulations and standards, as specified in this chapter, may be allowed in any zone where allowed, after approval of a conditional use permit. An I-ADU meeting the regulations and standards, as specified in this chapter may be allowed in any zone that allows a single-family dwelling as a permitted use.

B. The conditional use permit issued for D-ADU shall be renewable every two (2) years.  
(Ord. No. 2024-06, § 1, 7-10-2024)

**10-35-65: Inspections**

Following the issuance of a conditional use permit, the building official of Honeyville City may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the planning commission. Representatives of the building department shall inspect the project to ensure that all required improvements meet the conditions of the conditional use permit and this title before a certificate of occupancy is issued.

(Ord. No. 2024-06, § 1, 7-10-2024)

**10-35-76: Affidavit**

~~Applicants for D-ADUs or I-ADUs shall provide an affidavit stating that the owner of the property will occupy either the primary dwelling unit, detached accessory dwelling unit, or internal accessory dwelling unit as defined in section 10-3-4 and comply with all other requirements of this chapter. Upon approval of the D-ADU or I-ADU, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the D-ADU or I-ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and reauthorize the D-ADU or I-ADU.~~

Affidavit and Notice of Accessory Dwelling Unit and Related Regulations  
(To Be Completed, Signed and Recorded at Box Elder County by Property Owner)

Property Owner(s) Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Complete Legal Description:

I (we) \_\_\_\_\_, being first duly sworn, depose and say that I (we) am (are) the current owner(s) of the property listed above: that I (we) occupy the property listed above. I (we) certify that the second dwelling unit on the property is an accessory dwelling and understand that a future purchaser of the property will be required to reauthorize the accessory dwelling unit in order to continue the use. I (we) also understand that any use of the accessory dwelling unit on the property is contingent on the owner of the property occupying either the principal or accessory dwelling unit and compliance with the provisions of the Honeyville City Code.

\_\_\_\_\_  
Owner's Signature Owner's Signature (co-owner if any)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_.

After recording, provide a copy to: Honeyville City Address

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Affidavit and Notice of Internal Accessory Dwelling Unit and Related Regulations  
(To Be Completed, Signed and Recorded at Box Elder County by Property Owner)

Property Owner(s) Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Complete Legal Description:

I (we) \_\_\_\_\_, being first duly sworn, depose and say that I (we) am (are) the current owner(s) of the property listed above: that I (we) occupy the property listed above. I (we) certify that the second dwelling unit on the property is an internal accessory dwelling and understand that a future purchaser of the property will be required to reauthorize the internal accessory dwelling unit in order to continue the use. I (we) also understand that any use of the internal accessory dwelling unit on the property is contingent on the owner of the property occupying either the principal dwelling unit or internal accessory dwelling unit and compliance with the provisions of the Honeyville City Code.

\_\_\_\_\_  
Owner's Signature Owner's Signature (co-owner if any)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Residing in \_\_\_\_\_

My commission expires: \_\_\_\_\_.

After recording, provide a copy to: Honeyville City ~~Address~~

(Ord. No. 2024-06, § 1, 7-10-2024)