

HONEYVILLE CITY PLANNING COMMISSION MEETING NOTICE & AGENDA

Notice is hereby given that the **Regular Meeting** of the **Honeyville City Planning Commission** will be held on **Wednesday April 22, 2026**, at 7:00 p.m., in the Honeyville City Hall, 2635 West 6980 North, Honeyville, UT 84314. Interested citizens are invited to attend.

Call to Order - Staci Zilles-Nelson

Invocation & Pledge of Allegiance - Laurie Hunsaker

Conflict of Interest, if any:

Administer Oath of Office -

Public Comment Period: Comments will be listened to with no action taken. Items needing action will be placed on next month's agenda by request. Individuals will be given 5 minutes to comment.

City Council Meeting Report - Chair Staci Zilles-Nelson:

A. Report:

Zoning Administrator Report/DRC - Kenny Funk:

A. Zoning Admin Report/DRC:

Discussion Items:

- A. Fences & Permit: Anna & Kelli**
- B. Short Term Rentals**
- C. Sidewalk Ordinance**
- D. Title 10 - Chapters 22 & 35**
- E. Title 11 Chapter 4.11**

Action Items:

- A. Approval of Minute: 03/25/26**

Agenda Items for Next Month

ADJOURNMENT

Posted on honeyvillecity.gov, Utah Public Notice Website, at City Hall and at the Honeyville City Post Office: 4/21/26

**The Minutes of
Honeyville City Planning Commission
April 22, 2026, Regular Meeting**

Staci Zilles-Nelson called the meeting to order at 7:00 p.m.

Present were Chair Staci Zilles-Nelson. Commission Members Jamie Cook, Kelli Shaw, Laurie Hunsaker, Anna Dammer, Jacob Jaques and Caleb Hardy

Employees present: Brittiny Chlarson, Clerk/Recorder
Wendy Lindauer, Deputy Clerk
Kenny Funk, Zoning Administrator
Jami Jaques, Code Enforcement

There were approximately three members of the public present.

Laurie Hunsaker offered the Invocation and led the group in the Pledge of Allegiance.

Conflict of Interest, if any: None Noted

Administer Oath of Office – Brittiny Chlarson administered the Oath of Office to Caleb Hardy.

Public Comment Period:

None Noted.

City Council Meeting Report – Chair Staci Zilles-Nelson:

A. Report: Staci Z-N

- **Budget Meeting:** The council will hold their budget planning meeting on April 29.
- **City Clean Up:** May 1st, 2nd and 4th.
- **Ethics Meeting:** Directly following the Planning Commission today.
- **4th of July:** Working on fun things to celebrate the 250th anniversary.
- **Water Rates:** The last time the city updated the water rates was 2017. The Mayor would like to increase rates to at least keep up with inflation.
- **3600 W. Road Widening:** This road will be extended 6 feet to the east. The cost of this project is covered by a grant.
- **Youth City Council:** Kami is looking for youth 14 and older to join the youth city council.
- **Water System:** It was discussed that Spring Box #8 is in need of upgrading.

Zoning Administrator/DRC Report – Kenny Funk:

A. DRC: Kenny F

- **Savannah Heights Boundary Adjustment:** There is a protection strip in the area under discussion that needs to be addressed.
- **Crystal Hot Springs Site Plan:** This should be on the DRC's agenda at the next meeting.
- **Floodplain Permit:** This permit was required for a building permit on S. Salt Creek Road because it is in a historical floodplain area.
- **Second Water Meter:** Individuals have asked if they can have a meter for indoor water and outdoor water.

DISCUSSION ITEMS:

- A. Fences & Permit:** The permit has been created and just needs the graphics to be added to it. It was suggested to show what is and is not allowed.
- B. Short Term Rentals: Staci Z-N** presented updated verbiage. The commission would like this to be reviewed by the attorney and then post a public hearing for May.
- C. Sidewalk Ordinance:** The Commission read sections 7-1-3, 7-1-6:B and 4-2-2:13 of the current code. **Staci Z-N** shared an example to be added to the sidewalk ordinance. It was decided that they would like to remove 7-1-6:B and replace it with the verbiage Staci presented. The commission would also like this to be reviewed by the attorney and then post a public hearing for May.
- D. Title 10 – Chapters 22 & 35:** Kenny F presented updates to Title 10 in chapters 22 & 35. These sections are ready for whereas statements and then post a public hearing for May.
- E. Title 11 – Chapter 4.11:** Kenny F presented updates to Title 11 regarding Flag Lots. This is also ready for whereas statements and to be posted for a public hearing in May.

ACTION ITEMS:

- A. Approval of Minutes: 03/25/26 –** Not in the packet. Will be presented next month.

Agenda Items for Next Month:

- **Public Hearings for: Short Term Rentals, Sidewalk Ordinance, Title 10, Title 11 and Billboard Ordinance**

JACOB JAQUES motioned to adjourn at 7:39 p.m. **LAURIE HUNSAKER** seconded the motion. **MOTION CARRIED with Jamie C for, Kelli S for, Laurie H for, Anna D for, Jacob J for and Caleb H for.**

Meeting Adjourned at 7:39 p.m.

The foregoing minutes were taken and typed by Brittany Charlson.

I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 5/27/20



A handwritten signature in cursive script, reading "Brittany Charlson", written over a horizontal line.

Brittany Charlson – Clerk/Recorder

A handwritten signature in cursive script, reading "Jacob Jaques", written over a horizontal line.

Jacob Jaques – Vice-Chair



Honeyville City

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.

Number of Short Term Rental Units and Density Requirements

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

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.

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.

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:

- 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.
 - 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.
 - 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.
 - The application includes a valid Utah State tax number for remittance of transient lodging taxes.
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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:

- Off-street parking shall be provided on the same lot as the dwelling which is licensed as a short-term rental.
 - 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.
 - All guest parking should be contained on the site.
 - No off-street parking space may be located in front of the living area of the dwelling unless there is a circular driveway.
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Maintenance Standard

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

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

- Create noise that by reason of time, nature, intensity, or duration are out of character with noises customarily heard in the surrounding neighborhood.
 - 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.
 - Interfere with the privacy of surrounding properties or trespass onto surrounding properties.
 - 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.
 - Engage in any disorderly or illegal conduct, including illegal consumption or production of drugs and alcohol.
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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 copy of the short-term rental business license.
- The name, address, and phone number of the owner of the property manager.
- The location of all fire extinguishers.
- A list of all rules applicable for short-term rentals.

- The maximum occupancy of the short-term rental and the maximum number of vehicles allowed.
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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:

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

- 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.
- 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.
- 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.
- Violation of any provision of this section regulating short-term rentals shall constitute a separate offense for each day said violation occurs or continues.
- 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.

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.

The owner of property abutting planting strips along public right-of-ways 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.

CHAPTER 22: SUPPLEMENTARY DEVELOPMENT STANDARDS

10-22-1: Purpose

This chapter establishes several miscellaneous land development regulations which are applicable throughout the city regardless of zone.

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

10-22-2: Scope

The requirements of this chapter shall apply in addition to the development and use standards set forth in other chapters of this title. The requirements of this chapter shall not be construed to prohibit or limit other applicable provisions of this title, this code, and other laws; provided that the requirements of this chapter shall prevail over conflicting provisions of any other requirement in this title unless a different standard is expressly authorized.

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

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.~~~~
- 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)

10-22-4: Adequate public facilities

Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The city may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The city may disapprove a proposed development if demand for public services exceeds accepted levels of service. No subsequent approval of such development shall be given until either the developer or the city installs improvements calculated to raise service levels to the standard adopted by the city.

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

10-22-5: Accessory uses and structures

Accessory uses and structures shall be permitted in all zones provided they are incidental to, and do not substantially alter a principal use or structure.

- A. Front Yard: No accessory building or structure nor group thereof shall be located in a front yard unless expressly authorized by a provision of this title.
- B. Rear Yard: No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty-five percent (25%) of a rear yard.
- C. Accessory Buildings Prohibited as Living Quarters: Living or sleeping quarters in any building, other than the main residential building, are prohibited except as expressly provided by a provision of this title.

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

10-22-6: Buildable area

Every lot created after the effective date of this title shall have a buildable area sufficient to place a building or structure thereon which meets the minimum standards of the zone where the lot is located. Buildable area shall be depicted on a proposed subdivision plat, site plan, or plot plan for the purpose of notifying future owners of the approved buildable area based on applicable development standards. Area within an easement may not be included within buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the city attorney.

(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)

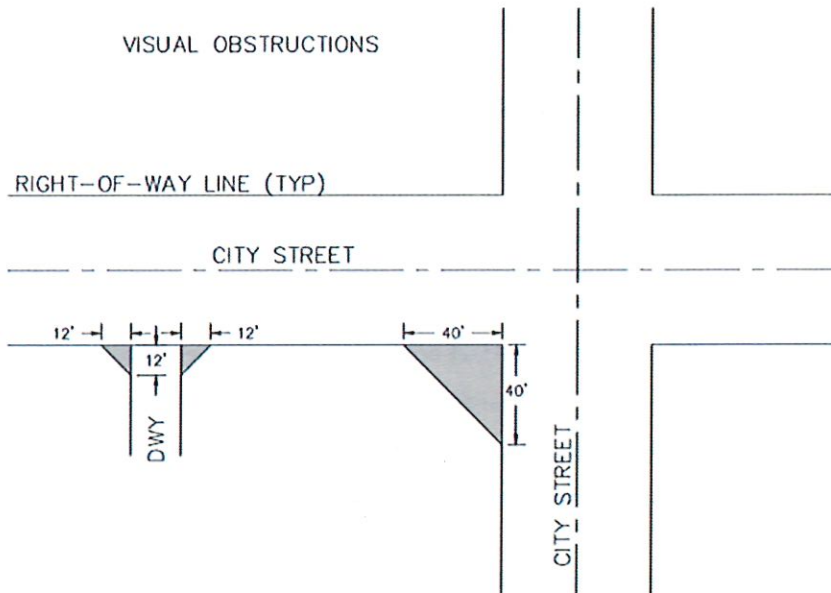
10-22-9: Effect of master street plan

Whenever a front or side yard is required for a building which abuts a [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:
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 viewexceeds 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

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 streets 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 illustrative 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.~~
- ~~B.C.~~ 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.
- ~~B.D.~~ 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)

10-22-13: Land excavation

- A. Work Prohibited Without Conditional Use Permit: No person shall commence or perform any grading or excavation on an existing lot or for a gravel pit or rock quarry in excess of the limits specified below without first obtaining a conditional use permit for grading and excavation.
- B. Conditional Use Permit Required: A conditional use permit shall be required in all cases where development comes under any one or more of the following provisions, unless such work is exempted elsewhere in this section:
 - 1. Excavation, fill or any combination thereof exceeding one thousand (1,000) cubic yards.

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2. Fill exceeding five feet (5') in vertical depth at its deepest point measured from the adjacent undisturbed ground surface.
 3. An excavation exceeding five feet (5') in vertical depth at its deepest point.
 4. An excavation, fill or combination thereof exceeding an area of one acre.
 5. Vegetation removal from an area in excess of one acre.
- C. Conditional Use Permit Not Required: A conditional use permit shall not be required in the following cases:
1. Excavations below finished grade for which a building permit is required and has been issued by the city, including, but not limited to, the following: septic tanks and drain fields, tanks, vaults, tunnels, equipment, basements, swimming pools, cellars or footings for buildings or structures.
 2. Excavation or removal of vegetation within property owned by a public utility company or within a public utility easement by a public utility company.
 3. Removal of vegetation as a part of the work authorized by an approved building permit.
 4. Tilling of soil or cutting of vegetation for agricultural or fire protection purposes.
 5. Commercial quarries operating with valid conditional use permits in appropriate industrial zones as provided for in this title.
 6. Engineered interior fills or surcharge on the property with respect to [permitted](#) industrial development.
 7. Grading and/or excavation done pursuant to an approved final subdivision plat.
 8. Items not covered by this section which are exempted from required permits by the building code.

(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.

1. 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.
2. 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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) 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:
 1. ~~1.~~ Accessory buildings in a rear yard or interior side yard.
 2. ~~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').
 3. ~~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').
 4. ~~4.~~ Any part of a deck or patio less than three feet (3') in height, excluding nonopaque railings.
 5. ~~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)

10-22-15: Protection strips

When subdivision streets parallel contiguous property of others, the developer may, upon approval of the planning commission, retain a protection strip not less than one foot (1') in width between said street and adjacent property; provided, an agreement approved by the city attorney has been made by the subdivider contracting to deed to the owners of the contiguous property the one foot (1') or larger protection strip for a consideration named in the agreement. Such consideration shall be not more than the fair cost of the land in contiguous property plus the value of one-half (0.5) the land in the street at the time of agreement. One copy of the agreement shall be submitted to and approved by the city attorney and the planning commission prior to approval of a final plat. Protection strips shall not be approved at the end of a public street or proposed street.

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

10-22-16: Pollution prevention

All state and local codes concerning air and water quality and solid waste disposal are hereby adopted by reference.

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

10-22-17: Private or individually owned water and sewage disposal requirements

Before a building permit or use permit is granted, the proposed sewage disposal system and the culinary water system, where a nonmunicipal source is used, shall be approved pursuant to applicable law.

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

10-22-18: Storage of trash and debris prohibited

No yard or other open space shall be used for the accumulation of trash, debris, or abandoned equipment and no land shall be used for such purposes, except as authorized by and in compliance with the provisions of this title.

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

10-22-19: Responsibility for unsightly conditions

Failure of the city or planning commission to observe or recognize hazardous or unsightly conditions, or to recommend denial of a conditional use permit or subdivision because of such unrecognized hazardous or unsightly conditions, shall not relieve the developer or owner from responsibility for the condition or damages resulting therefrom. The city or planning commission, its officers or agents, shall not be held responsible for the conditions and damages resulting therefrom.

(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.
- 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.
- 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

10-35-1: Title

The regulations contained in this chapter shall be known and may be cited as "Accessory Dwelling Unit Regulations" and "Internal Accessory Dwelling Unit Regulations" of Honeyville City and its land use management and development Code.

(Ord. No. 2024-06, § 1, 7-10-2024)

10-35-2: Purpose

The city recognizes that detached accessory dwelling units (D-ADUs) and internal accessory dwelling units (I-ADUs) in zones that allow a single-family residence can be an important tool in the overall housing plan for the City. The purposes of the ADU standards of this code are to:

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable.
- B. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- C. Provide for affordable housing opportunities.
- D. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs.

(Ord. No. 2024-06, § 1, 7-10-2024)

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.
- 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

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)

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.

~~A.D. Factors-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.

~~B. Locational Limitations:~~ Flag lots shall be created only on a legally created lot of record which abuts State Highway 38.

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

1. Flag lots shall be created only from a legally created lot of record which abuts State Highway 38.
- ~~1.2.~~ The flag portion of the flag lot shall be ~~is~~ entirely located in an agricultural or ~~Rural Residential~~ zone; the flag portion shall not be split-zoned.
- ~~2.3.~~ The developer provides written and ~~illustrative~~ ~~illustratory~~ evidence showing property development with and without proposed flag lots which demonstrates:
 - ~~a. Flag lots will result in more efficient use of land.~~
 - a. The design of the flag lot(s) ~~are~~ ~~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 ~~pole~~ ~~staff~~ portion of the lot.
 - ~~e.d.~~ The viability of future expansion and extension of the staff into a future public street right of way.

D.F. Development Standards: ~~When permitted, a flag lot shall be subject to the following development standards:~~

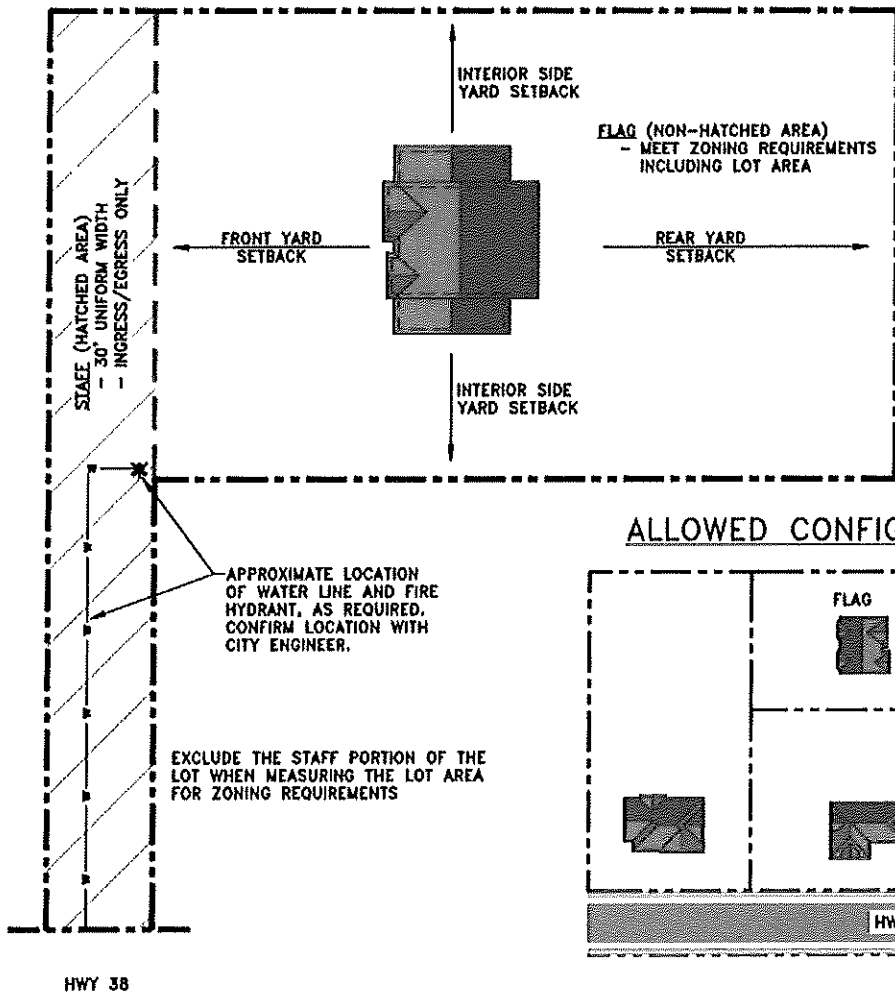
- ~~1. A flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion.~~
- ~~2. The staff portion of the lot shall front on and be contiguous to a public street. The minimum width of the staff portion at any point shall be thirty three feet (33').~~
- ~~3. The 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.~~
1. Flag lot subdivisions shall contain not more than two (2) lots.
- ~~4.2.~~ The staff portion of a flag lot shall be:
 - 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;
 - ~~a.c.~~ Be ~~Used~~ only for ingress/egress with no structures or buildings erected within the staff portion; and-
 - ~~b. Landscaped in harmony with other adjacent property.~~
 - ~~e.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.

- 5.4. 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 ~~three hundred~~300 feet (300') from a fire hydrant, as measured along ~~a public or private~~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 ~~an~~ twenty (20) foot wide easement for any water line and/or fire hydrant located on private property ~~shall be provided to the city~~ for access to and maintenance of the water line and/or fire 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.~~
- 8.6. Clear address signage shall be installed and maintained at the ~~street~~intersection of the staff and State Highway 38 by the owner, including notice that the driveway is a private right of way.
- 9.7. All improvements ~~to or on~~in a flag lot subdivision, including installation of the hard surface and fire hydrants, shall be provided at the subdivider's expense. No ~~certificate of occupancy~~building permits shall be issued for ~~the 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 ~~chapter 33 of this title~~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.
- 10.G. In addition to the above ~~minimum requirements~~Development Standards, the ~~planning commission~~City Council may, as part of a preliminary or final flag lot subdivision ~~plat~~approval, impose additional conditions on a flag lot including, but not limited to, the following:
- a.1. Fencing and screening requirements.
- b.2. Location and height of the dwelling.
- c. ~~Installation of one or more fire hydrants.~~
3. Additional off-street parking and/or backup space designed in accordance with standards set forth in chapter 19 of this title.
- d.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.

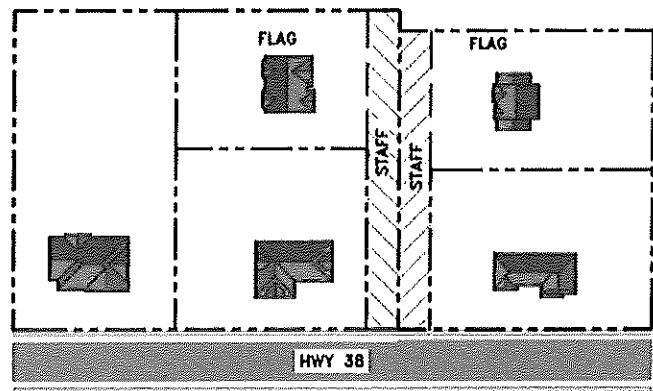
(Adopted by Ord. ~~2007-02~~2026-## on ~~7/11/2007~~date)

EXHIBIT A

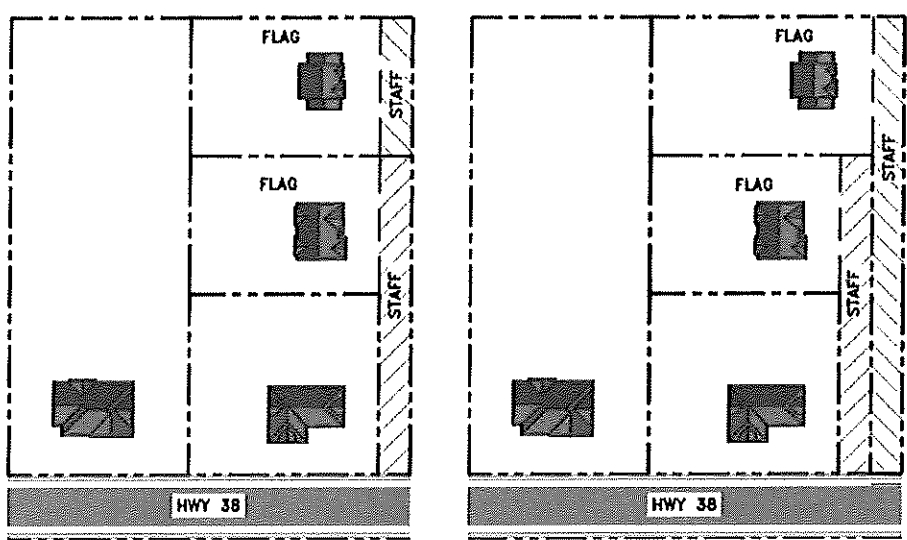
SEE ORDINANCE 11-4-11 FOR SPECIFIC REQUIREMENTS



ALLOWED CONFIGURATION EXAMPLE



NOT ALLOWED CONFIGURATION EXAMPLES



Honeyville City

Preliminary Flag Lot Subdivision Application Submittal Checklist

All items shall be submitted in pdf format unless otherwise noted.

- Completed and signed application
- Owner's Affidavit, if applicable
- Fees paid
- Title Report (for all involved properties)
- Copies of any agreements with adjacent property owners relevant to the proposed subdivision
- Essential Facilities (ref: 11-5-2)
 - Culinary water will serve letter (if City-served, plan approval is will-serve)
 - Irrigation water facilities
 - Sewage disposal (Bear River Health Department septic suitability letter)
 - Stormwater Drainage
 - Fire protection
- UDOT Pre-Application Meeting and Access Application, if applicable
- Compliance with Master Planned streets and utilities
- Storm Water Report (signed and sealed) (detention calculations) (see City PW Standards)
- Estimated cost of infrastructure improvements (as per Utah Code 10-20-807)
- In accordance with City Code 11-4-11.E:
 - Provide written and illustrative evidence showing property development with and without proposed flag lots which demonstrates:
 - The design of the flag lot is compatible with the design of the overall subdivision and adjacent property(ies).
 - No other viable subdivision design alternatives exist that will allow for a conventional lot, including consideration of:
 - The current, proposed, or alternative zoning;
 - 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;
 - Alternative street designs and improvements; and
 - Any other reasonable means that would render a flag lot unnecessary.
 - Access to the flag lot is provided through the staff portion of the lot.
 - The viability of future expansion and extension of the staff into a future public street right of way.
- American Land Title Association (ALTA) Survey [Four (4) 22"x34" hard copies and one (1) pdf]
- Preliminary Subdivision Plat (all items as applicable) [Four (4) 22"x34" hard copies and (1) pdf]
 - Name of Subdivision (distinct from any subdivision name on a plat recorded in the Box Elder County Recorder's office)
 - City, County, State
 - Name and address of owner/developer
 - Name and address of surveyor
 - Date of preparation and revision dates

- North arrow, bar scale, basis of bearing
- Legend
- Vicinity map
- Location of the nearest elevation benchmark and survey control monument
- Total acreage of the proposed subdivision
- Existing surveyed property boundaries
- Overall proposed subdivision and phasing (future proposed development extension, if applicable)
- Existing owners of adjoining property and parcel ID number
- Adjacent subdivisions name and phase
- Legal description of entire subdivision boundary
- Legal description of remainder parcel, if applicable
- Compliance with current zoning
- Existing on-site septic systems, water facilities and storm water facilities, field drains, culverts, and natural watercourses, and within 100' of subdivision boundary
- Water conveyance facilities within 100' of subdivision boundary (Utah Code 10-20-803)
- Rights-of-way, including dimensions, within 100' of subdivision boundary
- Rights-of-way, existing and proposed
 - Bearings and distances of centerlines
 - Widths
 - Road coordinate and name, if desired
 - Identify whether recorded (dedicated) or claimed by usage
- Lots, proposed
 - Lot number
 - Bearings and distances of lot lines
 - Gross area (sq ft)
 - Flag portion area (sq ft)
 - Setback lines including front, side, and rear, including dimensions
 - Width of each lot at required setback line (parallel to right-of-way)
 - Buildable area (sq ft)
 - Location of proposed septic systems, approximate
- Easements, existing and proposed
 - Bearings, lengths, widths, purposes
- Sensitive lands
 - Geologic hazards
 - Sensitive wildlife habitat
 - Floodplain and flood-prone areas (Honeyville Code, Title 12)
 - Wetlands
 - Steep slopes (>15%)
- If the plat includes a remainder parcel, a sketch of the prospective future street system
- If any portion of the proposed subdivision is within 300 feet of an Agriculture Protection Area, the notice language found in Utah Code §17-41-403(4).

- If any portion of the proposed subdivision is within 1,000 feet of an Industrial Protection Area, the notice language found in Utah Code §17-41-403(4).
- If any portion of the proposed subdivision is within 1,000 feet of a Critical Infrastructure Materials Protection Area, the notice language found in Utah Code §17-41-403(4).
- If any portion of the proposed subdivision is within 1,000 feet of a Mining Protection Area, the notice language found in Utah Code §17-41-403(4).
- If any portion of the proposed subdivision is within 1,000 feet of a Vested Critical Infrastructure Materials Operation (extracting, excavating, processing, or reprocessing sand, gravel, or rock aggregate where that use is not permitted by City ordinances), the notice language found in Utah Code §10-20-816.
- Improvement Plans (signed and sealed) (all items as applicable)[Four (4) 11"x17" hard copies and (1) pdf]
 - Cover sheet, index of drawings, general notes, legend
 - Existing and proposed utility plans, plan and profile (culinary, irrigation, and secondary water, septic systems, storm drain)
 - Existing on-site utilities, public and private
 - Culinary water (pipe size, material, fittings, valves, fire hydrants, radius if curved, services location and size, distance to sanitary sewers, pressure zone boundaries, PRV locations and details, etc.)
 - Any and all rule [exceptions](#) and permits from the DDW must be provided prior to final plan approval (e.g. inadequate water/sewer clearance, stream crossing, etc.)
 - Irrigation water (pipe size, material, slope, services/turnout locations and size, etc.)
 - Secondary water (pipe size, material, fittings, valves, radius if curved, services location and size, etc.)
 - Septic system locations, approximate
 - Storm drain (pipe size, material, slope, $Q_{required}$ and $Q_{capacity}$, manholes, structures, receiving conveyance capacity) (see also site, grading, and drainage plans)
 - Site, grading, and drainage plans
 - Existing and proposed contours (2' contours or better in >5% areas; 1' contours in <5% areas)
 - Slope calculations and slope map of existing conditions if east of SR-38
 - Existing floodplains and flood prone areas (see Honeyville City Ordinance Title 12)
 - Existing structures to be demolished
 - Existing structures to remain
 - Existing and proposed retaining walls
 - Existing and proposed fencing
 - Mailbox location
 - Canal and/or irrigation company compliance (i.e. piping or crossing canal)

- Existing drainages and watercourses
- Existing irrigation canals and ditches
- Existing springs or wells
- Source protection zone boundaries
- Existing onsite septic systems
- Existing geologic hazards
- Applicable City Standard details or detail sheets or reference to
 - Storm Water Pollution Prevention Plan and Notice of Intent, as applicable
 - Plan approval from outside entities (fire district, canal companies, Bear River Health Dept., etc.)
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Final Flag Lot Subdivision Application Form

Subdivision Name: _____

Location or Approx. Address: _____

Parcel Number(s): _____

Date of Preliminary Approval by City Council: _____

Number of Proposed Lots: _____

Current Subdivision Zoning: _____ (list more than one zone if necessary)

Current Zoning of Flag Portion of Proposed Flag Lot: _____ (must be agricultural or Rural Residential; not split zoned)

Property Owner:

Owner Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Applicant/Agent:

Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Surveyor:

Name and Company: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Engineer:

Name and Company: _____

Mailing Address: _____

Phone Number: _____

Email: _____

References: City Ordinance 11-4-11

Attachments: Applicant Certification, Agent Authorization, Final Flag Lot Subdivision Application Checklist

Applicant Certification for Final Flag Lot Subdivision Application

I swear the statements and answers contained herein, and in the associated submittal, thoroughly, to the best of my ability, present the argument on behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief. I also certify and agree:

- I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application and to appear on my/our behalf before any city commission, board or council considering this application.
- I understand that Honeyville City may rescind any approval or take any other legal or appropriate action for information or representations submitted that is incorrect or untrue.
- I have reviewed the applicable sections of the Honeyville City Land Use Ordinances and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses.
- To pay all fees associated with this project as assessed by the current adopted Consolidated Fee Schedule, as well as any fees associated with any city consultant (e.g. engineer, attorney).
- The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11).
- To allow the Staff, Planning Commission, City Council, or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Agent's Signature: _____ Date: _____

Property Owner's Signature: _____ Date: _____

Agent Authorization

State of Utah)

County of _____)

I/We , the sole owner(s) of the real property located at _____,
Honeyville, Utah, hereby appoint _____ as my/our
Agent with regard to this application affecting the above described real property, and authorize
said Agent to appear on my/our behalf before any city commission, board or council
considering this application.

Dated this _____ day of _____, 20__

Signed: _____
Property Owner

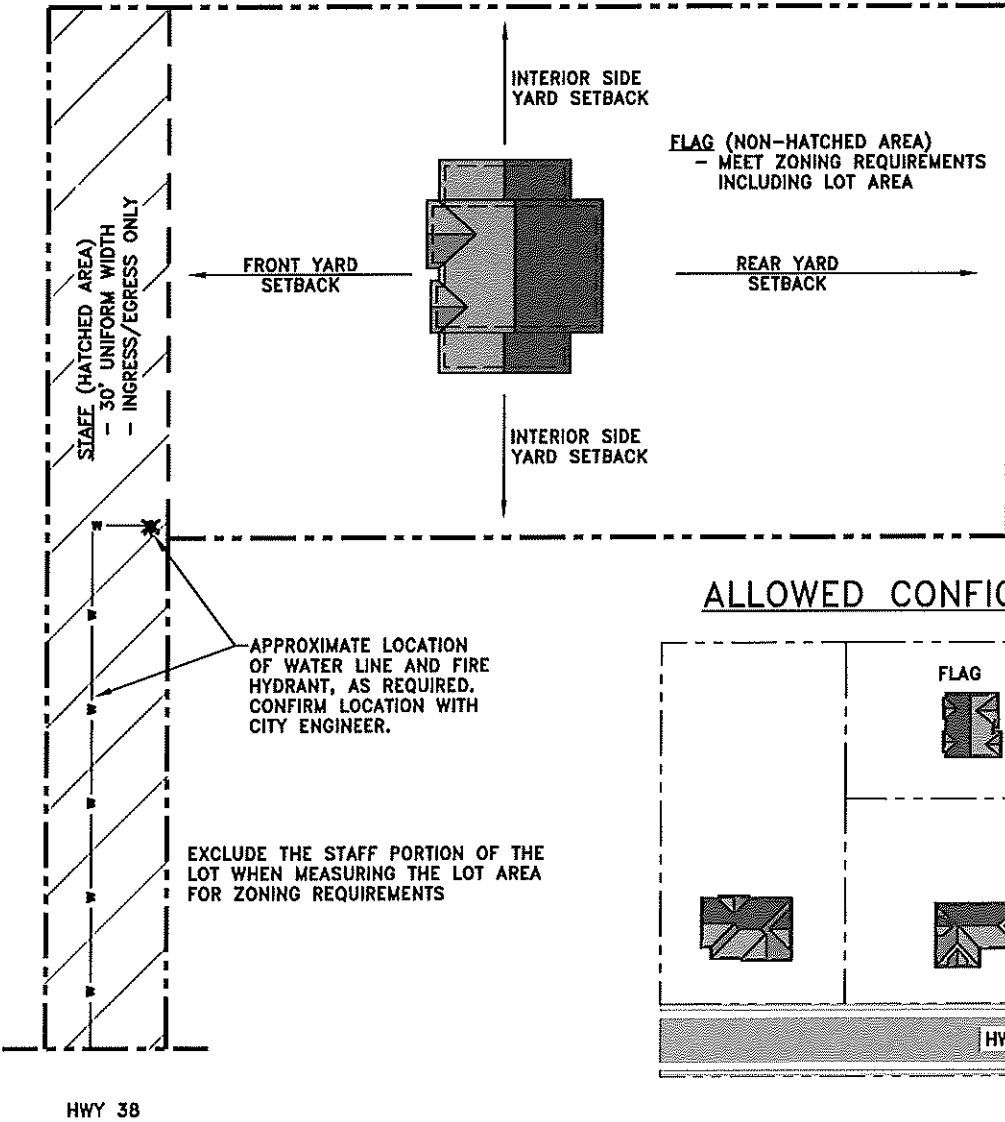
Property Owner

Subscribed and sworn to before me on this _____ day of _____, 20__

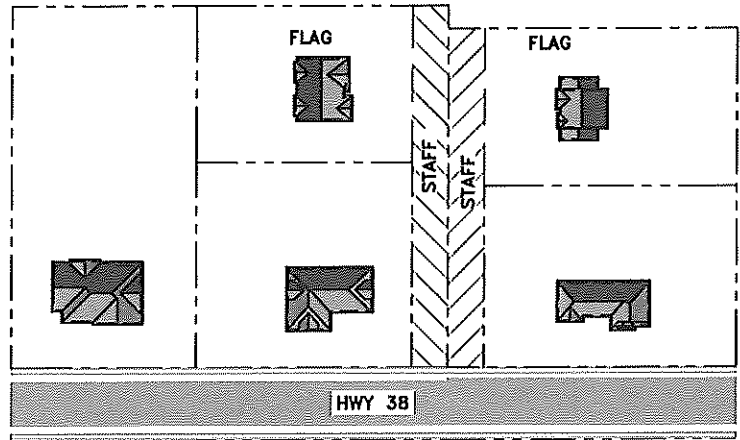
Notary Public

EXHIBIT A

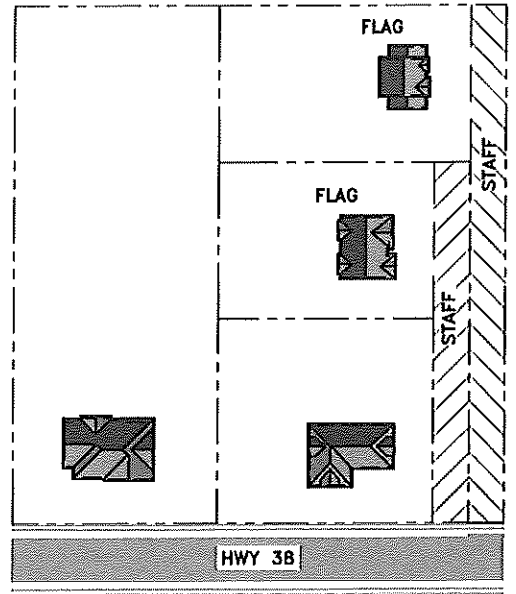
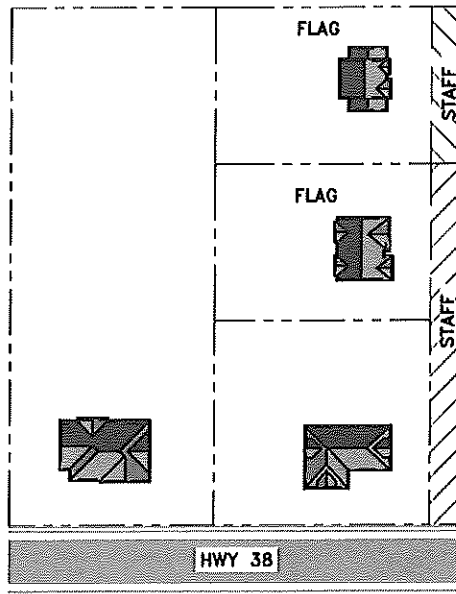
SEE ORDINANCE 11-4-11 FOR SPECIFIC REQUIREMENTS



ALLOWED CONFIGURATION EXAMPLE



NOT ALLOWED CONFIGURATION EXAMPLES



Honeyville City Final Subdivision Application Submittal Checklist

All items shall be submitted in pdf format unless otherwise noted.

- Completed and signed application
- Owner's Affidavit, if applicable
- Fees paid
- Updated Title Report (if more than 6 months since preliminary submittal)
- Tax Clearance
- UDOT Access Permit (when applicable)
- Improvement completion assurance (as per City Code)
- Proof that developer has "... notified each public utility that is anticipated to provide service to the subdivision." [Utah Code 54-3-27(5)]
- Agreements (e.g. development, pioneering, protection strip, etc.) (when applicable)
- Covenants, Conditions, and Restrictions (when applicable)
- Off-site easements (when applicable)
- Storm Water Construction Activity Permit (SWPPP)
- Final Subdivision Plat (all items as applicable) (one pdf and one 22"x34")
 - Signed and sealed
 - Name of Subdivision
 - City, County, State
 - Section/Township/Range, Base and Meridian
 - Name and address of owner/developer
 - Name and address of surveyor
 - Surveyor's certificate
 - Narrative
 - Approval authorities' signature blocks (Mayor, Planning Commission Chair, DRC Chair, City Engineer, City Attorney, as applicable)
 - Owner endorsements with notary acknowledgments
 - Dedication language for all rights-of-way, easements, common spaces, parcels, etc.
 - Date of preparation
 - North arrow, bar scale, basis of bearing
 - Legend
 - Vicinity map
 - Existing surveyed property boundaries
 - Existing owners of adjoining property and parcel ID number
 - Adjacent subdivisions name and phase
 - Legal description of entire subdivision boundary (written and depicted)
 - Legal description of remainder parcel
 - Adjacent rights-of way
 - Street rights-of-way, including centerline call and width

- Street monuments
- Lots, including number, address, size, lot line calls
- Existing structures to remain
- Curve and line tables (curve data to include length, radius, delta, chord length, and chord bearing)
- R-lot notations and restrictions
- Easements (PUE, MUE, specific utility, access, snow storage, temporary turnaround, etc.)
- Location of all monuments, corners, and other points, both found and erected
- Plat notes as required by approval authority (culinary/irrigation water, septic, PUEs, floodplain and flood prone areas, etc.)
- Notation of any self-imposed restrictions, including proposed final restrictive covenants, and all other restrictions as required by the Approval Authority
- Location of common space, open space, or other reservations
- Protection strips
- No access/limited access lines
- Delineated wetlands
- Drinking Water Source Protection zone boundaries
- Floodplain and flood prone area boundaries, and minimum finished floor elevations
- Septic requirements
 - location of all soil exploration pits and percolation test holes shall be clearly identified on the subdivision final plat and identified by a key number or letter designation
 - results of such soil tests, including stratified depths of soils and final percolation rates for each lot shall be recorded on or with the final plat
- Identification of front, side, and back yard lines
- Restriction that staff shall be used for ingress/egress only
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