

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

AGENDA

6:00 PM WORK SESSION

7:00 PM MEETING

July 6, 2026

6:00 PM WORK SESSION

- 1. Call to Order:**
- 2. Discuss Meeting Agenda Items –**
- 3. Adjourn –**

7:00 PM MEETING

- 1. CALL TO ORDER –**
- 2. ROLL CALL –**
- 3. APPROVAL OR AMENDMENT OF AGENDA -**
- 2-3 4. APPROVAL OF MAY 2026 MINUTES –**
- 5. CONFLICT STATEMENT -**
- 6. ADMINISTRATOR COMMENTS –**
- 7. CITIZEN COMMENTS –**
- 8. OLD BUSINESS –**
 - A) Discussion and Possible Action on Special Events and Ordinance/Temporary Use Permits –**
 - B) Discussion and Possible Action on Amending Off Street Parking spaces –**
 - C) Discussion and Possible Action on Definitions –**
 - D) Discussion and Possible Action on Amending Table of Uses –**
 - E) Discussion and Possible Action on Land Use Ordinance –**
 - F) Discussion and Possible Action on Timeshare and Camp Resort Act –**
 - G) Discussion on Residential Setback Requirements-**
 - 4-15 H) Discussion and Possible Action on Proposed Amendment to Zoning Codes 15.20 and 15.24 Regarding Recreational Vehicle (RV) Use and Permitted Regulations-**
- 10. NEW BUSINESS-**
 - 16-19 A) Discussion and Possible Action on Amending the Verbiage in Municipal Code for excessive noise and possible quiet time hours –**
 - 20-47 B) Discussion and Possible Action on Creating a Zoning Overlay Map to Accompany Ordinance 02-2026 for COMMERCIAL AND INDUSTRIAL ZONES SUPPLEMENTARY DEVELOPMENTAL STANDARDS per Town Council's Request-**
- 11. FINAL CITIZEN COMMENTS-**
- 12. FINAL COMMENTS –**
- 13. ADJOURNMENT-**

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

DRAFT MINUTES

6:00 PM WORK SESSION

7:00 PM MEETING

May 4, 2026

6:00 PM WORK SESSION

1. Call to Order: at 6:13 pm Robert Wilkes, Mark Burkett, Jack Brisbin, Wryht Short (phone), Nicole Wood arrived at 6:22 pm.

2. Discuss Meeting Agenda Items – The Commission discussed potential amendments to municipal code regarding recreational vehicle (RV) use, drawing comparisons to regulations adopted by Iron Co.

Purpose of Code Update: Address long-term RV occupancy within town limits. Provide options for:

Property owners building homes, residents experiencing temporary hardship and ensure compliance with sanitation, safety, and zoning standards.

Conditional Use Permit (CUP): Strong consensus that RV habitation should require a CUP. Suggested permit duration: Current draft: 180 days and preferred revision: Up to 1 year, with renewal requirements.

Occupancy & Use Limitations: RVs not to be recognized as permanent dwellings. Use limited to:

Temporary housing and owner-occupied property only, prohibition on rentals, including Airbnb-type uses.

Health & Safety Requirements: RV sites must meet standards for: Waste disposal and sewer management, fire safety compliance and electrical safety. Discussion included requiring: Septic capacity verification and electrical system evaluation.

Enforcement: Expected to occur through; Complaint-based system and zoning administrator oversight and coordination with law enforcement, county health department, and fire department.

Zoning Considerations: in R1 and R2 zones: RVs permitted for storage only without CUP and CUP required for occupancy. Suggestion to consider lot size rather than zoning designation.

Temporary Use Allowances: 72-hour allowance for temporary parking (e.g., visitors) and consideration of 16-day camping allowance (Iron County model).

Accessory Use / ADU Concept: RVs may function similarly to Accessory Dwelling Units (ADUs) in limited cases; family care situations and temporary occupancy. They must meet infrastructure capacity requirements and setback considerations when used as living space.

3. Adjourn – at 6:52 pm

7:00 PM MEETING

1. CALL TO ORDER – at 7:02 pm

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

3. APPROVAL OR AMENDMENT OF AGENDA - Motion to approve the agenda made by Nicole Wood and seconded by Jack Brisbin, all in favor.

4. APPROVAL OF APRIL 2026 MINUTES – Motion to approve the April minutes made by Jack Brisbin and seconded by Nicole Wood, all in favor.

5. CONFLICT STATEMENT - none

6. ADMINISTRATOR COMMENTS – Building Permits: Two new permits received, ongoing review of permit statuses and closures. Ordinance Review: Continued efforts to update and align ordinances with current standards, ongoing clarification of land use authority. Permit Application Update: new streamlined

building permit form created, consolidated into a single-page checklist format. Compliance Efforts: preparation of compliance letters for non-compliant properties, continued response to public inquiries. Newsletter Input: suggested recurring "Did You Know" or zoning information section, deadline for submissions: 24th of each month

7. CITIZEN COMMENTS – Tom Raneau: suggested restructuring code language regarding R1 and R2 zoning references for clarity.

8. OLD BUSINESS –

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

Continue to June meeting

B) Discussion and Possible Action on Amending Off Street Parking spaces – Continue to June meeting

C) Discussion and Possible Action on Definitions – Continue to June meeting

D) Discussion and Possible Action on Amending Table of Uses – Continue to June meeting

E) Discussion and Possible Action on Land Use Ordinance – Continue to June meeting

F) Discussion and Possible Action on Timeshare and Camp Resort Act – Continue to June meeting

G) Discussion on Residential Setback Requirements- Continue to June meeting

10. NEW BUSINESS–

A) Discussion and Possible Action on Proposed Amendment to Zoning Codes 15.20 and 15.24

Regarding Recreational Vehicle (RV) Use and Permitted Regulations- Continue to June meeting

B) Presentation for Design Concept for Metal Building by Kevin Collins- Denise Wood presented pictures of proposed ideas for a metal building as the applicant was absent. Discussion on what aesthetics are allowed in residential areas per our zoning verbiage. No objection to use if constructed properly. Continue to June meeting.

11. FINAL CITIZEN COMMENTS- none

12. FINAL COMMENTS – Commission mentions seeing Tom Raneau here and also thank Tara Chiasson for being here and our liaison for the Town Council.

13. ADJOURNMENT– Motion to adjourn made by Nicole Wood and seconded by Jack Brisbin, all in favor at 7:24 pm.

**BIG WATER TOWN
ORDINANCE 09-2026**

AN ORDINANCE OF BIG WATER MUNICIPAL CORPORATION, KANE COUNTY, UTAH, AMENDING TITLE 15 OF THE BIG WATER ZONING CODE REGARDING THE LOCATION AND LIMITED USE OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING SECTION 15.24.040; ADDING SECTIONS 15.24.045, 15.24.046, 15.24.047 AND 15.24.048; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Big Water Municipal Corporation has adopted land use regulations under Title 15 of the Big Water Municipal Code; and

WHEREAS, the Town Council finds that the current code would benefit from greater clarity regarding temporary and limited seasonal use of recreational vehicles on private property; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to distinguish between simple storage of recreational vehicles, temporary recreational vehicle use, seasonal recreational vehicle use, and a recreational vehicle space associated with an existing permanent residence; and

WHEREAS, the Town Council further finds that such standards should protect the public health, safety, and welfare while providing clear direction for administration and enforcement; and

WHEREAS, the Planning Commission has reviewed the proposed amendments and forwarded its recommendation to the Town Council; and

WHEREAS, the Town Council has held a duly noticed public hearing and finds that the amendments are consistent with the Big Water Town General Plan and the purposes of the Big Water Zoning Ordinance.

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

SECTION 1: **AMENDMENT** “15.20.050 Use Definitions” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.20.050 Use Definitions

To facilitate ease of administration and clarity in the uses allowed within Big Water Town the following use definitions are provided. The use definitions should be considered when applying the use provisions and requirements as presented in Table 1, Table of Uses.

1. **Accessory Building** — A building clearly subordinate and incidental to the principal existing building on the same lot and meeting all applicable Building Code requirements, as adopted by the Town. Metal Accessory Buildings must match the Principal Building.
2. **Accessory Dwelling Unit** — A Dwelling Unit which has a square footage not more than 30% of the square footage of the principal structure and which is located on the same lot as the principal structure and meets all applicable Building Code requirements, as adopted by the Town. Accessory Dwelling Units may be used for an employee or guest of the owner of the principal structure and as a Short Term Rental where permitted.
3. **Accessory Use** — A use subordinate to and clearly incidental to the principle existing use on the same lot.
4. **Advertising Sign** — Any sign or display device including but not limited to billboards, electronic message centers (EMCs), LED displays, banners, and freestanding or attached signage, used to advertise a product, service, brand, or event that conveys a commercial message, promotes a brand, business, or service, or directs attention to a commercial activity, whether located on-premises or off-premises.
5. **Apiary/Beekeeping** — "Apiary" means any place where one or more colonies of bees are located; "Bee" means the common honey bee at any stage of development; "Beekeeping" means anyone who is the state registered owner or operator of a hive or hives; "Hive" means a frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.
6. **Automobile and Recreational Vehicle Repair** — A building or land area in which, or upon which, a business or service involving the maintenance, servicing, or repair of automobiles and/or recreational vehicles is conducted or provided.
7. **Business Sign** — A business sign is any sign, display, or device that is permanently or temporarily affixed to a building, structure, or property and is used to identify the name, services, or products of a business, profession, or organization that operates on the premises where the sign is located. Business signs do not include off-premises advertising signs or billboards.
8. **Cemetery** — A place designated for the burial or keeping of human remains, including crematories and mausoleums and meeting all applicable Local, State and Federal requirements and regulations.
9. **Church** — A facility principally used for people to gather for public worship, religious training, or other religious activities. One accessory dwelling for the housing of the pastor or similar leader of the church and their family will be considered accessory and incidental as a part of this use.
10. **Commercial Day Care/Preschool Center** - Any facility, at a nonresidential location and operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all State standards and licensing.

11. **Commercial Enclosed and Outside Storage of Automobiles, Watercraft, and Recreational Vehicles** - A building or land area where four (4) or more automobiles, watercraft, and/or recreational vehicles are stored for a period exceeding seventy-two (72) hours for a fee.
12. **Commercial Sales and Service** — An activity involving the sale of goods and services carried out for profit.
13. **Contractor's Shop/Office** — A facility providing building construction and maintenance including carpentry and the installation of plumbing, roofing, electrical, air conditioning, and heating.
14. **Contractor's Storage Yard** - A facility or land area for the storage of materials, equipment, and/or commercial vehicles utilized by building and construction contractors, craftsmen and tradesmen, and may include accessory offices related to such activities.
15. **Construction Trailer** — A trailer, or other temporary movable building, used for the housing of materials, or the location of a construction office, required during the duration of the establishment of any authorized building or structure, and which must be removed upon completion of construction.
16. **Dwelling - means a residential structure attached to real property that contains one to four units including any of the following if used as a residence:**
 - a. a condominium unit;
 - b. a cooperative unit;
 - c. a manufactured home; or
 - d. a house
17. **Domestic Livestock** — Animals. are the domesticated animals that are raised in an agricultural setting to provide labor and produce diversified products for consumption such as meat, eggs, milk, fur, leather, and wool.
18. **Equestrian Facilities** - A facility created and maintained for the purpose of accommodating, training, or competing equids. These facilities may include stables, corrals, rodeo arenas, and riding schools.
19. **Equine** - Any member of the horse family, including but not limited to horses, ponies, donkeys, mules, and zebras, whether domesticated or wild. This term encompasses animals used for riding, driving, draft, breeding, boarding, or other agricultural or recreational purposes.
20. **Fire Department Temporary Sleeping Quarters:** - Temporary sleeping quarters for use by fire department personnel while on duty. Must be on the same property as the Firehouse. May consist of bunkrooms, recreational vehicles, etc.
21. **Food Establishment** - An establishment where food and drink are prepared and served. This may included beer in accordance with Municipal Code 5.12.
22. **Golf Course** - A recreational facility primarily used for the purpose of playing golf, but which may include associated eating and drinking areas, retail sales areas and staff offices.
23. **Gravel Pit** — An open excavation or pit from which gravel or other stones or earthen materials are obtained by digging, cutting, or blasting.
24. **Guest Ranch and Resort** — A facility, including either a single building, permanent or semi-permanent camping facilities (glamping), or resort cabins, which serve as a

destination point for visitors and generally has recreational facilities for the use of guests and may include residential accommodations for guests. Guest residency is limited to no more than 90 days.

25. **Home Day Care** — The care for children who are family and non-family members in an occupied dwelling, and complying with all State standards and licensing, by the resident of that dwelling at least twice a week for more than three (3) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling, who are under the supervision of the provider during the period of time the child care is provided. When a care giver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6).
26. **Home Occupation (Major)** — An activity carried out for gain by a resident of the dwelling unit and conducted as a customary, incidental, and accessory use to the dwelling unit, or conducted on the same lot as the residents dwelling and provided that the Home Occupation (Major):
 - a. Does not result in noise or vibration, light, odor, dust, smoke, or other air pollution greater than generally created by a residential use noticeable at or beyond the property line.
 - b. May allow for the conduct of the Home Occupation (Major) and the storage of required materials and supplies in an accessory structure.
 - c. Has signage limited to a non-illuminated identification sign six (6) square feet or less in size.
 - d. Does not produce traffic volumes exceeding that produced by the dwelling unit by more than 10 average daily trips during any 24-hour period.
 - e. Complies with all Federal and State licensing requirements.
 - f. Complies with all Local licensing requirements.
27. **Home Occupation (Minor)** — An activity carried out for gain by a resident of the dwelling unit and conducted entirely within the dwelling unit as a incidental use and provided that the Home Occupation (Minor):
 - a. Does not result in noise or vibration, light, odor, dust, smoke, or other air pollution greater than generally created by a residential use noticeable at or beyond the property line.
 - b. Does not require the use of any accessory structure.
 - c. Does not include any outside storage of goods, materials, or equipment.
 - d. Signage is limited to a non-illuminated identification sign of six (6) square feet or less in size.
 - e. Does not produce traffic volumes exceeding that produced by the dwelling unit by more than 10 average daily trips during any 24-hour period.
 - f. Complies with all Federal and State licensing requirements.
 - g. Complies with all Local licensing requirements.
28. **Home Preschool** — A preschool program and complying with all State standards and licensing for non-family members in an occupied dwelling, by residents of that dwelling, in which lessons are provided for not more than six (6) children for each session of instruction. Sessions shall last for not more than four (4) hours and shall not

overlap. Individual children may attend only one (1) preschool session in any 24-hour period.

29. **Hotel/Motel** — A building offering transient lodging accommodations to the general public and which may offer additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.
30. **Household Pets** — Domestic animals ordinarily permitted in a place of residence, kept for company and pleasure, such as dogs, cats, domestic birds, guinea pigs, white rats, rabbits, mice, pot-bellied pigs, pygmy goats, and other similar animals generally considered by the public to be kept as pets, excluding fowl.
31. **Kennel** — Any establishment at which four (4) or more dogs or cats are bred or raised for sale, boarded or cared for commercially or on a nonprofit basis.
32. **Light Manufacturing** — The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five percent of the floor area of all buildings on the property. Light manufacturing generally includes processing and fabrication of finished products, predominantly from previously prepared materials, and includes processes that do not require extensive floor areas or land areas.
33. **Manufactured Home** — A structure transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
34. **Manufacturing, Processing, and Assembling** — Establishments engaged in the mechanical or chemical transformation of materials or substances into new products.
35. **Monochrome** — Being of relating to or made with a single color or hue. and involving and producing visual image in a single color or in varying tones of a single color.
36. **Multi-Family Residential Dwelling** — A building containing more than one (1) dwelling unit and complying with all requirements of the Zoning District in which it is located, including lot size and density requirements.
37. **Nits** — A unit of measurement for luminance, which quantifies how bright a surface (such as an LED sign or screen) appears to the human eye. Higher nits equals brighter display.
38. **Private Club** — Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stock holders or members.
39. **Professional Offices** — A building for the professions including but not limited to government, physicians, dentists, lawyers, realtors, architects, engineers, artists, musicians, designers, teachers, accountants and others who, through training, are qualified to perform services of a professional nature, and where no storage or sale of merchandise exists.
40. **Public Uses and Utilities** — A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or

general welfare, and including recreational facilities, administrative and service facilities, and public utilities including water and sewer facilities, gas and electricity facilities, cable television facilities, and telecommunications facilities, but excluding airports, prisons and animal control facilities.

41. **Recreational Vehicle Park** — An area of land upon which two or more campsites are located, established, or maintained for occupancy by a tent or recreational vehicle as a temporary dwelling unit for recreational or vacation purposes.
42. Recreational Vehicle Seasonal Use. - The placement and occupancy of a recreational vehicle, including a travel trailer, camping trailer, truck camper, or motor home, for more than sixteen (16) days within any thirty (30) day period, but not more than one hundred eighty (180) days in any calendar year, pursuant to a Town permit.
43. Recreational Vehicle Space - An approved space on a lot containing an existing permanent residential dwelling, designed to accommodate one recreational vehicle in compliance with this title and applicable utility requirements.
44. Recreational Vehicle Temporary Use - The short-term placement and occupancy of a recreational vehicle, including a travel trailer, camping trailer, truck camper, or motor home, for up to sixteen (16) days within any thirty (30) day period.
45. Recreational Vehicle Property Owner Occupant Exemption - A locally administered policy allowing the continuous occupancy of a recreational vehicle, including a travel trailer, camping trailer, truck camper, or motor home for a time period of up to one year under certain conditions and subject to specific health, safety and sanitation requirements.
46. **Residential Facility for Elderly Persons or for Persons with Disabilities** — A facility as defined by Sec. 17-27-103; Sec. 17-27-501; and Sec. 17-27-502, Utah Code Annotated, as amended or a residential dwelling (for four (4) or more persons) as licensed by the Utah Department of Human Services, Division of Services for People with Disabilities. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (57-21-2(9)(a) Utah Code Annotated, 1953, as amended)..Disability does not include current illegal use of, or addiction to, any federally controlled substance. Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.
47. **Salvage yard** — The use of any lot, portion of a lot, or land for the commercial storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery.
48. **School** — Any building or part thereof that is designed, constructed, or used for education or instruction by a public or private organization in any branch of knowledge, but excluding preschool center.
49. **Self-Service Storage Facility** — A structure, or structures, containing separate, individual, and/or private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. Such facilities are to be used for dead storage only. The following activities are prohibited within any Self- Storage Service Facility:
 1. Commercial, wholesale or retail sales, or miscellaneous or garage sales.

2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, small engine equipment, or similar equipment.
3. The operation of power tools, spray-painting equipment, compressors, welding equipment, kilns, or similar equipment.
4. The establishment of a transfer business.
5. Any use that is noxious or offensive because of odors, dust, noise, or vibrations.

Short Term Rental - A residential dwelling unit or a part of a dwelling unit, including an accessory dwelling unit, a single-family unit or multiple-family unit, being utilized by any person, other than the owner, as lodging on a daily, weekly, or any other basis for up to thirty (30) consecutive days, in exchange for rent. Nightly rental does not include the use of Dwelling for Commercial Uses.

Single-Family Dwelling — A building arranged or designed to be used for and containing one dwelling unit. All single family dwellings including new manufactured, modular, or site-built homes shall meet all applicable codes, ordinances and regulations and have the minimum floor square footage of particular zone in which the dwelling is located and a ratio of dwelling unit length to width of not more than four (4).

Telecommunications Site/Facility — A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use does not include radio frequency equipment that has an effective radiated power of 100 watts or less. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located.

Temporary Dwelling Unit — A dwelling unit established for a limited period during the construction of a permanent structure unit and meeting all applicable codes, ordinances and regulations and located on a lot of record for which a valid Building Permit has been issued by the Town.

Temporary Use — A special event or use established for a maximum period of 45 days, such use being discontinued after the expiration of 45 days, as provided by Section 15.16.030 and conducted in compliance with all the requirements of this Ordinance.

Wholesale Business and Storage — Establishments or places of business primarily engaged in selling of merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

4H and/or Educational Projects — The keeping of domestic livestock and/or household pets for educational purposes, such activities being sponsored by an educational or agricultural organization.

SECTION 2: AMENDMENT “15.24.040 Location Of Mobile Homes, Travel Trailers, Recreational Vehicles, Boats, Camping Trailers, Truck Campers And Motor Homes” of the Big Water Zoning Code is hereby *amended* as follows:

AMENDMENT

15.24.040 Location Of Mobile Homes, Travel Trailers, Recreational Vehicles, Boats, Camping Trailers, Truck Campers And Motor Homes

The location, ~~or storage, and limited occupancy~~ of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, motor homes and truck campers shall be subject to the following:

1. The location or storage of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, motor homes and truck campers ~~under provided by this Section~~ shall apply only to licensed, registered vehicles, where registration is required by law only. No unlicensed, unregistered, wrecked, dismantled, or inoperable vehicle may be stored or kept that would constitute a nuisance.
2. ~~At no time shall a~~ Except as expressly allowed by Sections 15.24.045, 15.24.046, 15.24.047 and 15.24.048 no mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home be continuously occupied or used for living or sleeping purposes.
3. If a mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home is located or stored outside of a garage or carport, it shall be placed in the rear yard or side yard of the lot, except that placement in other than the rear yard or side yard for loading and unloading purposes may be permitted for a period of time not to exceed seventy-two (72) hours.
4. ~~The storage and location of all mobile homes, travel trailers, recreational vehicles, boats, camping trailers and truck campers provided by this Section shall be applicable to operable, licensed vehicles only. No unlicensed or inoperable vehicles shall be allowed to be located or stored under the provisions of this Section, or this Ordinance.~~ In the R-1 and R-2 zoning districts, the storage of a travel trailer, recreational vehicle, camping trailer, truck camper, boat, or motor home on a lot shall be permitted only where a lawfully existing principal use or principal structure is located on the same lot, unless otherwise approved pursuant to this title.
5. No compensation may be accepted for the placement or occupancy of a recreational vehicle on private property unless expressly authorized elsewhere in this title.

SECTION 3: ADOPTION “15.24.045 Recreational Vehicle Temporary Use” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.24.045 Recreational Vehicle Temporary Use(*Added*)

A. Purpose. This section establishes standards for short-term temporary use of a recreational vehicle on a legal lot of record. B. Allowed Temporary Use. Recreational vehicle temporary use may occur on a legal lot of record in a zoning district where the use is not otherwise prohibited by this title, subject to the requirements of this section. C. Maximum Duration. 1. Temporary use may occur for up to sixteen (16) days within any thirty (30) day period. 2. After sixteen (16) days within any thirty (30) day period, the recreational vehicle shall be removed from the property unless approved pursuant to Section 15.24.046 or 15.24.047. D. Minimum Standards. 1. The recreational vehicle shall provide self-contained restroom facilities, or the occupant shall provide a lawful portable sanitation method. No human waste may be deposited on the ground or disposed of in violation of law. 2. All garbage and refuse shall be contained and removed from the property so that no trash is left loose or accumulated on site. 3. Campfires, if any, shall comply with all current fire restrictions and applicable law. 4. The temporary use shall not create a nuisance, health hazard, unsafe condition, traffic hazard, or unlawful utility connection. E. No Vested Right. Temporary recreational vehicle use under this section shall not create any right to permanent or long-term occupancy.

F. This section shall be administered and enforced by the Zoning Administrator or designee, including the authority to issue permits, conduct inspections, and enforce compliance with this title.

SECTION 4: ADOPTION “15.24.046 Recreational Vehicle Seasonal Use”
of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.24.046 Recreational Vehicle Seasonal Use(*Added*)

A. Purpose. This section establishes standards for limited seasonal recreational vehicle use on property where such use can be safely accommodated and adequately serviced. B. Permit Required. No recreational vehicle shall be occupied or used for living or sleeping purposes for more than sixteen (16) days in any thirty (30) day period except pursuant to a valid permit issued by the Town under this section. C. Maximum Duration. Seasonal recreational vehicle use may be approved for more than sixteen (16) days in any thirty (30) day period, but in no event for more than one hundred eighty (180) days in any calendar year. D. Application Requirements. An applicant shall submit such forms, fees, site information, and supporting documentation as required by the Town, including at a minimum: 1. A site plan showing the proposed location of the recreational vehicle and setback compliance; 2. Proof of an approved culinary water source; 3. Proof of lawful sewage treatment, disposal, or containment, as

approved by the applicable health or environmental authority; 4. Proof of solid waste service if required by the Town; 5. Any other information reasonably required by the Zoning Administrator to determine compliance with this title and other applicable law. E. Utility And Health Requirements. 1. Any proposed water or wastewater service shall be subject to approval by the appropriate regulatory authority having jurisdiction. 2. No person may occupy a recreational vehicle under this section unless water, sewage, and sanitation provisions are adequate to protect public health and safety. F. Rental Prohibited. No person may receive compensation for the placement or occupancy of a seasonal recreational vehicle under this section unless the use is separately authorized by Town code. Seasonal RV use is prohibited as a short-term rental, campground, or park model substitute unless separately authorized by code

G. Compliance With Setbacks. The recreational vehicle shall be located in compliance with the setback requirements of the applicable zoning district. H. Revocation. A permit issued under this section may be revoked for violation of this title, failure to maintain required utility or sanitation service, creation of a nuisance, or any false statement in the application.

I. This section shall be administered and enforced by the Zoning Administrator or designee, including the authority to issue permits, conduct inspections, and enforce compliance with this title.

SECTION 5: ADOPTION “15.24.047 Recreational Vehicle Space” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.24.047 Recreational Vehicle Space(Added)

A. Purpose. This section establishes standards for one recreational vehicle space accessory to an existing permanent residential dwelling. B. Eligibility. One recreational vehicle space may be established on a legal lot of record where: 1. A lawful permanent residential dwelling already exists on the same lot; and 2. The lot contains sufficient area to accommodate the recreational vehicle space in compliance with setback and other applicable requirements. C. Permit Required. No recreational vehicle may be placed for occupancy on a recreational vehicle space unless an administrative permit has first been obtained from the Town. D. Utility Requirements. The applicant shall provide sufficient information for the Town to determine that any proposed water, sewage, and electrical services are lawful and adequate. E. Solid Waste. The applicant shall provide proof of solid waste service if required by the Town. F. Rental Prohibited. No fee, rent, or other compensation shall be accepted for the placement or occupancy of a recreational vehicle on a recreational vehicle space authorized by this section unless otherwise expressly permitted by Town code. G. Setbacks. The recreational vehicle space shall comply with all applicable setbacks for the zoning district. H. Accessory Status. A

recreational vehicle authorized under this section shall not be deemed a permanent dwelling unit and shall not create a separate lot, dwelling, or vested land use right.

I. This section shall be administered and enforced by the Zoning Administrator or designee, including the authority to issue permits, conduct inspections, and enforce compliance with this title.

SECTION 6: ADOPTION “15.24.048 Property Owner - Occupant Conditional Exemption” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.24.048 Property Owner - Occupant Conditional Exemption(*Added*)

Property Owner-Occupant Exemption.

Except for properties in the R1 / R2 lots zoning district, and for properties in any subdivisions with paved streets, curb, gutter, sidewalks and subject to private covenants and restrictions, the owner of a legal lot of record may, under certain conditions, apply for a conditional use permit (CUP) for extended occupancy of an RV or trailer for a period of up to one year. Conditional use for extended occupancy is only granted when verifiable and compelling circumstances justify an exception to the policy for practical or compassionate reasons. Circumstances that may compel a resident to request an extended occupancy CUP include but are not limited to construction of a primary residence, temporary health or economic challenges, major renovations making the primary residence unoccupiable. Applicants must provide evidence to support their eligibility, and meet the criteria outlined in section 15.24.046. Additionally, the applicant must affirm that:

- a) The property owner is the legal owner of record of the lot property described in the instrument affidavit by legal description and parcel number.
- b) The property owner is the occupant of the recreational vehicle; and the recreational vehicle is licensed, registered, insured and in good mechanical order
- c) The property owner consents to a safety inspection by the fire department
- d) The property owner consents to a site inspection by the Zoning Administrator
- e) All conditional use permits (CUP) must be renewed annually and are subject to revocation if the property owner is in violation of any of the stipulated requirement

This section shall be administered and enforced by the Zoning Administrator or designee, including the authority to issue permits, conduct inspections, and enforce compliance with this title.

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor David Schmuker	_____	_____	_____	_____
Council member Jim Lybarger	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____
Council member Mark Gangola	_____	_____	_____	_____

Presiding Officer

Attest

David W. Schmuker, Mayor, Big Water Town

Abigail Palsgrove, Clerk, Big Water Town

**BIG WATER TOWN
ORDINANCE 10-2026 QUIET HOURS**

**AN ORDINANCE AMENDING SECTION 8.08.030 OF THE BIG WATER
MUNICIPAL CODE REGARDING QUIET HOURS AND EXCESSIVE NOISE**

WHEREAS, the Town Council of Big Water Municipal Corporation finds that excessive nighttime noise may disturb the peace, comfort, and quiet enjoyment of neighboring properties; and

WHEREAS, the Town Council finds it necessary to establish reasonable quiet hours to protect the public health, safety, and welfare of Town residents;

WHEREAS, after duly noticed public hearing, held on _____ the Town Council has determined that adopting these standards promotes the public welfare and is in the best interest of the Town of Big Water;

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

SECTION 1: **AMENDMENT** “8.08.030 Property Maintenance” of the Big Water Municipal Code is hereby *amended* as follows:

A M E N D M E N T

8.08.030 Property Maintenance

- 1. NUISANCES DEFINED.** The following list of conditions and any other conditions which threaten the health, safety, or well-being of Town residents or adversely affect surrounding property values are declared nuisances and are prohibited:
- a. Noxious weeds at any state of maturity
 - b. Abandoned, partially destroyed, improperly maintained, and partially-constructed buildings or structures.
 - c. Dead, decayed, or diseased vegetation.
 - d. Abandoned, inoperative, dilapidated, and unsightly motor vehicles, trailers, campers, boats, RVs, or other mobile equipment stored so as to be visible from public streets or stored upon public streets.
 - e. Attractive nuisances to children.
 - f. Discarded or stored furniture, cartons, and other unsightly items visible from public streets or stored upon public streets.
 - g. Premises in a condition detrimental to public health, safety, general welfare, or surrounding property values.
- 2.** Any excessive noise that annoys, disturbs, or endangers the comfort, repose, or welfare of any persons or that precludes their enjoyment of their property. Quiet hours

are hereby established between the hours of 11:00 p.m. and 7:00 a.m. During quiet hours, no person shall make, continue, or cause any loud, unreasonable, excessive, or plainly audible noise that unreasonably disturbs the peace or quiet enjoyment of neighboring properties. This provision shall not apply to emergency vehicles, emergency repairs, lawful public works activities, agricultural operations, or Town-approved events.

a. Industrial and commercial operations that require night time work due to weather conditions, material performance requirements, emergency circumstances, or contractual obligations for public infrastructure projects may operate during quiet hours, provided reasonable measures are taken to minimize noise impacts on neighboring properties. Such operations shall comply with any conditions imposed through zoning approvals, conditional use permits, or other Town authorizations.

3. **NUISANCE — BLOWING SAND AND DIRT.** No person, firm or corporation who owns or is in possession or control of land the soil of which is sandy loam or which, by virtue of its character and the presence in the area of strong prevailing winds, seasonal or otherwise, is likely, if the surface thereof is disturbed, to be eroded by wind and blown in substantial quantity onto a public road or roads or other public or private property in the vicinity of said land, shall substantially disturb the surface of said sand by excavating, leveling, cultivating, plowing, removing natural or planted vegetation or root crops, or by depositing or spreading a substantial quantity of similar soil on the land, or by any other act likely to cause or contribute to wind erosion of the land, or to aggravate an existing wind erosion condition thereon, without providing sufficient protection at or prior to the time of so disturbing the surface of the land or without thereafter continuously maintaining the same or equivalent protection, so far as to prevent the soil on the land from being eroded by wind and blown onto a public road or roads or other public or private property. Such protection shall be provided by means of windbreaks, walls, fences, planting and maintaining vegetation, covering the land, applying water or other material, or other effective method or combination of methods of holding the soil in place. Any act or omission complained of as a violation of the above necessarily incidental to and consistent with conduct of agricultural operation in a manner usual and customary for such agricultural operations shall not be included in the above.
4. **AUTHORS OF NUISANCE DEFINED.** Where a nuisance exists, the property's owner, landlord, occupant, any persons having control over property, and/or their agents are deemed its author and responsible therefor.
5. **ENFORCEMENT.** The Zoning Administrator or other Council designee shall be responsible for identifying nuisances within the Town. He shall notify the author thereof in writing of the nuisance determination and set a deadline for abating the nuisance.

If the author fails to meet the deadline, the Town through its Zoning Administrator shall affect the abatement. An itemized statement of the charges incurred to effect abatement, including a service charge of \$100.00, shall be sent, via registered mail, to

the author, and payment of said charges must be paid by author within 30 days. If such payment is not made, the charges shall become a lien against the property hosting the nuisance.

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor David Schmuker	_____	_____	_____	_____
Council member Jim Lybarger	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____
Council member Mark Gangola	_____	_____	_____	_____

Presiding Officer

Attest

David W. Schmuker, Mayor, Big Water Town

Abigail Palsgrove, Clerk, Big Water Town

Kane County Code – Section 4-3-3-25: Noise-Related Nuisances

25. Noise Related Nuisances:

It shall be unlawful for any person in the county in a public or private place to make, cause to be made or allow the making of any noise which is inconsistent with the zoning area between the hours of 11:00 P.M. and sunrise, which noise is unnecessary or unusual, and which annoys, disturbs, or affects the comfort, repose, health, or peace of others. Any such noise described above, heard outside the limits of the real estate from which said noise has its source and heard by another person, shall be a noise as is hereby prohibited, and constitutes the basis of a violation of this section.

ORDINANCE 02-2026

**AN ORDINANCE AMENDING TITLE 15 OF THE BIG WATER TOWN CODE TO
ENACT COMMERCIAL AND INDUSTRIAL ZONES SUPPLEMENTARY
DEVELOPMENTAL STANDARDS AND APPENDICES**

WHEREAS, the Town of Big Water (“Town”) is empowered under Utah law to enact land use regulations promoting the health, safety, and welfare of its residents; and

WHEREAS, Title 15 of the Big Water Town Code establishes zoning districts and provides for the regulation of land uses therein; and

WHEREAS, the Town has identified a need to adopt supplementary development standards for the commercial zoning districts (C-1, C-2, C-3) and industrial zones supplementary development standards for the industrial zoning districts (I-1, I-2) to ensure high-quality development, protect public safety, preserve the Town’s character, and promote desirable economic activity; and

WHEREAS, the Planning and Zoning Board has reviewed proposed standards relating to building height, temporary structures, yard regulations, setbacks, landscaping, design standards, storage, and related provisions, and has recommended their adoption; and

WHEREAS, the Town Council finds that such standards further the purposes of the Big Water Zoning Ordinance and serve the long-term planning goals of the community; and

WHEREAS, the Town also finds it necessary to include as an appendix a permitted-uses chart for the C-1, C-2, and C-3 commercial zoning districts and I-1 and I-2 industrial zones supplementary standards; and

WHEREAS, after duly noticed public hearing, held on _____ the Town Council has determined that adopting these standards promotes the public welfare and is in the best interest of the Town of Big Water;

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

SECTION 1: **AMENDMENT** “15.20.010 Zoning By Districts” of the Big Water Zoning Code is hereby *amended* as follows:

AMENDMENT

15.20.010 Zoning By Districts

In accordance with the requirement of the Utah Code that zoning within municipalities be by districts, Big Water Town, as shown on the Big Water Zoning Districts Map, is divided into zoning districts that govern the use, intensity and other requirements for the use of all lands located within the Town. The map accompanying this Ordinance, the Big Water Zoning Districts Map (Zoning Map), and incorporated herein by reference, identifies the location and distribution of the zoning district provided by the Town. All development, use, activity, and all required permits and licenses shall conform to the provisions, standards, and requirements of the applicable zoning district.

To meet the purposes of this Ordinance, the following zoning districts are provided;

1. Residential ~~Estates~~ Zone ~~R-1~~(~~RE-2~~)
2. Residential ~~Estates~~ Zone ~~R-2~~(~~RE-1~~)
3. Residential ~~Zone R-3~~(~~R-1~~)
4. ~~Mixed Use Residential Zone(R-2)~~Residential Overlay R-4
5. General Commercial Zone (C-1)
6. General Commercial Zone (C-2)
7. General Commercial Zone (C-3)
8. ~~Mixed Use Commercial/Residential (M-1)~~Commercial Overlay
9. Light Industrial Zone (I-1)
10. Heavy Industrial Zone (I-2)

SECTION 2: AMENDMENT “15.20.020 Zoning District Purpose” of the Big Water Zoning Code is hereby *amended* as follows:

AMENDMENT

15.20.020 Zoning District Purpose

The zoning districts are formulated to provide and achieve the following purposes:

1. ~~RE-2~~ R-1 **Residential Estates Zone.** The ~~R-1~~~~E-2~~ Residential Estates Zone is provided to allow for residential estate uses and neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents of the neighborhood.
2. ~~RE-1~~ R-2 **Residential Estates Zone.** The ~~R-2~~~~E-1~~, Residential Estates Zone is provided to allow for residential estate neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents of the neighborhood.
3. ~~Residential (R-1)~~R-3 **Residential Zone.** The ~~R-3~~~~+~~ Residential Zone is provided to allow the opportunity where residential areas may be established, maintained, and protected. The R-1 Zone District also allows for the establishment, with proper controls for public and semi-public uses such as churches, schools, libraries, parks and playgrounds that serve the requirements of families. The regulations are intended to

prohibit those uses that would be harmful to a residential neighborhood.

4. ~~R-2 Mixed Use Residential Zone.~~ R-4 Residential Overlay. The R-4 Residential Overlay ~~Mixed Use Residential Zone~~ is provided, with the establishment of proper controls to allow the use of manufactured homes. This zone is designed to deal with areas of existing mixed use.
5. ~~C-1 General Commercial Zone.~~ The purpose of the C-1 ~~General~~ Commercial Zone is to ~~provide areas for retail and service activities in locations convenient to serve residents.~~ establish and distinguish a "main street" and/or historic downtown commercial area of the Town of Big Water. This zone is characterized by a variety of types of goods and services that complement one another and is intended to facilitate a high density of economic activity in a walkable atmosphere. The C-1 Commercial Zone encourages a mix of store front commercial retail, restaurants, hotels, mixed residential/commercial, and office space.
6. C-2 Commercial Zone. a. The objective of the C-2 Commercial Zone is to provide space within the Town of Big Water where nearly all types of commercial goods and services may be provided. Since the Zone permits such a wide variety of uses, the protective features which zoning normally affords to adjacent properties are mostly nonexistent. Owners should develop and maintain their property in recognition thereof. b. The C-2 Commercial Zone is located principally along major roadways for maximum visibility to the public. To maximize traffic safety, property owners should work together to provide access, parking, etc. to adjacent parcels and access should be provided in a manner that will minimize the hazard of traffic leaving and entering major roadways.
7. C-3 Commercial Zone. The principal objective in establishing the C-3 Commercial Zone is to provide space within the Town of Big Water where facilities that serve the traveling public can be most appropriately located. These purposes would include government buildings such as town halls, public safety buildings, and schools. Other purposes for establishing the C-3 Commercial Zone is to promote safety on the highways, to promote the convenience of the traveling public, to promote beauty in the appearance of roadsides and interchanges leading into the Town of Big Water, and to prohibit uses which will tend to be contrary to the use of the land for its primary purposes of which would be unsightly to the traveling public.
8. ~~M-1 Mixed Use Zone.~~ Commercial Overlay. The purpose of the Commercial Overlay ~~M-1 Zone~~ is to provide a variety of uses as an appropriate transition between high-traffic streets and residential uses.
9. I-1 Light Industrial zone. Manufacturing, processing, storage, or assembly operations that do not produce excessive noise, vibration, odor, glare, or hazardous byproducts and that can operate safely near commercial uses.
10. **I-2 Heavy Industrial Zone.** The I-2 zone is provided to allow for heavy industrial uses not allowed in any other zone.

**SECTION 3: ADOPTION “15.23 COMMERCIAL ZONES
SUPPLEMENTARY DEVELOPMENT STANDARDS”** of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

**15.23 COMMERCIAL ZONES SUPPLEMENTARY DEVELOPMENT
STANDARDS***(Added)*

SECTION 4: ADOPTION “15.23.010 Purpose” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.010 Purpose*(Added)*

The purpose of commercial zones supplementary developmental standards is to further the purposes of this Ordinance. Compliance with supplementary standards for a particular use as well as all other requirements of this Ordinance and all other applicable requirements of other Ordinances shall be required for the issuance of any required development approval, license, or permit.

SECTION 5: ADOPTION “15.23.020 Definitions” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.020 Definitions*(Added)*

The definitions for this Chapter shall be as provided in 15.42.010.

SECTION 6: ADOPTION “15.23.030 Commercial Temporary Structures” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.030 Commercial Temporary Structures(*Added*)

1. "Commercial Temporary Structures" is defined as a temporary structure intended for outdoor use for a limited time, not to exceed ONE HUNDRED SEVENTY-NINE (179) days in any rolling twelve-month (12) period, in a commercial zone. A Commercial Temporary Structure shall be approved by the Big Water Planning and Zoning Board and shall meet the following requirements:

a. Shall not include illumination on the exterior, except for pedestrian safety; b. Shall be removed upon expiration of the permit period, unless an extension is granted by the Town of Big Water; c. May be used for temporary sales, grand openings, holiday promotion, temporary seating, and/or farmer's markets; d. Shall require a permit from the Town of Big Water Building Inspector and pay the required fee(s); e. Shall not block the visibility or normal movement of vehicles and pedestrians; f. Shall not eliminate required parking; g. Shall be maintained in good repair at all times; h. Shall be installed on a hard surface with proper tie downs; i. Shall meet all adopted fire and building codes for a temporary structure; and j. Shall meet all design standards for the underlying zone, except building material requirements (unless specified in the building or fire codes).

2. An Application must be made to the Town of Big Water which specifies the location, design elements, and period of time for which the approval is sought. The Big Water Building Inspector shall approve the application.

SECTION 7: ADOPTION "15.23.040 Height Regulations" of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.040 Height Regulations(*Added*)

No building shall be erected to a height greater than twenty-seven (27) feet, NOT LOWER THAN TWELVE (12) FEET. The height regulation is for fire safety purposes as the current fire safety equipment for the Town of Big Water cannot reach buildings that are of a height greater than twenty-seven (27) feet.

SECTION 8: **ADOPTION** “15.23.050 Temporary Events On Public Right-Of-Way” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.050 Temporary Events On Public Right-Of-Way(*Added*)

In no case shall business be conducted on public right-of-way except as allowed by a special events permit issued by the Town of Big Water.

SECTION 9: **ADOPTION** “15.23.060 Minimum Area, Width, And Yard Regulations” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.060 Minimum Area, Width, And Yard Regulations(*Added*)

			<u>Yard Setbacks in Feet</u>		
Zone	Area	Width	Front	Side	Rear
C-1	5,000 sq ft	0	0	0	2
C-2	5,000 sq ft	0	0	0	2
C-3	12,000 sq ft	0	0	0	2

Where a commercial zone abuts a residential zone, building setbacks shall be as follows:

Building Height	Yard Setbacks in Feet		
	Front	Side	Rear
Greater than 16 feet	0	20	20
Less than 16 feet	0	10	10

SECTION 10: **ADOPTION** “15.23.070 Special Regulations” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.070 Special Regulations*(Added)*

1. All used materials and used merchandise that are not for decorative purpose, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.
2. No trash, rubbish, weeds, nor other combustible material shall be allowed to remain on any lot outside of approved containers in any Commercial Zone. No debris, abandoned or dismantled automobile or automobile parts, maritime vessels or similar material shall be stored or allowed to remain on any lot in any Commercial Zone.
3. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

SECTION 11: **ADOPTION** “15.23.080 Design Standards For The Commercial Zones (C-1, C-2, C-3)” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.080 Design Standards For The Commercial Zones (C-1, C-2, C-3)*(Added)*

1. The purpose of Design Standards is to maintain the character of the Town of Big Water as a destination community with breathtaking scenery, to preserve the town's corridors, preserve and enhance the rural western character of the downtown/"main street" area, provide a significant landscaped buffer between development and highway uses, minimize curb cuts and access points to highways, and enhance the Town of Big Water's walkable downtown/"main street" atmosphere.
2. In this section, "building surface" refers to any outside portion of the building that is viewable from an adjacent street or walkway, not including the roof.
3. Any design or landscape requirement that apply to C-1 in this chapter, or in any other zoning code, shall also apply to any lots that are located in a future downtown/"main street".
4. Lot and Site requirements are subject to the following:

a. A façade improvement that requires a building permit within the Commercial Zones shall

obtain approval from the Planning and Zoning Board. A façade improvement that does not require a building permit shall obtain approval from the Big Water Planning Coordinator. b. When possible, driveways shall be shared between adjoining properties. Driveways must be placed where they create the least interference with traffic on highways. Driveways and drive-thrus shall be located away from adjoining residentially zoned areas, when feasible, and provide privacy walls and landscape buffers along common boundaries with residences in residential zones. c. The Big Water Planning and Zoning Board shall review all proposals for pedestrian, bicycle paths and trails through the commercial zones. d. Street trees shall be planted in the right-of-way as part of the site landscaping requirements. The trees shall be non invasive species and shall be maintained according to the Town of Big Water landscape requirements. e. Businesses proposing outdoor street front seating and/or dining should consider an adequate front setback in their site plan to accommodate such front area use. f. When new construction and/or when a change of use occurs, parking standards for these businesses shall be considered by the Planning and Zoning Board, see Chapter 15.20.070 Off-Street Parking Requirements. Parking for new buildings in the C-1 Commercial Zone shall be located in the rear, unless access to the rear is not feasible. g. Buildings in the C-1 Commercial Zone shall be located near the sidewalk with setbacks used for pedestrians, plazas, benches, landscaping and outdoor dining areas, but not for parking (unless requiring parking to the side or back is not feasible). Diagonal parking on side streets is permitted within the Downtown/"Main Street" C-1 Commercial Zone in order to create additional downtown parking. h. Trails and sidewalks shall be provided in all new development within (The C-1/All Commercial Zones) in accordance with the Town of Big Water Trails Master Plan. Trails and sidewalks may be located within the setback areas. i. Outdoor Display of Art, or Public Park Facilities: The permanent installation of an outdoor art display, or outdoor recreational equipment, such as bike racks that require a fixed location on or above the ground and is within thirty (30) feet of a UDOT right-of-way, may be allowed as a Conditional Use. j. Building Front Design: In conjunction with a required site plan, architectural designs for new construction and refurbishing the exterior of an existing commercial building are required, addressing the design standards in this section. Site plans or façade improvements in the commercial zones, that require a building permit, need approval from the Building Inspector/Building Coordinator All other construction or refurbishments that do not require a building permit need approval from the Land Use Coordinator. k. The following guidelines apply to new construction or changes to the exterior of an existing commercial building in the C-1 zone:

(1) No high gloss or mirrored metal products shall be permitted on the building surface, unless for trim or decorative purpose that consists of less than ten (10) percent of the building surface. The building surface shall consist of at least two Town approved materials, the predominant material nor surpassing eighty-five percent (85%) of the building surface. The ground floor front façade area shall consist of a minimum of twenty-five percent (25%) window area. Town approved materials must be high quality and durable, and include window glass, stucco, rock, stone, metal, brick, and any other material that is substantially similar to these. The following shall not make up more than fifty percent (50%) of the building surface: concrete block, untextured tilt-up concrete panels, or pre-fabricated steel panels. (2) Awnings: Awnings shall not be

vinyl, aluminum, nor have a shiny or glossy appearance. Corrugated metal awnings are allowed. (3) Colors: No fluorescent colors are allowed on building surface or roof. Black cannot be the predominant color of any building surface. Earth tone colors are encouraged. (4) The primary pedestrian entry of the building shall face the street and be identified, defined, and reinforced by significant architectural elements of mass. The appearance of the building front shall present a three dimensional effect through the utilization of such architectural features as pop outs, vertical relief overbuilds, recesses, canopies or porticos supported by columns or protrusions, significant variations in the roof or parapet, etc. (5) The design standards for building fronts described above shall wrap around the building sides adjacent to the primary front, for at least ten (10) feet, unless the Planning and Zoning Board finds that it would be impractical. (6) Building surface shall be broken into smaller elements. Building surface shall be reduced by using a combination of the following techniques: variation in roof lines, variations in wall place with projections and recessed areas, use of windows on elevations facing a street, and use of vertical accents. (7) The Town of Big Water desires to maintain a rural western theme with desert and dinosaur design elements in the commercial areas, particularly the C-1 Zone. While not required, applicants are encouraged to incorporate western, desert, southwestern, adobe style, rustic stucco and/or dinosaur elements into the design scheme. These western features may including hitching posts, sculptures, public art, covered canopies, benches, dinosaur footprints an other similar features that promote a rural western, desert, southwestern, adobe style, rustic stucco or dinosaur feel.

5. Design Standards unique to the C-3 Commercial Zone:

a. Berms and earthwork screening must be graded and planted in such a manner so as to permit views of primary uses on the site from adjacent entry corridor roadway. Additionally, berm crests shall be contoured and varied in height to avoid a straight-line barrier effect. b. All fences in the C-3 Commercial Zone must be one of the following styles: wooden rail; vinyl fencing; architecturally compatible solid wood or natural stone; stock fences that do not front on State Highway 89; and various forms of steel fencing as determined by the Planning and Zoning Board. Chain link fencing is not allowed except behind front of structure.

SECTION 12: **ADOPTION** “15.23.100 Other Regulations” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.23.100 Other Regulations(*Added*)

1. Other relevant standards and requirements are found in other sections of this Code, including Landscape Requirements in Chapter 15.14.030; Parking Requirements in Chapter 15.20.070, Signs in Chapter 15.20.090 and Site Plan Review in Chapter 15.26. 2. Except those lots or areas in commercial zones that have been designated or adopted to meet the design standards of the C-1 Commercial Zone, all new residential buildings and developments on C-2 and C-3 commercial lots shall comply with Chapter 15. (Multi-Family Residential Zone) or Chapter 15.24.020 (Single Family) in the event of a residential structure.

SECTION 13: ADOPTION “15.23.090 Permitted Uses” of the Big Water
Zoning Code is hereby *added* as follows:

ADOPTION

15.23.090 Permitted Uses(*Added*)

The following are permitted uses in the C-1, C-2 and C-3 zones:

<u>Business Type</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>
<u>Restaurant</u>	P	P	NP
<u>Beauty Shop</u>	P	P	NP
<u>Cleaning and Pressing Establishments</u>	P	P	NP
<u>Laundry and Laundry Agency</u>	P	P	NP
<u>Public Garage</u>	P	P	NP
<u>Bank</u>	P	P	NP
<u>Convenience Store</u>	P	P	NP
<u>Dressmaking Shop</u>	P	P	NP
<u>Milling Shop</u>	P	P	NP
<u>Professional Offices</u>	P	P	NP
<u>Camera Store</u>	P	P	NP
<u>Photography or Art Studio</u>	P	P	NP
<u>Social Clubs and</u>			

<u>Lodges</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Drug Store</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Drive-In Business</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Feed and or Fuel Store</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Mortuary</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Printing Establishment</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Carpentry or Cabinet Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Craft Shop</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Farm Machinery Sales Store</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Auto Parts Sales Store</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Tourist Shop</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Recreational Coach Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Theater</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Hotel/Motel</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Radio and Electrical Shop Including Manufacture of Small Parts</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Billiard or Pool Hall (within enclosed building)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Bowling Alley (within enclosed building)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Beer Parlor (within enclosed building)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Dance Hall (within enclosed building)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Bowing Arena (within enclosed building)</u>	<u>P</u>	<u>P</u>	<u>NP</u>

<u>building)</u>			
<u>Amusement Enterprise (within enclosed building)</u>	P	P	<u>NP</u>
<u>Shooting Gallery (within enclosed building)</u>	<u>NP</u>	P	<u>NP</u>
<u>Service Station</u>	<u>NP</u>	P	<u>NP</u>
<u>Bakery</u>	P	P	<u>NP</u>
<u>Book and Stationary Store</u>	P	P	<u>NP</u>
<u>Variety Store</u>	P	P	<u>NP</u>
<u>Florist and Gift Shop</u>	P	P	<u>NP</u>
<u>Grocery Store</u>	P	P	<u>NP</u>
<u>Jewelry Store</u>	P	P	<u>NP</u>
<u>Hardware and Appliance Store</u>	P	P	<u>NP</u>
<u>Furniture store</u>	P	P	<u>NP</u>
<u>Meat Market</u>	P	P	<u>NP</u>
<u>Shoe Store</u>	P	P	<u>NP</u>
<u>Auto and Trailer Store</u>	<u>NP</u>	P	<u>NP</u>
<u>News Stand</u>	P	P	<u>NP</u>
<u>Pawn Shop</u>	P	P	<u>NP</u>
<u>Secondhand Store</u>	P	P	<u>NP</u>
<u>Sports Store</u>	P	P	<u>NP</u>
<u>Bicycle Sales and Service Shop</u>	P	P	<u>NP</u>
<u>Car Wash</u>	P	P	<u>NP</u>
<u>Delicatessen</u>	P	P	<u>NP</u>
<u>Department Store</u>	P	P	<u>NP</u>
<u>Clinics, Medical, Dental and Hospital</u>	<u>NP</u>	P	<u>NP</u>
<u>Greenhouse and</u>			

<u>Nursery</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Insurance Agency</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Music Store</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Office Supply, Sales and Service Store</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Pet and Pet supply Store</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Plumbing Store</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Post Office</u>	<u>NP</u>	<u>NP</u>	<u>P</u>
<u>Real Estate Agency</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Toy Store</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Used Car Lot</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Bus Terminal</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Food Processing and Packaging</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Clothing Manufacturing</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Blacksmith Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Machine Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Tire Recapping Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Welding Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Body and Fender Shop</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Laboratories</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Lumber and Planing Mills</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Home Occupation</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
<u>Boat Storage</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

P = Permitted NP = Not Permitted Other uses similar to the above and judged by the Town of Big Water Planning and Zoning Board to be in harmony with the character and intent of the commercial zones. (See BWZC _____)

SECTION 14: AMENDMENT “15.42.010 Definitions” of the Big Water Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.42.010 Definitions

The following definitions are provide for ease of administration and interpretation of the Big Water Zoning Ordinance:

1. **Alcoholic Beverages** – Means “beer” and “liquor” as the terms are defined herein.
2. **Alley** – Any public way or thoroughfare less than 16 feet, but not less than 10 feet in width that has been dedicated or deeded to the public for use.
3. **Alteration** – Any change, addition or modification in construction or occupancy.
4. **Basement** – A story fully or partially below grade.
5. **Beer, Light Beer, Malt Liquor or Malted Beverages** – Means all products that contain 63/100 of one percent of alcohol by volume or ½ of one percent of alcohol by weight, but not more than a percentage as determined by the state of Utah by volume or by weight and are obtained by fermentation, infusion, or decoction of any malted grain. Beer may or may not contain hops or other vegetable products. Beer includes products referred to as malt liquor, malted beverages or malt coolers.
6. **Board of Adjustment** – The Big Water Town Board of Adjustment.
7. **Building** – Any structure used or intended for supporting or sheltering any use or occupancy.
8. **Building, Height of** – As provided by the Building Code, as adopted by Big Water Town.
9. **Building Permit** – Written permission issued by the Big Water Town Zoning Administrator for the construction, repair, alteration, or addition to a structure.
10. **Building, Principal** – The primary building or one of the primary buildings upon a lot.
11. **Building, Public** – A building owned and/or operated or owned and intended to be operated by a public agency of the United States, the State of Utah, County of Kane, Town of Big Water, or any of it’s subdivisions.
12. **Carport** – A private garage not completely enclosed by walls or doors. A carport is subject to all the regulation prescribed herein for a private garage.
13. **Child** – A person 18 years of age, or younger.
14. **Commercial Temporary Structures** - a temporary structure intended for outdoor use for a limited time, not to exceed ONE HUNDRED SEVENTY-NINE (179) days in any rolling twelve-month (12) period, in a commercial zone.
15. **Conditional Use** – A use of land for which a Conditional Use Permit is required pursuant to this Ordinance.
16. **Construction** – The act and/or procedures necessary to establish a building or

structure, including the assembly and installation of materials after the approval and issuance of any license or permit required to authorize the establishment of a building or structure.

17. **Commission** – The Big Water Town Planning and Zoning Commission.
18. **Demolition Project** - a demolition project is the wrecking, salvage, or removal of any load supporting structural member of a regulated facility together with any related handling operations or the intentional burning of any regulated facility. This includes the moving of an entire building but excludes the moving of structures, vehicles, or equipment with permanently attached axles such as trailers, motorhomes, and mobile homes that are specifically designed to be moved.
19. **Development Permit** – Written approval issued by the authorized approval body, empowering the holder thereof to proceed with actions not forbidden by law but not allowed without such authorization.
20. **Domestic Livestock** – Animals that are raised in an agricultural setting to provide labor and produce diversified products for consumption such as meat, eggs, milk, fur, leather, and wool.
21. **Dwelling Unit** - One or more rooms in a structure designed for or occupied by one family for living or sleeping purposes and having its own sanitary facilities.
22. **Equine** - Any member of the horse family, including but not limited to horses, ponies, donkeys, mules, and zebras, whether domesticated or wild. This term encompasses animals used for riding, driving, draft, breeding, boarding, or other agricultural or recreational purposes.
23. **Exotic Animals** - Animals not historically found on farms in Southern Utah. Exotic animals include animals commonly found in zoos and animal preserves and include those not historically endemic to the Southern Utah area.
24. **Floor Area** – The area obtained by multiplying the outside length by the outside width of a building.
25. **Footprint** – The projection of the primary exterior vertical walls of a structure upon the ground. Does not include overhangs, eaves, or systems of poses or supports whose purpose is to support an otherwise unenclosed system of eaves or overhangs.
26. **Foundation** – Concrete footing built to Uniform Building Code.
27. **Frontage** – The length of the front property line of the lot, lots, or tract of land abutting a public street, road, or highway, or rural right-of-way.
28. **Grade** – (Adjacent Ground Elevation) is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and a line 5 feet from the building, and as provided by the Uniform Building Code, as adopted by Big Water Town.
 - a. Natural Grade – undisturbed soil, none has been added.
 - b. Existing grade – refers to grade at time of construction, when the property was bought. It may be the natural grade or below it.
 - c. Finished grade – refers to the level of the soil when the structure is finished.
29. **Landscaping** – To add vegetative materials to a lot or area.
30. **Legal Lot** – Any land parcel that existed, as recorded in the Office of the Kane County Recorder, with a separate property identification number as provided by the Office of the Kane County Recorder and Office of the Kane County Assessor, prior to

February 7, 1986 and all parcels that were legally created for the purposes of development pursuant to the subdivision requirements of the Town and the laws of the State of Utah after February 7, 1986, but excluding those parcels that were created only for the purposes of transfer of ownership or for agricultural purposes created under Title 59, Chapter 2, Part 5, Farmland Assessment Act.

31. **Licensed Premises** – Any room, house, building, structure or place occupied by any person licensed to sell beer on any premises under this Ordinance; provided, that in any multiroomed establishment, an applicant for a Class B, or Class C License shall designate a room or portion of the building of such business for the sale of beer, which portion so specifically designated in the application and in the license issued pursuant thereto shall be the licensed premises. Multiple dining facilities located in one building and owned or leased by one licensed applicant shall be deemed to be only one licensed premises.
32. **Licensee** – Any person(s) holding any beer, liquor or private club license in connection with the operation of a place of business in the City. This term shall also include any employee of the Licensee.
33. **Liquor** – Means alcohol, or any alcoholic, spiritous, vinous, fermented, malt, or other liquid, or combination of liquids, a part of which is spiritous, vinous, or fermented, and all other drinks, or drinkable liquids that contains more than ½ of 1% of alcohol by volume and is suitable to use for beverage purposes. Liquor does not include any beverage defined as a beer, malt liquor, or malted beverage that has an alcohol content of less than a percentage determined by the state of Utah alcohol by volume.
34. **Lot** – A parcel of contiguous land having frontage upon a street which is or may be a developed or utilized under one ownership or control as a unit site for a permitted or conditionally-permitted use or group of uses.
35. **Lot Coverage** – Lot coverage shall be calculated by taking the ground area of the main and accessory building and dividing that total by the area of the lot.
36. **Lot, Corner** – A lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.
37. **Lot, Interior** – A lot with no access, the creation of which is prohibited.
38. **Lot, Non-Corner** – A lot other than a corner lot.
39. **Lot Line Adjustment** — Means a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if no new dwelling lot or housing unit will result from the adjustment; and the adjustment will not violate any applicable land use ordinance.
40. **Lot Split/Subdivision of Land** — Any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, plots, parcels, sites, units, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.
41. **Modular Unit** - A structure built from sections that are manufactured in accordance with the construction standards adopted and transported to a building site, the purpose of which is for human habitation, occupancy, or use.
42. **Natural Waterways** – Those areas varying in width along streams, creeks, springs, gullies, or washes which are natural drainage channels. No buildings shall be

constructed in natural waterways.

43. **Nonconforming Building or Structure** – A building or structure or portion thereof lawfully existing at the time the Ordinance became first effective which does not conform to all height, are, and yard regulations prescribed in the zone in which it is located.
44. **Nonconforming Sign** – A sign that lawfully existed at the time this Ordinance became effective and which does not conform to the sign regulations of the zone in which it is located.
45. **Nonconforming Use** – A use that lawfully occupied a building or land at the time this Ordinance became effective and which does not conform to the use regulation of the zone in which it is located.
46. **Overhang** – A horizontal or sloped structure, generally an extension of a roof, extending beyond the primary exterior vertical walls otherwise unenclosed.
47. **Parcel Joinder** — Means the joining of a subdivided parcel of property to another contiguous parcel of property that has not been subdivided. Parcel Joinder must comply with all the requirements for vacating or changing a subdivision plat, as identified in the Big Water Subdivision Ordinance (2004-236, adopted 12-21-2004, Section 800-1 Amendment to Recorded Plats).
48. **Parking Lot** – An open area, other than a street, used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients, customers, or employees.
49. **Parking Space** – Space within a building, lot, or parking lot for the parking or storage of one automobile.
50. **Person** – Any individual, partnership, firm, corporation, association, business trust, or other form of business enterprise including the receiver or trustee, and the plural as well as the singular number, unless the intent to give a more limited meaning is disclosed by the context.
51. **Pets, Household** – Domestic animals ordinarily permitted in a place of residence, kept for company and pleasure, such as dogs, cats, domestic birds, guinea pigs, white rats, rabbits, mice, pot-bellied pigs, pygmy goats, and other similar animals generally considered by the public to be kept as pets, excluding fowl.
52. **Pier** – A support structure between the ground and the sub-framing of a constructed or manufactured unit, according to the Building Code.
53. **Principal Building** – The primary building or one of the primary buildings upon a lot.
54. **Principal Use** – The primary or predominant use of any lot or parcel.
55. **Sell, Sale, or To Sell** – Any transaction, exchange, or barter whereby, for any consideration, a good is either directly or indirectly transferred, solicited, ordered, delivered for value, or by any means or under any pretext is promised or obtained, whether done by a person as a principal, proprietor, or as an agent, servant, or employee.
56. **Sensitive Lands** – Sensitive areas are defined and identified as:
 - a. Areas of slope with an average 30% grade, or greater, a minimum distance of 100 horizontal feet.

- b. Flood channels as identified by a Federal or State agency.
 - c. Jurisdictional wetlands as identified by the U.S. Army Corps of Engineers.
57. **Sign** – Any device used for visual communication and displayed out-of-doors, including signs painted on exterior walls natural objects, and interior illuminated signs to be viewed from out-of-doors, but not including any flag, badge, or ensign of a government agency.
 58. **Sign, Advertising** – A sign that directs attention to a use conducted, product or commodity, or service related to the premises.
 59. **Sign, Business** – A sign that directs attention to a use conducted, product or commodity sold, or service performed upon the premises.
 60. **Sign, Identification** – A sign displayed to indicate the name or nature of buildings or uses other than commercial or industrial uses located upon the premises.
 61. **Sign, Name Plate** – A sign indicating the name and/or occupation of a person or persons residing on the premises or legally existing on the premises.
 62. **Sign, Property** – A sign related to the property on which it is located and offering such property for sale or lease or advertising contemplated improvements or announcing the name of the builder, owner, designer, or developer of the project or warning against trespassing.
 63. **Sign, Public Information** – A sign erected by a public or non-profit agency, service club, etc., giving information to direct the public to both public and private facilities and major uses.
 64. **Sign, Temporary** – Any sign or advertising display intended to be displayed for no more than 60 days.
 65. **State Store** – A facility for the sale of package liquor located on premises owned or leased by the state and operated by state employees. State store does not apply to any licensee, permittee, or to package agencies.
 66. **Story** – As provided by the Uniform Building Code, as adopted by Big Water Town.
 67. **Story, Half** – As provided by the Uniform Building Code, as adopted by Big Water Town.
 68. **Street** – Any thoroughfare or public way not less than 16 feet in width.
 69. **Structure** – A building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.
 70. **Structural Alterations** – Any change in supporting member of a building, such as bearing walls, columns, beams, or girders.
 71. **Width of Lot** – The distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.
 72. **Yard, Front** – A space on the same lot with a building between the rear line of the building (exclusive of steps and/or chimneys) and the front lot line, extending across the full width of the lot.
 73. **Yard, Rear** – A space on the same lot with a building between the side line of the building (exclusive of steps and/or chimneys) and the rear line of the lot and extending the full width of the lot.
 74. **Yard, Side** – A space on the same lot with a building between the side line of the building (exclusive of steps and/or chimneys) and the side line of the lot and extending

from the front to the rear yard line.

- 75. **Zone (Zoning District)** – An area of Big Water Town as established and defined herein and illustrated on the Big Water Zoning Districts Map.
- 76. **Zoning Administrator** – The person designated by the Town Council to carry out the administrative responsibilities of this Ordinance and the Subdivision Ordinance.
- 77. **Zoning Map** – The adopted Zoning Districts Map of Big Water Town.

**SECTION 15: ADOPTION “15.25 INDUSTRIAL ZONES
SUPPLEMENTARY DEVELOPMENT STANDARDS”** of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25 INDUSTRIAL ZONES SUPPLEMENTARY DEVELOPMENT STANDARDS(*Added*)

SECTION 16: ADOPTION “15.25.010 Purpose” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.010 Purpose(*Added*)

The purpose of the Industrial Zones is to provide locations where light and heavy industrial activities may be established, maintained, and operated in a manner compatible with surrounding land uses. These regulations are intended to:

1. Support the economic development goals of the Town of Big Water by providing areas for manufacturing, fabrication, distribution, warehousing, service trades, construction industries, and associated services.
2. Ensure that industrial uses do not create adverse impacts on public health, safety, or welfare.
3. Establish appropriate transitions and buffers between industrial and non-industrial zones, especially residential areas and the downtown corridor.
4. Encourage high-quality site design that reflects the community’s visual character while recognizing the functional needs of industrial operations.
5. Minimize traffic conflicts through coordinated access, shared driveways, and safe circulation patterns.
6. Ensure adequate screening, landscaping, and performance standards for noise, odor, dust, glare, and other impacts.

SECTION 17: **ADOPTION** “15.25.020 Definitions” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.020 Definitions*(Added)*

For the purposes of this chapter:

• Light Industrial Use means manufacturing, processing, storage, or assembly operations that do not produce excessive noise, vibration, odor, glare, or hazardous byproducts and that can operate safely near commercial uses. • Heavy Industrial Use means manufacturing or industrial operations that may produce greater noise, vibration, odor, dust, glare, or hazardous byproducts, or that require large areas or specialized infrastructure. • Outdoor Storage means the keeping of materials, equipment, vehicles, or inventory in any uncovered area for more than 72 hours. • Performance Standards refer to measurable limits on noise, vibration, odor, particulate matter, glare, lighting, and other operational characteristics.

SECTION 18: **ADOPTION** “15.25.030 Industrial Zones And Purpose Statements” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.030 Industrial Zones And Purpose Statements*(Added)*

A. I-1 Light Industrial Zone -

- The I-1 Light Industrial Zone is intended for low-impact industrial, service-industrial, and commercial-industrial activities compatible with nearby commercial areas and major roadways. Typical uses include research, manufacturing of small products, artisan fabrication, repair services, warehousing, and contractor shops.
- This zone serves as a transition between heavier industrial activity and commercial / residential districts.

B. I-2 Heavy Industrial Zone -

- The I-2 Heavy Industrial Zone is intended to accommodate more intensive industrial uses, including manufacturing, processing, large-scale storage, fabrication, energy

uses, and operations that may involve noise, vibration, large equipment, or heavy truck activity.

- The I-2 Zone includes uses not allowed in any other zone and is required to meet all performance and screening standards in this chapter.

SECTION 19: ADOPTION “15.25.040 Permitted And Conditional Uses” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.040 Permitted And Conditional Uses(*Added*)

(Use columns follow the same “P / C / NP” style used in your Commercial Use Chart.)

A USE TABLE

<u>Industrial Use Category</u>	<u>I-1</u>	<u>I-2</u>
<u>Light manufacturing, assembly, fabrication</u>	P	P
<u>Heavy manufacturing</u>	C	P
<u>Research and development facilities</u>	P	P
<u>Warehousing and distribution centers</u>	P	P
<u>Wholesale trade</u>	P	P
<u>Contractor offices and yards</u>	P	P
<u>Equipment rental and service</u>	P	P
<u>Fabrication shops / machine shops</u>	P	P
<u>Welding, metalwork, blacksmithing</u>	P	P
<u>Vehicle repair (including heavy equipment)</u>	P	P
<u>Truck terminals / freight yards</u>	C	P
<u>Outdoor storage yards</u>	P	P

<u>Lumberyards, planing mills</u>	C	P
<u>Concrete or asphalt batch plants</u>	NP	C
<u>Salvage yards / recycling facilities</u>	NP	C
<u>Hazardous materials storage</u>	C	C
<u>Energy generation (solar, wind, small utility)</u>	P	P
<u>Energy generation (combustion, industrial)</u>	NP	C
<u>Food processing</u>	P	P

<u>Large-scale food processing</u>	C	P
<u>Laboratories</u>	P	P
<u>Offices accessory to industrial uses</u>	P	P
<u>Caretaker or security residence</u>	C	C
<u>Retail incidental to industrial use</u>	P	P
<u>Boat Yard</u>	P	P

SECTION 20: **ADOPTION** “15.25.050 Development Standards” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.050 Development Standards(*Added*)

A. Minimum Lot Area • I-1: 10,000 sq ft • I-2: 20,000 sq ft (larger sites encouraged)

B. Setbacks

Location	I-1	I-2
Front	20 ft (may be reduced to 10 ft with landscaping)	30 ft

Side	10 ft	15 ft
Rear	10 ft	20 ft

C. When Industrial Abuts Residential • Side: 30 ft minimum • Rear: 40 ft minimum • Mandatory landscaped buffer • 8 ft screening fence or wall D. Building Height • I-1: 45 ft • I-2: 60 ft Higher by conditional use only with Fire Chief and Town Engineer approval. E. Lot Coverage • I-1: 60% • I-2: 70%

SECTION 21: **ADOPTION** “15.25.060 Performance Standards” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.060 Performance Standards(*Added*)

(All industrial operations shall comply with the following.) A. Noise • Shall not exceed 65 dBA at any property line adjacent to non-industrial zones. • Occasional short-term noise above this level allowed only between 7 a.m. and 7 p.m. B. Odor • No detectable objectionable odors at or beyond the property line. C. Vibration • Shall not be perceptible at neighboring residential or commercial property lines. D. Airborne Particulates • Dust, smoke, and particulates shall comply with state and federal standards • Dust control required for all yards and outdoor storage. E. Glare & Lighting • Full cutoff shielding required. • No light spillover above 0.5 foot-candles at property line. F. Hazardous Materials • Must comply with State Fire Code, DEQ, and all applicable federal regulations. • A Hazardous Materials Management Plan may be required.

SECTION 22: **ADOPTION** “15.25.070 Outdoor Storage And Screening” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.070 Outdoor Storage And Screening(*Added*)

1. Outdoor storage must be screened from public streets and non-industrial zones. 2. Screening shall be:

o 8 ft solid wall or metal panel fence o Or berm with vegetation

3. Storage may not exceed the height of the screening structure. 4. No storage allowed in required setback areas. 5. Outdoor equipment or materials must be maintained in orderly fashion.

SECTION 23: **ADOPTION** “15.25.080 Access, Circulation and Parking” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.080 Access, Circulation and Parking(*Added*)

1. Shared driveways encouraged to reduce highway access points. 2. Truck circulation routes must be shown in site plan review. 3. Loading docks shall be located at the rear or side of buildings. 4. Passenger vehicles shall be separated from truck circulation whenever feasible. 5. Parking standards follow Chapter 15.20.070 unless otherwise specified.

SECTION 24: **ADOPTION** “15.25.090 Landscaping Standards” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.090 Landscaping Standards(*Added*)

1. Minimum of 10% of site must be landscaped in I-1; 5% in I-2. 2. Landscaping required along street frontages and buffering zones. 3. Xeriscape and native plant species encouraged. 4. Street trees required at 40–60 ft spacing along public rights-of-way.

SECTION 25: **ADOPTION** “15.25.100 Architectural And Site Design Standards” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.100 Architectural And Site Design Standards(*Added*)

(Scaled to industrial needs while maintaining Big Water’s character.) 1. No reflective or high-gloss metal as primary façade material. 2. Buildings visible from Hwy-89 shall include façade articulation through:

o Varying rooflines o Material changes o Color variation o Structural modulation

3. Large blank walls exceeding 100 ft require breaks, windows, or architectural panels. 4. Earth-tone color palette required; fluorescent colors prohibited. 5. Offices or customer-facing portions should be located near the street for visual quality.

SECTION 26: **ADOPTION** “15.25.110 Fencing Standards” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.110 Fencing Standards(*Added*)

1. Chain-link allowed only with slats or obscuring fabric when visible from public streets. 2. Barbed wire permitted only atop security fences, minimum height 7 ft, in rear yards only. 3. Fences adjacent to residential zones must be solid.

SECTION 27: **ADOPTION** “15.25.120 Site Plan Review Required” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.120 Site Plan Review Required(*Added*)

All new industrial development or expansion requires site plan review under Chapter 15.26

Site Plan Review and approval by the Planning & Zoning Board.

SECTION 28: **ADOPTION** “15.25.130 Non Conforming Industrial Uses” of the Big Water Zoning Code is hereby *added* as follows:

ADOPTION

15.25.130 Non Conforming Industrial Uses(*Added*)

Existing lawful industrial uses may continue as nonconforming uses subject to Title 15's general nonconformity provisions.

SECTION 29: **AMENDMENT** “15.44.010 Zoning Districts Map” of the Big Water Zoning Code is hereby *amended* as follows:

AMENDMENT

15.44.010 Zoning Districts Map

Map

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor David Schmuker	_____	_____	_____	_____
Council member Jim Lybarger	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____
Council member Mark Gangola	_____	_____	_____	_____

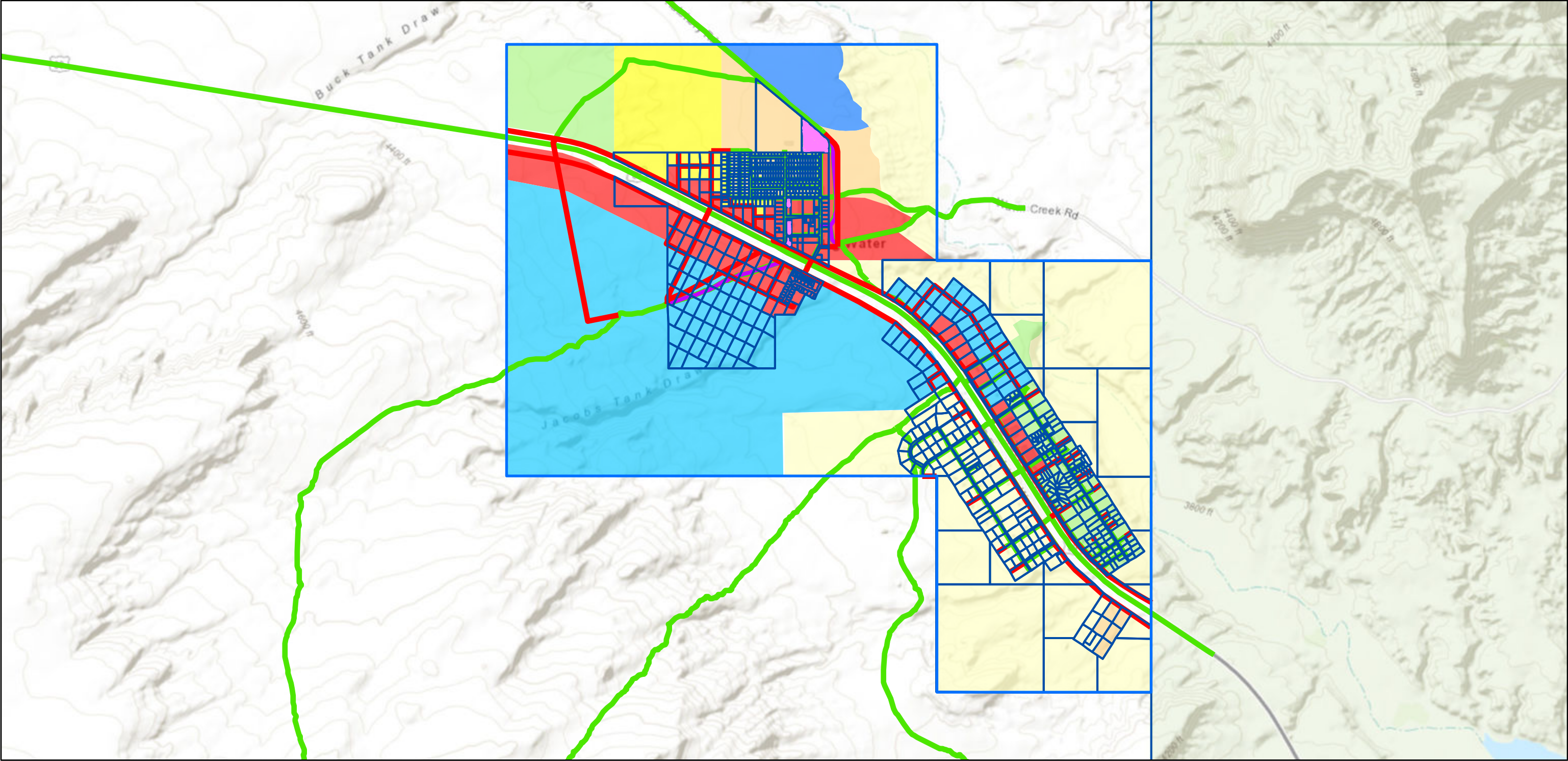
Presiding Officer

Attest

David W. Schmuker, Mayor, Big Water Town

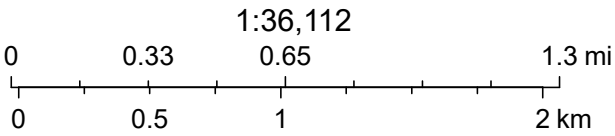
Abigail Palsgrove, Clerk, Big Water Town

Big Water Zoning Viewer



6/17/2026, 12:22:07 PM

- | | | | | |
|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------------|
| Big Water Municipality | Roads to Abandon | C2/R2 Overlay | R-2 Residential | I-1 Light Industrial (Not on Map) |
| Parcels | Existing Roads | I-2 Heavy Industrial | R-3 Residential | |
| Proposed Roads | Zoning Districts | R-1 Residential | R-4 Residential | |
| | C-2 Commercial | C-3 Commercial | C-1 Commercial (Not on Map) | |



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