

**MINUTES OF THE
WASATCH COUNTY PLANNING COMMISSION
AUGUST 8, 2024**

PRESENT: Chair Chuck Zuercher, Doug Grandquis, Doug Hronek, David Thacker, Kimberly Cook.
EXCUSED: Commissioner Mark Hendricks, Commissioner Scott Brubaker.
STAFF: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney; Rick Tatton, Court Reporter *(via Zoom)*
PRAYER: Commissioner Doug Hronek
PLEDGE OF ALLEGIANCE: Led by Commissioner Kimberly Cook and repeated by everyone.

Chair Chuck Zuercher called the meeting to order at 6:00 p.m. on Thursday, August 8, 2024 and indicated that all the Wasatch County Planning Commissioners are present except Commissioner Mark Hendricks and Commissioner Scott Brubaker who are excused. The record should also show that the Wasatch County Planning Commission is meeting in the Wasatch County Council Chambers, located in the Wasatch County Administration Building, at 25 North Main, Heber City, Utah 84032. Chair Chuck Zuercher then called the first agenda item.

APPROVAL OF THE MINUTES FOR THE JULY 11, 2024 MEETING

Motion

Commissioner Doug Grandquis made a motion that we approve the Planning Commission minutes for July 11, 2024 as they are written.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Kimberly Cook, Doug Grandquis, Doug Hronek, David Thacker.

NAY: None.

Chair Chuck Zuercher then read the following:

“As indicated on the screen, a required public hearing will be held for certain agenda items prior to Planning Commission action. After each such item has been presented, time to comment will be provided for all those who wish to speak. Public hearings and citizen comments are a legitimate source of information for the County to consider in making legislative decisions.

For items that do not require a public hearing, public comment may still be taken following presentation of the item, however, please keep in mind the following if public comment is accepted during these items: When making land use decisions, the Planning Commission can only rely on substantial evidence on the record, which is that amount and quality of evidence relevant to proving or disproving a specific requirement of the applicable law.

During any public comment period, each speaker will generally be limited to three minutes. Additional time may be given to individuals specifically invited to speak by the Planning Commission.”

CONSENT AGENDA

Chair Chuck Zuercher indicated that we have one matter on the consent agenda this evening. All matters on the consent agenda are considered accepted unless somebody from the audience or Planning Commission members would like to hear the matter. All of these matters will be handled with one motion.

ITEM 1 SHAUN CONWAY, REPRESENTING ANTONY FIORE, REQUESTS A CONDITIONAL USE PERMIT FOR A 10 FOOT RETAINING WALL CONSTRUCTED USING A BOARD FORM CONCRETE FINISH LOCATED AT 7415 EAST MOON DANCE CIRCLE IN THE JORDANELLE BASIN OVERLAY ZONE (JBOZ). **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LAND USE AUTHORITY, AT A PUBLIC HEARING ON AUGUST 21, 2024.* (DEV-9454; AUSTIN CORRY)

Public Comment

Chair Chuck Zuercher then opened the matter for public comment and there was none, so the public comment period was closed.

Motion

Commissioner Doug Grandquis made a motion to recommend to the County Council approval of Item No. 1, the consent agenda, retaining wall conditional use permit, in light of the findings and subject to the conditions and being consistent with the staff analysis.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Doug Grandquis, Kimberly Cook, Doug Hronek, David Thacker.

NAY: None.

REGULAR AGENDA

ITEM 2 ANDREW BADGER, REPRESENTATIVE FOR ROCKY MOUNTAIN POWER, IS REQUESTING A CONDITIONAL USE PERMIT FOR AN UPGRADE TO A SECTION OF POWER LINE IN WASATCH COUNTY. THE POWER LINE UPGRADE IS LOCATED IN SECTIONS 6, 7, 8 AND 21 IN TOWNSHIP 2 SOUTH RANGE 4 AND 5 EAST IN THE JORDANELLE BASIN OVERLAY ZONE (JBOZ). (DEV-9306 DOUG SMITH)

Staff

Doug Smith, the Wasatch County Planner, presented a Power Point presentation and then addressed the Wasatch County Planning Commission and indicated that Rocky Mountain Power (RMP) is seeking to upgrade the support poles for an existing power line located along the County line west and south of the Iroquois development. The Iroquois development is at the intersection of the Jordanelle Parkway and Highway 248. The existing line is proposed to be upgraded to be fire resistant. Most of the existing wood poles will remain in place but will be fire wrapped. Distribution lines will be removed from all poles and placed underground. One pole is proposed to be replaced with an increased height of 9 feet. This is part of a larger upgrade that includes Summit County and Hideout Town.

The County code allows for administrative conditional use approvals if the line is not greater than 36 kV and less than 49 feet in height. This does not apply in this situation because the line is a 46 kV and poles are greater than 49 feet in height.

Doug Smith then went through the key issues to be considered.

- The one pole that is replaced is pole 87 which will increase by a height of 9 feet to a total height of 56.5 feet.

- Poles 88-95 are in the County but no work is planned in this section.
- 15 poles (29-43) remain the same but are fire wrapped.
- Distribution lines are removed and are facilitated underground.
- 12 poles are at 74.5 feet (existing), 2 poles are at 79 feet (existing), one pole is at 82 feet (existing) and one pole at 56.5 feet (new).
- The existing transmission line has a voltage of 46kV. This project will not result in increased voltage capacity and the line will continue to operate at 46kV.
- A Conditional Use Permit is required in the JBOZ/M zone for the replacement of existing electric transmission lines over 49 feet from finished grade and/or over 38kV.
- Any part of the construction process that results in vegetation removal will be required to be reseeded.
- The existing conductor (wire) will remain in place except for one segment between poles 43 through 77 which will be replaced with a non-specular conductor, meaning that the outer layer of the conductor has been treated to reduce light reflectance.

Doug Smith indicated that this proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with their respective guidelines, policies, standards, and codes. A report of this review has been attached to the exhibits in the staff report. The committee has accepted the item for Planning Commission to render a decision.

Doug then went through the proposed findings:

1. The proposal replaces one pole and upgrades 14 poles with fire wrap.
2. The pole that is being replaced increases in height by 9 feet for a total height of 56.5 feet.
3. The replaced pole is wood.
4. The transmission line will continue to operate with a voltage of 46kV.
5. The upgraded line runs through areas prone to wildfire in an urban interface area.
6. The line has been designed to fit in with the surroundings as much as possible by using earth toned colors, non-specular wire for any replaced wire and removing the distribution portion off the lines.
7. No new easements are needed for the installation of the line.
8. Access from existing roads will be used for construction.
9. The staff analysis indicates the proposal complies with Section 16.23.07 of the current Wasatch County Code related to Conditional Uses.
10. Notice has been sent to neighboring property owners within 500 feet of the property.
11. The location of the transmission line will not be altered with this project.
12. The applicant has provided a Reclamation Plan with their proposal.
13. The proposal furthers the health, safety and welfare of the residents of the County by updating an outdated power line to current best industry standards.
14. The Development Review Committee has reviewed the project and accepted the item for the Planning Commission to render a decision.

Doug Smith then went through the proposed conditions:

1. The applicant shall follow all mitigation procedures explained in the submitted Reclamation Plan.
2. Non-specular conductor wire shall be used for all the new lines to reduce light reflectance.
3. All issues raised by the DRC, as noted in the DRC report dated 8 July 2024 shall be resolved to the satisfaction of the applicable review department ~~prior to Building Permit approval.~~

Doug Smith then went through the DRC Comments:

PLANNING comments:

- It appears that the first pole in Wasatch County is pole 30 and the last is pole 43. The map provided showing the Hideout boundary is not accurate.
- The spread sheet showing existing heights and proposed heights shows that pole structures 30-43 keep the existing wood structures but are fire wrapped. Is this the case? If so, I don't know that this would need to go through the conditional use process.
- The new submittal states that all the poles in Wasatch County remain the same other than pole 87 which increases 9 feet in height. Poles 87-95 are in Wasatch County. Do any of the other poles increase in height?

- Structure 87 is replaced and increases in height by 9 feet.

ENGINEERING comments:

- Portions of the project are in Hideout and Summit County. Coordinate with respective municipalities for approval within the municipality's jurisdiction.
- As a condition, a SWPPP with associated erosion control BMP details should be submitted for issuance of permit.

PUBLIC WORKS comments:

- It would be really great to keep pole #30 as far from the edge of Richardson Flat Rd as possible. Please consider this. We will eventually be widening that road with the amount of traffic that is using that route to and from Park City.

ENVIRONMENTAL QUALITY comments:

- - Provide SWPPP maps or documentation of site specific best management practices (BMPs) and/or construction details for sediment and erosion control devices that will be installed to prevent the discharge of sediment off-site during project construction.
- Condition of Approval: Final SWPPP, including SWPPP map(s) and installation details for best management practices (BMPs), to be provided before construction permits are issued. Wasatch County Code 16.40.01 outlines storm drainage and erosion control planning submittal requirements. Additional guidance is provided in "Wasatch County - A Guide for Erosion and Sediment Control" (1996).

Applicant

Andrew Badger, representative for Rocky Mountain Power, addressed the Wasatch County Planning Commission and indicated that he would like to thank Doug Smith and Wasatch County because they have been great to work with on this project. Andrew Badger also indicated that Doug Smith, the Planner, did a great job explaining the matter to you and he doesn't have anything further to add. What is being done is just a part of the wildfire mitigation.

Public Comment

Chair Chuck Zuercher then opened the hearing up for public comment and there was none, so the public comment period was closed and then he asked for a motion.

Jon Woodard, Assistant Wasatch County Attorney, addressed the Wasatch County Planning Commission and asked that in your motion could you modify that last condition to remove prior to building permit approval since there isn't a building permit, but besides that it looks good to me. We are leaving in Condition 3, but removing the "prior to building permit approval".

Motion

Commissioner David Thacker made a motion to approve consistent with the findings and subject to the conditions presented in the staff report as amended with the added stipulation that condition No. 3 be required even though a building permit is not required for the poles, so remove the "prior to building permit approval" portion of Condition #3.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, David Thacker, Doug Hronek, Doug Grandquis, Kimberly Cook.

NAY: None.

ADJOURNMENT

Motion

Commissioner Kimberly Cook made a motion to adjourn.

Commissioner David Thacker seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, David Thacker, Doug Grandquis, Kimberly Cook, Doug Hronek.

NAY: None.

Meeting adjourned at 6:30 p.m.

Chuck Zuercher/Chairman

DRAFT



**Items 1, 2 and 3 – SkyRidge Lodge
Legislative Development Agreement
Off-Site Parking
Site Plan**

Project: DEV-9177, 9178 | Legislative Development agreement, Lodge off-site parking and lodge site plan
Meeting Date: 12 September 2024
Report Date: 4 September 2024
Report Author(s): Doug Smith/Anders Bake, Planners
Council Action Required: Yes
Type of Action: Legislative
Applicant: Allison Aafedt
Address: 1393 W. SkyRidge Drive
Acreage: 5.37 ac. Lodge parcel 3.39 ac. parking parcel

Proposed Density: 35 ERU’s, 27,760 sf. footprint, 65 units, 80 keys, 3 MIDA units with 4 keys, 61,344 total square feet
Zoning Designation: JSPA (Jordanelle Specially Planned Area)
Related Applications: Master Plan (2016, amended 2021), Development agreement (amended 2021), Preliminary approval (2018, amended 2021), Final plat for lodge parcel (2022)

DETERMINATION ISSUE

Whether or not the County Council, after receiving recommendations from the Planning Commission and the JSPA planning committee should approve the Legislative development agreement (LDA), the off-site parking plan, the small-scale subdivision and the Lodge site plan.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws subject to the conditions found in the report as well as stipulations outlined in the LDA. Therefore, it is recommended that the Planning Commission and JSPA Planning Committee forward a POSITIVE RECOMMENDATION of the proposal based on the findings and subject to the conditions included the staff report and legislative development agreement.

BACKGROUND

The request is for approval of the SkyRidge Golf Lodge site plan, associated Legislative Development Agreement (LDA), an off-site parking lot and an associated small scall subdivision for the offsite parking. The Golf Lodge contains 65 individually owned condominium units that will be in a short-term rental pool and managed as a hotel. Within the 65 units there are a total of 80 keys meaning that there are units that include lock-offs. In theory there could be 80 units rented at any given time if the hotel were at 100% occupancy and all the lock offs were utilized. The hotel also includes 3 units with 4 keys that will be owned by MIDA (Military Installation Development Authority) for a total of 84 units. Staff is not sure the details of how the MIDA units will be managed. Within the lodge is a spa, restaurant, bar, dining room, conference room, roof bar terrace and a grab and go restaurant. The footprint of the lodge is 27,760 square feet and overall square footage is 61,344 square feet. The lodge is situated on a 5.37-acre parcel that is already platted and is adjacent to the SkyRidge clubhouse currently under construction.

On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council, which changes included allowing the Golf Academy Lodging Facility (“Lodge”) as a permitted use, and such amendments were required to be memorialized in a Third Amendment to the DA. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.

The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the “3rd Amended DA”) on August 12, 2021, which is recorded as Entry #505907 in the recorder’s office of Wasatch County.

The Lodge proposed in this area is a unique situation not covered by existing County codes. Due to the unique situation and limited circumstances of the proposal the applicant proposed that a Legislative Development Agreement (LDA) would be used, as allowed by Utah State (§17-27a-528(2)(a)(iii)), for this use, which would not otherwise be allowed under existing applicable land use regulations. The staff and the applicant determined that the LDA would be preferable to amending the code which would allow a countywide change. The uses the LDA could allow were presented to the County Council in a public meeting, and they appeared to be comfortable with the application proceeding through the required processes.

Due to the interrelated nature of the aforementioned items, they will be covered in this one staff report but will need to be reviewed concurrently with individual motions. If the ordinance approving the legislative development agreement is not approved or not approved as written a different approval process may be needed, or the application may be denied. Many of the issues will be discussed under the portion of the staff report entitled “Site Plan”. This section will address issues like; lighting, setbacks, building height, parking, landscaping, trails etc.

This staff report covers three separate interrelated application items organized in the following order:

1. Ordinance 24-11, approving the Legislative Development Agreement.
2. Offsite parking lot and parking plan with small scale subdivision creating two parcels with the offsite parking parcel being 3.39 acres and site plan approval for the off-site parking.
3. Site plan approval for the 61,344 square foot lodge on 5.37 acres.

The above applications were sent through an internal Development Review Committee (DRC) process that includes review by about 17 internal and external reviewers. Most of the ~17 review entities are looking at technical issues with the proposal. Until the issues brought up by the various departments are resolved the item is not placed on a planning commission agenda. This proposal went through a number of review cycles each time with additional detail or clarification requested by various departments.

The site has the underlying zone of M (Mountain) with the JSPA (Jordanelle Specially Planned Area) overlay.

The review and approval or denial of all the applications is a legislative decision which is made by the County Council after a recommendation by the Planning Commission and the JSPA Planning Committee.

STAFF ANALYSIS

As mentioned, there are three applications that are part of this proposal. Staff will address all three items separately divided by sections although all three application items are interrelated and have overlap.

SECTION 1 -ORDINANCE 24-11/LEGISLATIVE DEVELOPMENT AGREEMENT-

This proposal for a lodge is unique however, the JSPA fully intended to have varied product types including lodging associated with the four-season intent of the JSPA.

The Vision and purpose of the JSPA as stated in 16.41.01 is to:

- Create a globally recognized “Year-Round” resort
- To provide amenities supporting year-round activities
- The quality standards of 4- and 5-star hotels
- Encourage golf
- Fitness and wellness centers
- Retail dining and entertainment
- Adequate and accessible parking
- A wide range of well segmented real estate products

Due to the uniqueness of the proposal and the intent to further the goals of the JSPA, the County Legislative body has been asked to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii). The state code allowing legislative development agreements provides some flexibility for projects that are unique and where it is impractical to address all regulations found in a land use code. Staff has recommended that a legislative development agreement is the preferred way to address the unique issues associated with this proposal which otherwise would have required a code amendment, or denial of the project. This Utah code section 17-27a-528(2)(a)(iii) states:

A development agreement may not: allow a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Utah code section 17-27a-502, including a review and recommendation from the planning commission and a public hearing.

Approval of a legislative development agreement is entirely up to the County Council acting as the approving authority after review and recommendation by the Planning Commission and JSPA Planning Committee.

The major items addressed in the LDA include the following:

1. The height of the building is allowed to be a maximum of 75’ as shown in the exhibit in the development agreement. The single-family portions of the JSPA code allows for a maximum height of 35’ or two- and one-half stories whichever is greater.
2. County code 16.33.07 and 16.41.5.8 requires all the parking to be on-site or within 200’ of the use. The project includes onsite parking and offsite parking. The offsite parking is approximately 1 mile from the site. The offsite

parking will only be valet parking or employee parking and is intended only for overflow for employees and special events.

3. Parking stalls proposed are 9'x18' not 9'x20' as required by WCC.
4. The code does not allow double stacked parking which is the case with the stalls on the lodge site. Stalls on the lodge site will be valet only, as is not unusual for a four- or five-star hotel.
5. The proposal also uses shared parking with the clubhouse to accomplish the parking numbers for the proposal which is intended in the JSPA code but is ratified in the LDA.
6. The code requires parking to be at the rear or sides of the use. The proposal has parking in front of the lodge, but due to the change in grade on the site, will not be visible from the street. Part of the concern in the code for the location of parking lots is that parking should not dominate the streetscape. Buildings, especially in a village would front the street, not parking lots.
7. The original approved master plan showed 20 ERU's on the lodge site (10 buildings 20 townhomes) which was then changed in addendum 3 to a lodge with 27 ERU's. Addendum 4 states that there are 35 ERU's for the lodge plus 3 MIDA units with 4 keys. The SkyRidge development is limited to 503 total ERU's. The development will need to limit future lots so that at the final approval of the final plat there is no more than 503 ERU's. The 3 MIDA units are not counted in the ERUs, as is clarified in the LDA.
8. The hotel use and parking do not comply with the permitted uses for the residential land use category of the JSPA code. This has been addressed in the amended master plan and development agreement and will be further approved through this LDA.
9. Removal of the requirements for the welcome center and the amenities stipulated in addendum 3.

If Ordinance 24-11 and the development agreement are not approved by the legislative body a different approval process may be required i.e., a code amendment to allow the proposal, or the project may be denied. If approved as proposed, the ordinance and the development agreement would need to be acted on concurrently with the other items on the agenda.

SECTION 2-FINAL SMALL-SCALE SUBDIVISION AND SITE PLAN FOR OFF-SITE PARKING PARCEL-

One of the necessary items requiring approval is a small scale 2 lot subdivision that creates the 3.39-acre offsite parking parcel and a 1.96-acre parcel that may be used for future amenities. The offsite parking parcel is approximately 1 mile from the Lodge site. The code requires that parking lots be on the same parcel as the main use but allows exceptions if within a distance from the use of not more than 200'. The third amended development agreement showed a welcome center on this property which may be done on the remaining 1.96 acre parcel.

The code for parking is the following:

16.33.07: LOCATION OF PARKING FACILITIES

The off-street parking facilities required by this chapter shall be located on the same lot as the use except, in cases of practical difficulty the designated land use authority may approve a substitute location which meets the following conditions:

1. ***All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200') from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a public street to access the use for which the parking is provided.***
2. ***The substitute lot must be in the same possession as the use it is intended to service and must be maintained as long as the use or structure exists. Such possession may be by recorded deed or long-term lease and should run concurrently with the life of the building or use. The length of such lease shall be at***

least twenty-five (25) years but may be terminated or modified earlier with the consent of the county planning department, if the use for which the parking is required is terminated or modified.

3. *Off-street parking spaces required in connection with a use shall be in the same zone as the use the parking is intended to serve and shall not be located within a different zone, unless off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.*

4. *Parking shall not be located in required front or side yards.*

Instead of following the code typically applicable to the project, the applicant has had a parking study performed by LSC Transportation Consultants. This parking study was reviewed by Hales Engineering for the county, and they found the parking was within industry norms for similar resort projects throughout the United States.

One of the concessions for the offsite parking lot is that the lot will not be open to the public. The lot will be valet and used by employees of the lodge only. It is intended that the 52 valet only stalls on the hotel site will first be utilized for patrons then the shared parking on the clubhouse site if the lodge parking is full. The only time the offsite parking is intended to be used is for employees and special events. The offsite parking lot has 115 spaces.

In addition to the allowance for the offsite parking lot the LDA proposes to include a provision for double deep parking stalls on the hotel site. The code would not allow for a double deep stall in a typical public parking lot however this will only be at the lodge and will be valet only. The stalls for the offsite parking have a measurement of 9'x18' not the 9'x20' required by the code. After the requirements for landscape buffers along the parkway and at the rear of the lot as well as drive aisle widths the parking stall depth became an issue. Due to the fact that vehicles using the offsite parking will only be parked by employees, the need for the parking to meet the normal standards for depth is diminished because the Lodge owner can ensure that the employees using the lot have the knowledge, skills, and abilities to park safely considering the constraints of the offsite parking lot.

The proposal also allows for shared parking. The shared parking would be on the adjacent clubhouse site. There are two factors that allow for decreased parking numbers for the lodge. The clubhouse will have the peak parking demand in the summer when the golf course is open. The hotel will have the peak parking demand in the winter when ski resorts are open. This allows for shared parking with the clubhouse since the peak demands of the clubhouse and hotel are during different seasons. There is also an expectation that the occupants at the hotel will be the majority of the users of the amenities in the hotel i.e., the restaurant, wellness center, bars etc. not the public driving in separate cars. The clubhouse has a total of 102 parking stalls. The table below shows the peak parking uses and total parking requirements.

Hotel Parking	Number of stalls
Offsite lot	115
Hotel lot	52
Total Lodge and off-site parking	167
Clubhouse parking (needed depending on the season)	102 total/23 available summer stalls/49 available winter stalls
Total of Lodge parking, off-site parking lot and seasonal parking with clubhouse	190/summer available stalls 216/winter available stalls
Code requirement and number of stalls short	80 (lodge)+115 (employees) +77 (amenities) =272 Total required by code (82 summer short and 56 winter short)

Executive Summary of the Golf Lodge Parking Study:

The Lodge is proposed to consist of 65 (68 with MIDA units) condos of various sizes, with the ability to lock off portions of some suites to result in a maximum of 80 (84 with MIDA units) keys. Modified parking rates for the Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Communities, Urban Land Institute rates and other mountain resort parking studies. The lodge parking rate modification is also appropriate based on the high levels of non-auto and carpooling for lodge employees and high rate of out-of-town guests. As the peak parking demand occurs at different times – overnight in the winter for the Lodge and midday in the summer for the Clubhouse, shared parking between the two facilities reduces the parking demand for additional onsite parking.

LANDSCAPING –

The offsite parking lot is required to comply with the landscaping requirements of the code including the buffer requirements adjacent to residential uses. The 3.39-acre site has 1.95 acres of landscaping or 57% of the site. Some of the concern of the offsite parking lot was the visibility from the parkway. There is a heavily landscaped buffer along the parkway with a minimum depth of approx. 10' (the average depth is closer to 15') with a total from back of the curb of approx. 28'. There is also a 10' landscape buffer along the west side of the property adjacent to the East Park large lots.

-PUBLIC UTILITY EASEMENT REQUIREMENTS-

16.27.12 requires a 10' PUE to be around the periphery of the parcels which needs to be added to the plat.

-LIGHTING –

Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The site lighting for the off-site parking lot is at a total of 21,243 lumens per improved acre.

In short staff is recommending approval of the offsite parking proposal with the following conditions:

- The Council approve the shared parking proposal which allows for a discount of 82 summer stalls and 56 winter stalls from the generally applicable code requirements.
- The site plan for the offsite parking lot is in compliance with the code except for the requirement to be within 200' of the lodge and the stall sizes of 9'x18'. These issues are addressed in the LDA.
- The off-site parking lot is not open to the public but will be used for overflow (valet only) and employee parking which the lodge will be required to provide a shuttle service for all times that the lodge is open.

SECTION 3-LODGE SITE PLAN REVIEW-

As mentioned in the background section the 3rd amended development agreement allows that the lodge be allowed as a permitted use. A permitted use still is required to go through the site plan review to ensure that the proposed use and all the necessary ancillary issues i.e., parking, landscaping, lighting, architecture etc. have been considered and either comply with code or will be part of the development agreement.

-LAND USE AND DENSITY–

As mentioned above the SkyRidge development is limited to a maximum density of 503 ERU's. The original master plan and preliminary showed 10 twin homes (20 Units/ERU's) on a cul-de-sac where the lodge is proposed. The development is not allowed to go above the 503 maximum approved density. Future phases will need to be adjusted accordingly so when the last plat is recorded the density will be at or below 503 ERU's.

The lodge is in a residential area approved for single family homes. The only designation in the JSPA that would have allowed for the lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area.

Some of the stipulations for villages include:

- Significant retail, dining and entertainment facilities;
- A minimum of six hundred fifty (650) Units (not ERU's) in the Resort Village Zone;
- Must be designed to accommodate the 2,400 Foot Rule; (refer to section 3.1) and
- A pedestrian walk experience which links Resort Features (as defined in Section 2.1 .2.23) and other elements in the Resort Village together and serves as a focal point for visitor foot traffic.
- Community Space Requirements - Each Resort Village shall have a minimum of one acre community space/plaza with 1/2 acre minimum in a consolidated area.
- And other resort components.
- Buildings shall build to street facing property lines. Alternatives shall be reviewed by the JSPA PC.

This report will further discuss below, in the *Building Height* section, the reasons the Applicant proposes to allow the Golf Lodge despite the fact that it does not fit in with all the land use regulations of the JSPA code.

The application proposes to increase the density for this parcel for the Lodge, but the ERUs will come from other parcels in the project that have not been platted yet. This is memorialized and agreed to in the LDA.

-ROADS, ACCESS AND TRAFFIC-

The access to the lodge is off of SkyRidge Drive which has two access points onto the Jordanelle Parkway. At the March 3, 2021, County Council meeting the amended Master Plan for the lodge approval was approved. Hales Engineering, the County Traffic Engineering consultant, did a traffic analysis and determined that there would be approximately 29 extra trips per day (over and above what was originally approved) onto SkyRidge Drive with the addition of the lodge. Hales Engineering felt that the lodge would not have a significant impact on the road network. The previous use of the land was 10 townhouse buildings which is 20 units/ERU's.

-SETBACKS-

Some of the concern of the proposal is the size of the structure and the proximity to residential uses and SkyRidge Drive. The setbacks provided on the site plan are the following:

- The setback off SkyRidge Drive is approximately 141'.
- The setback to the north single family lot line at the closest point is approximately 210'.
- The setback to the south is approximately 14'.
- The setback to the east property line is 53'.

All setbacks are greater than the setbacks for the JSPA zone which are: Front is a minimum of 20' from the right-of-way, side setbacks are a minimum of 10' and the rear setback requirement is 20'. These additional setbacks help mitigate the size of the Lodge.

- OPEN SPACE/LANDSCAPING -

The site plan states that the lodge site has 47.9% open space which will be dedicated to landscaping. Included in that percentage of landscaping is 7,337 square feet of sod, 95,687 square feet of native seed and 9,008 of ornamental planting. The only statement I can find in the JSPA code is that there must be, "appropriate landscaping".

There are two residential lots with homes adjacent on the north side of the lodge site. The setback from these property lines to the closest part of the lodge is approximately 141'. Between the two uses is a natural drainage with an oak brush grove in the drainage.

Section of 16.21.19(D) needs to be complied with which requires the 10' landscape buffer between parking areas and residential uses with trees spaced no further than 25'. In staffs' opinion this has been accomplished with the native oak brush between the hotel and the dwellings to the north.

– BUILDING HEIGHT –

The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is in the Residential, Single-Family portion of the JSPA Zone, which allows for heights of up to 35' or two- and one-half stories from natural grade, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street will be approximately 34' above the grade on SkyRidge Drive which is an appropriate scale for a residential area and will fit in with the surrounding uses and residential and clubhouse structures.

The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. In certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. See Section 16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height (of the DA), confirm that the maximum height provided is appropriate for the Property. The County Council Unanimously Approved the Amended Master Plan that included the SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

-LIGHTING –

The lighting for the proposal is regulated under the recently adopted lighting code. A primary intent of the lighting code is to ensure that all lighting is at the minimum levels required by code for the IBC (International Building Code) required lighting for egress from the building to a public way and lowest recommended levels of lighting for the IES (Illuminating Engineers Society) for the parking lots including associated walkways. Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The lodge has a total of 24,716 lumens per improved acre.

– SIGNAGE –

The sign shown on the site plan will be required to get a separate permit and is not being approved at this time.

-ARCHITECTURE-

The applicant has committed to comply with the JSPA code and design handbook for materials, material percentages and colors. The JSPA planning committee has reviewed the architecture in previous meetings and made comments (February 27, 2024).

Representations by the applicant made in public meetings responding to the JSPA PC comments will be required to be complied with unless minor and inconsequential changes are proposed as determined by the planning director.

Percentages and materials are required to be submitted with the building permit and verified.

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has accepted the item for Planning Commission, JSPA Planning Committee and County Council to render a decision. Deputy County Attorney Jon Woodard has reviewed the development agreement and the ordinance and has no legal objections to them as drafted. Reports of these reviews have been attached in the exhibits.

POTENTIAL MOTION

Move to Approve with Conditions consistent with the findings and conditions presented in the staff report.

Findings:

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3rd Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through with the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority

must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.

17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

RECOMMENDED CONDITIONS

1. The off-site parking parcel, as per code, must have a 10' PUE around the periphery of both parcels.
2. The existing oak brush between the lodge and the residential lots must be maintained as an alternative to the buffer noted in the code.

ALTERNATIVE ACTIONS

The following is a list of possible motions the Planning Commission and JSPA planning committee can take. If the action taken is inconsistent with the potential findings listed in this staff report, the JSPA PC or Planning Commission should state new findings.

1. Recommend Approval. This action may be taken if the JSPA PC or Planning Commission finds that the Final Site Plan is compliant as proposed with Wasatch County Code and all other applicable ordinances.
2. Recommend Approval with Conditions. This action can be taken if the JSPA PC or Planning Commission feels comfortable that remaining issues can be resolved subject to the conditions noted and review of the County Council. ****This action would be consistent with staff analysis****
3. Continue. This action can be taken if the JSPA PC or Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommend denial. This action can be taken if the JSPA PC or Planning Commission finds that the proposal does not meet applicable codes and/or ordinances.

EXHIBITS

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Exhibit B – Site Plan with clubhouse context	13
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Exhibit D – Proposed site plan for offsite parking.....	15
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Exhibit A – Vicinity Plan

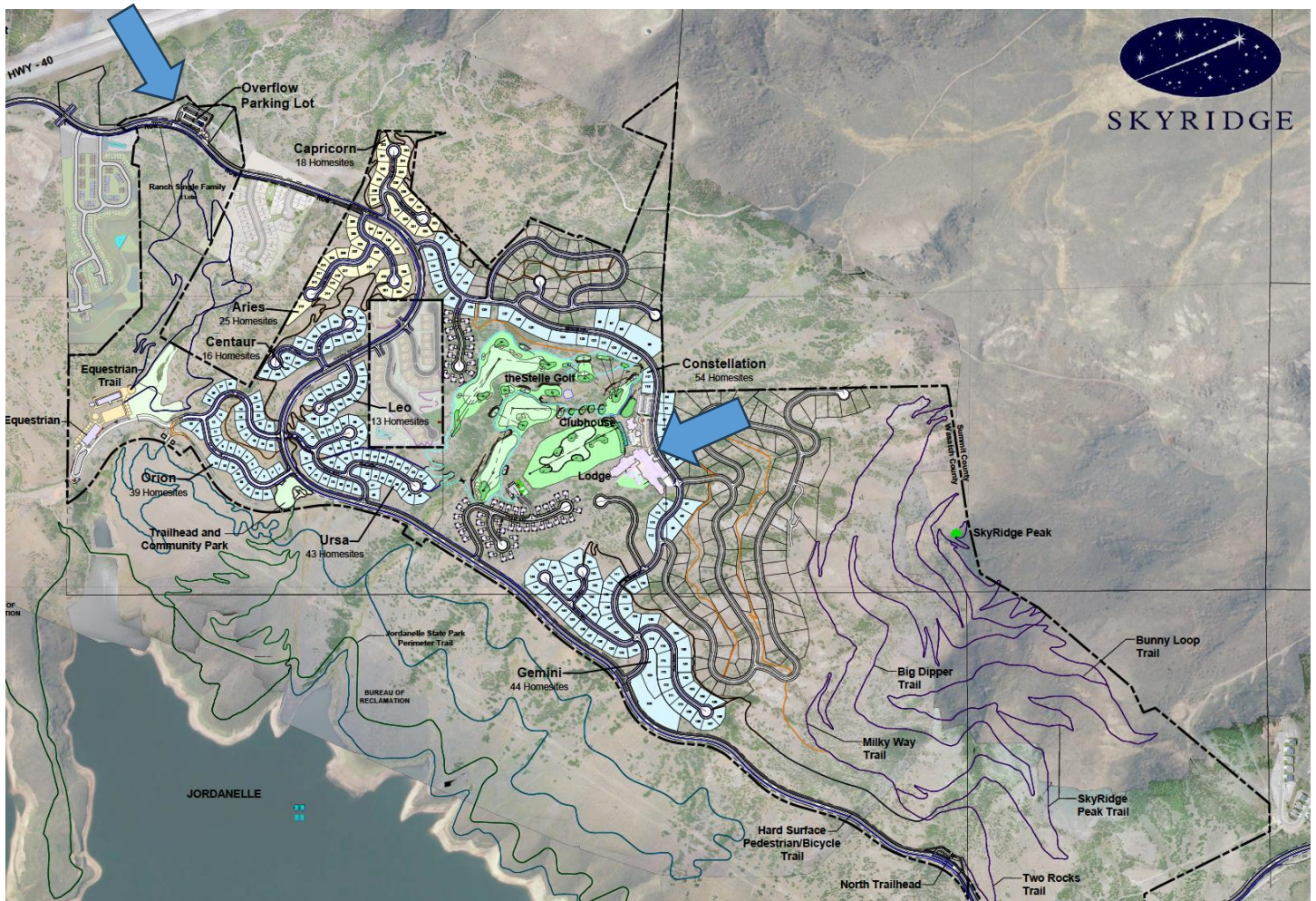


Exhibit B – Site Plan with clubhouse context



Exhibit C – Proposed Subdivision Plat for offsite parking

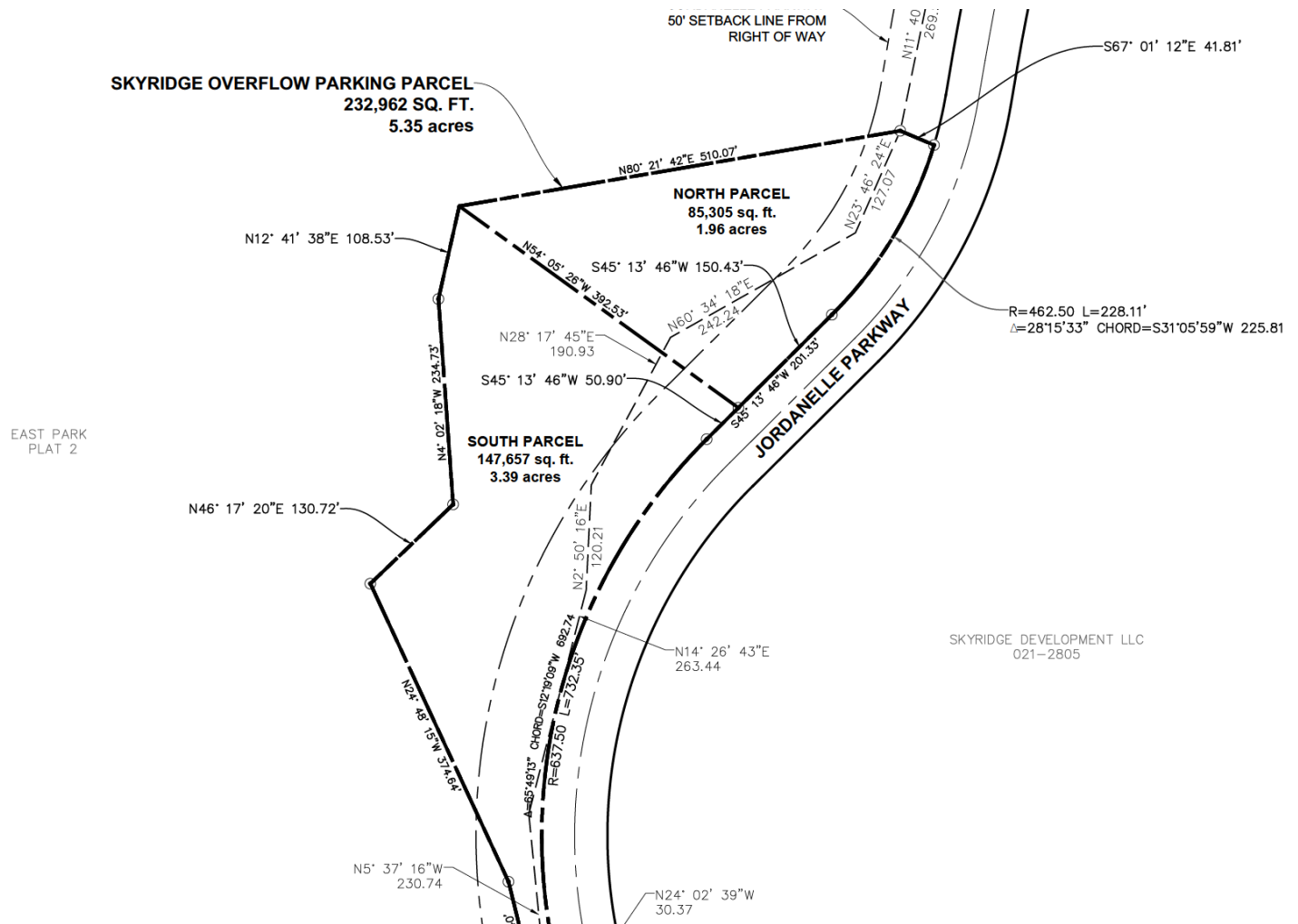


Exhibit D – Proposed site plan for offsite parking

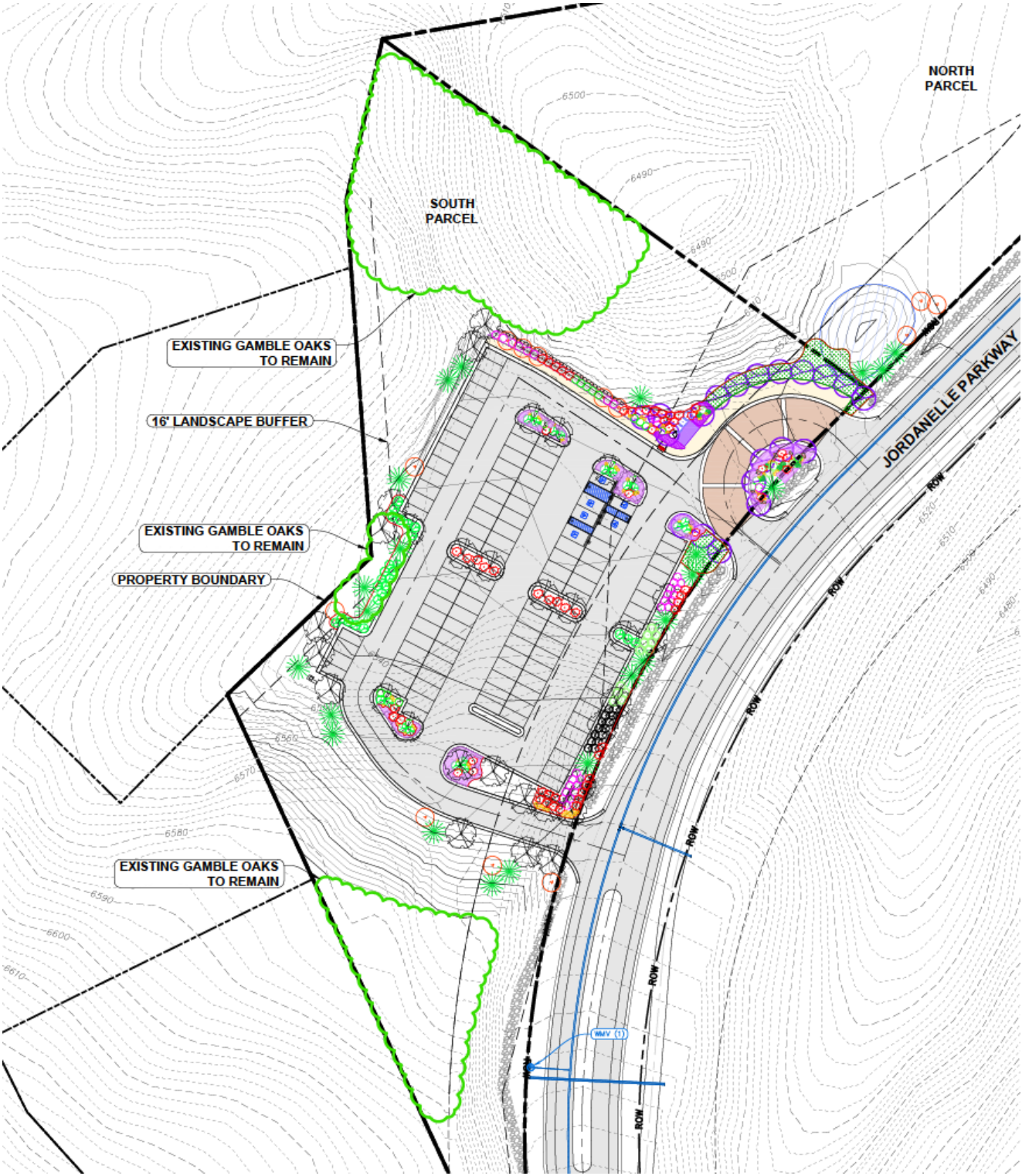


Exhibit E – Original master plan with townhouses

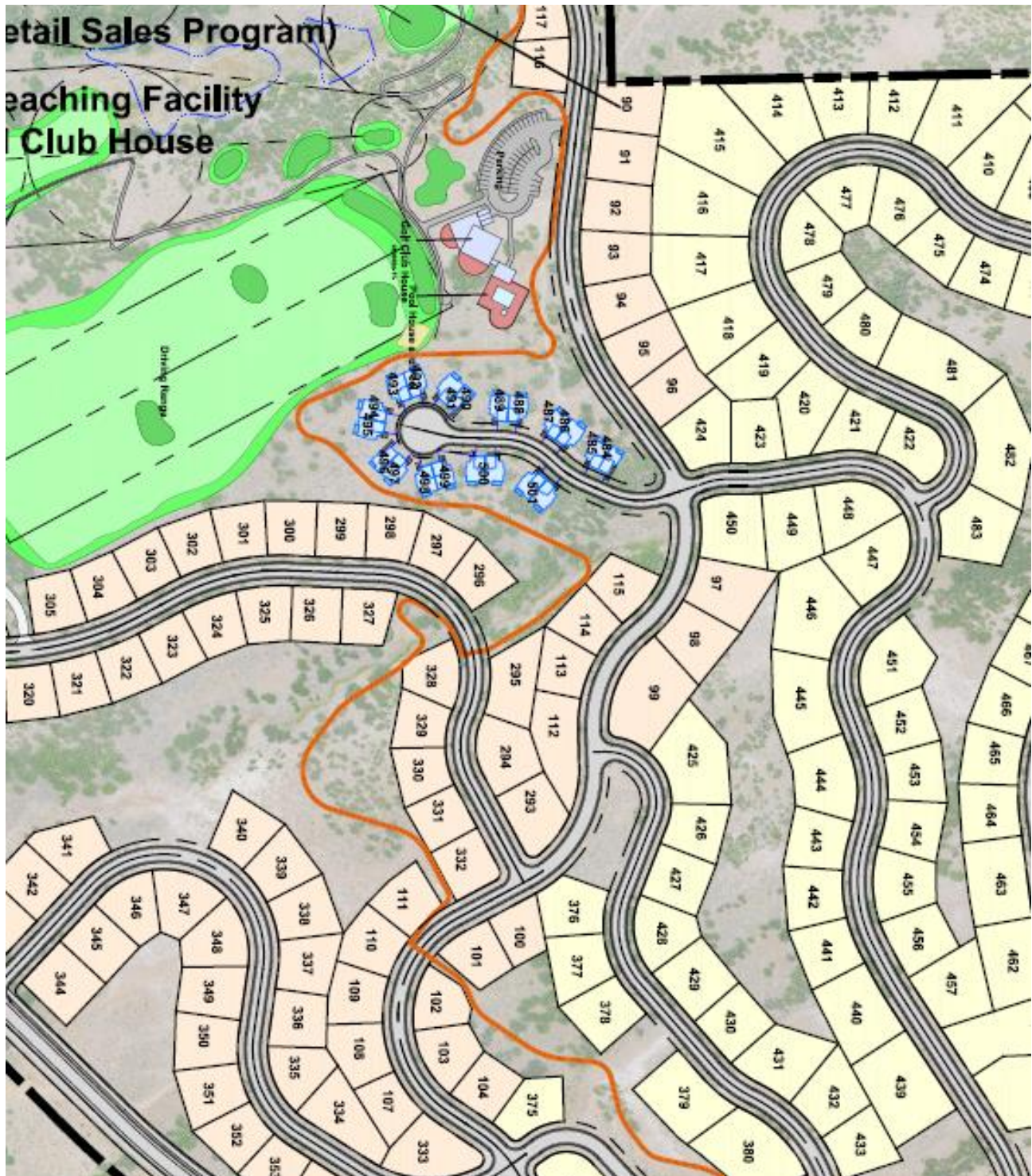


Exhibit F – Lodge site plan and landscape plan

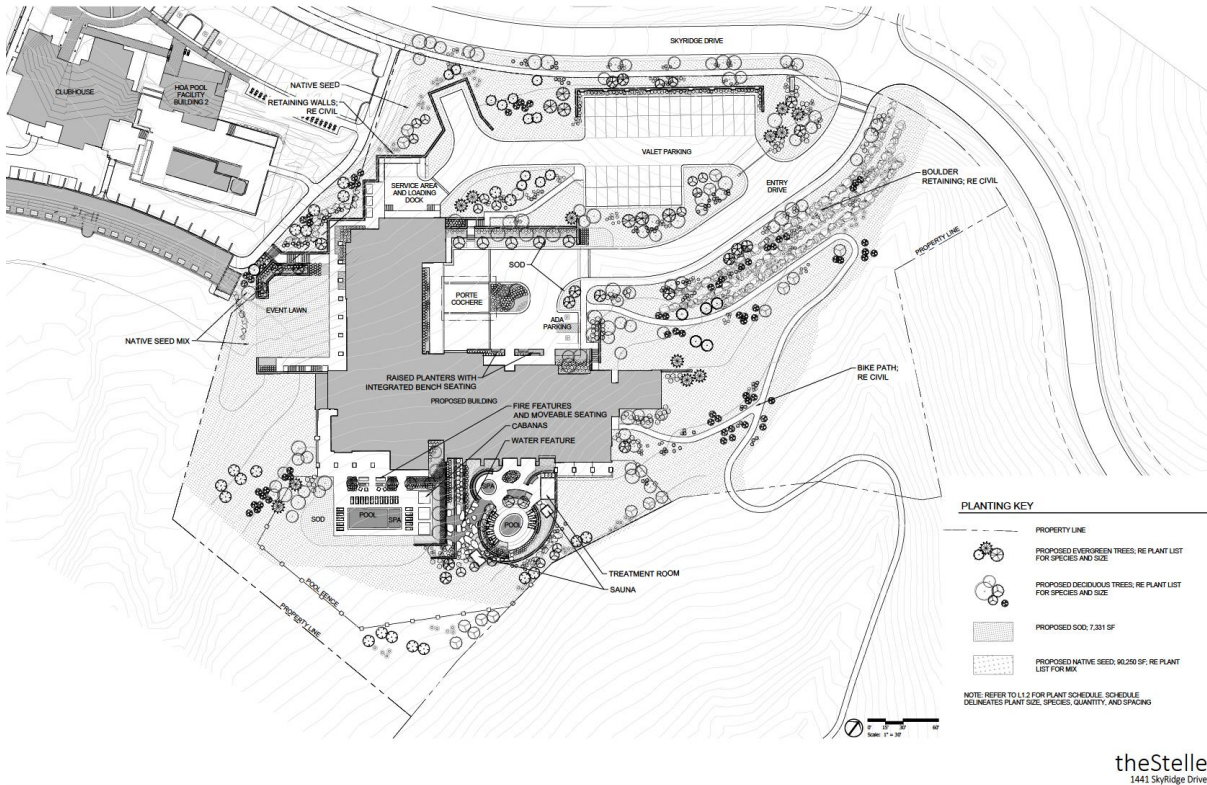
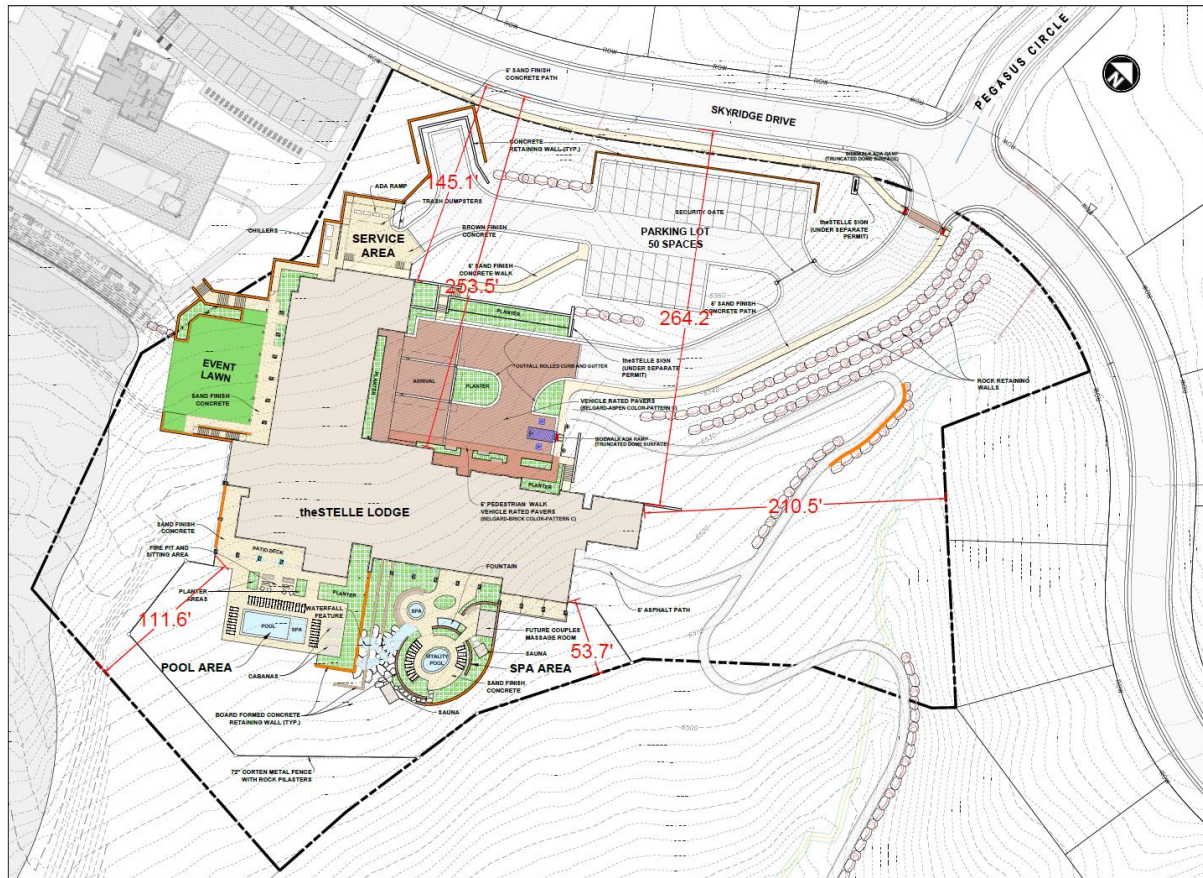


Exhibit G – Cross sections of Lodge from SkyRidge Drive

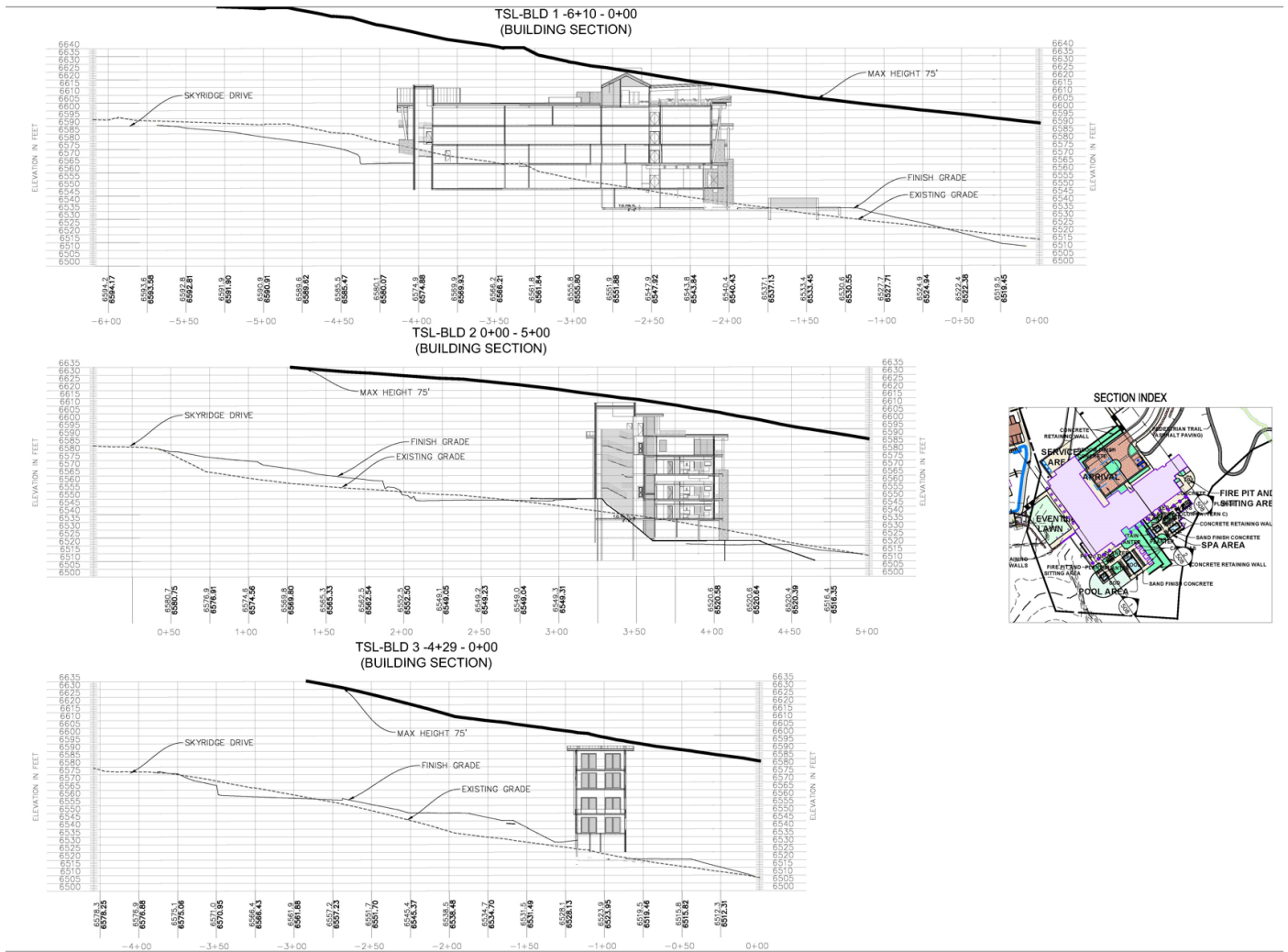


Exhibit H – Report of Action Work Meeting Review of Lodge

Wasatch County JSPA Planning Committee

Report of Action

27-February-2024

Committee Member Bill Redkey was present as Chair.

ITEM #2 – Presentation and discussion regarding the SkyRidge golf lodge and associated parking. This item is a work meeting discussion only and will not require any action by the Committee. (Doug Smith)

STAFF PRESENTATION - The Staff Report to the JSPA Planning Committee provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

APPLICANT AND PUBLIC COMMENT - Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the JSPA Planning Committee. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Allison Aefedt went through a power point presentation of the location of the lodge and the draft site plan. Allison also was asked about the parking for the site.
- Mr. Koskovich architect mentioned that from SkyRidge Drive he feels it does step with the terrain.
- Rory Heggie from POSS architecture addressed the PC and discussed the driving range separation from the lodge.
- Color samples were handed out to the planning committee.
- Jack Johnson addressed the planning committee about the cascading effect of the building

JSPA PLANNING COMMITTEE DISCUSSION - Key points discussed by the JSPA Planning Committee included the following:

- Committee member Hahn mentioned that he likes the building.
- Committee member Meuzelaar mentioned that he liked the building but felt that the base should be spread out more. Possibly with some attached pergolas.
- Committee member Whitchurch asked about making the building feel like it is stepping down the grade more.
- The 10 columns were discussed and breaking those up so they look better and do not obstruct views.
- Committee member Whitchurch asked about what would be on the roof. Will it all be mechanical equipment? It was stated that the mechanical equipment would be screened and vents ganged.

MOTION

***NO MOTION NEEDED. THIS IS A DISCUSSION ITEM ONLY.**

Committee member _____ made a motion _____
Committee member _____ seconded the motion.

VOTE (____ TO ____)

Bill Redkey	AYE	NAY	ABSTAIN	Craig Hahn	AYE	NAY	ABSTAIN
Robert Holmes	AYE	NAY	ABSTAIN				
Peter Meuzelaar	AYE	NAY	ABSTAIN	Ray Whitchurch	AYE	NAY	ABSTAIN

Wasatch County JSPA Planning Committee - Chairman

The Staff Report is a part of the record of the decision of this item. Where findings of the JSPA Planning Committee differ from findings of Staff, those will be noted in this Report of Action. Official action of the JSPA Planning Committee on this item is subject to the approved minutes.

Exhibit I – LSC Parking Summary

Executive Summary:

The parking study for the Stelle Lodge evaluated several factors, including peer community rates from other similar mountain resorts and Urban Land Institute Data, seasonal variations, and shared parking opportunities, to determine the optimal parking space allocation. The study concluded that the Lodge can effectively meet its parking needs by utilizing shared parking with the nearby SkyRidge Clubhouse, on-site parking, and offering off-site parking with shuttle services for employees and special events.

The seasonal demand for Clubhouse parking was determined by considering the higher summer activity levels compared to the reduced winter usage, allowing the lodge to use the excess parking at the clubhouse during the colder months. The parking demand for lodge amenities, such as dining and spa facilities, was minimized since these amenities primarily serve hotel guests who already have allocated parking. Furthermore, public use of these amenities is expected to be minimal, with residents having convenient non-auto access to the Lodge.

During peak winter demand, 87 spaces are needed for guests (assuming full lock-off units), with an additional 50 spaces for staff, resulting in a total demand of 137 spaces. In the summer, the demand slightly decreases. The shared parking approach, which takes advantage of differing peak times and seasons between the Lodge and the Clubhouse, further reduces the overall parking requirement. The parking requirement at the Lodge is a minimum of 44 parking spaces and off-site parking will be utilized for employee parking, guest over-flow and special events. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge's parking needs are adequately met.

Supporting Factors:

Clubhouse Seasonal Demand Determination

The study determines the difference between winter and summer parking demand by considering the seasonal changes in activity levels at the clubhouse, the types of activities that occur in each season, and the resulting changes in how people travel to the site. The summer season has higher demand due to more outdoor activities and a higher number of visitors then, while winter demand is lower, reflecting the reduced use of the clubhouse's facilities (i.e. golf course and driving range) during colder months allowing the Lodge to use the Clubhouse's excess parking.

Amenity Parking Demand

In standard engineering practice the ITE (Institute of Transportation Engineers) defines hotels as a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room. For a resort hotel, the primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (e.g., golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Per the definition of a hotel and resort hotel, amenities provided at the Stelle Lodge are considered

accessory uses and do not require a separate parking analysis as it is included in the base hotel rate.

When amenities like dining or spa facilities are primarily used by hotel guests, the parking spaces required for these amenities can be “discounted” because the guests already have allocated parking spaces. Residents in the SkyRidge Community have easy walking, biking, ebiking, and shuttle access to the Lodge. By primarily serving lodge guests, using shared parking strategies, anticipating lower public use, encouraging non-auto travel, and managing event parking separately—explains why the study does not call for a significant amount of parking specifically for public users of the Lodge restaurant and spa. Though the public will be able to utilize the Lodge’s valet-only service. This reduces the overall parking requirement compared to a scenario where each use would be parked independently.

Employee Parking

Employee parking demand in the Lodge parking study is calculated by first identifying the peak number of employees expected to be on-site, which was determined to be 72. The study then considers that 10% of these employees are likely to use non-auto transportation modes, such as public transit, biking, or walking, reducing the number of cars needing parking spaces. Additionally, the study accounts for carpooling, assuming an average vehicle occupancy of 1.3 employees per car. This results in a parking demand rate of 0.69 spaces per employee. By multiplying this rate by the total number of employees, the study concludes that approximately 50 parking spaces are needed for employees. These spaces are divided between on-site and off-site locations, with 10 spaces reserved on-site and the remaining 40 spaces provided off-site, with shuttle services to transport employees as needed. This approach ensures that employee parking needs are met efficiently without overburdening the on-site parking facilities.

Industry Standards

The parking study for the Lodge reviewed industry standards and peer comparisons from similar mountain resort communities to establish appropriate parking demand rates. The analysis included data from similar mountain resorts in Colorado, Utah, and California. The average parking rate across these communities was 0.97 spaces per lodging room, with the most common rate being 1.00 space per guest room.

Additionally, a study conducted by Hales Engineering at properties near a Park City ski resort showed an average guest parking demand of 0.68 spaces per occupied unit, with the 85th percentile at 0.99 spaces per unit. The Urban Land Institute’s (ULI) Shared Parking guidelines also provided a relevant standard, recommending 1.15 spaces per unit, including employee parking.

Based on these comparisons, the study recommended parking-demand rates of 1.00 space per one-bedroom unit, 1.25 spaces per two-bedroom unit, and 1.50 spaces per three-bedroom unit for the Lodge. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge’s parking needs are adequately met.

Exhibit N (SkyRidge tgrip generation memo from Hales engineering)



MEMORANDUM

Date: February 10, 2021

To: Doug Smith

From: Hales Engineering

Subject: Wasatch County – Skyridge Trip Generation

UT21-1847

This memorandum discusses the study completed for the Skyridge development in Wasatch County, Utah. A trip generation analysis was performed on both the old and new master plans. The new master plan would remove the 18 townhomes and add 70 hotel-condo and 16 affordable apartment-style units and increase the clubhouse size from 15,000 sq. ft. to 20,000 sq. ft. From this, it was determined that the changes would add a total of 29 trips during an average weekday evening peak hour. This increase is likely not enough to significantly impact the operations of the road network.

1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343
www.halesengineering.com

Exhibit K – Renderings of Lodge and materials





1 DR - NORTH ELEVATION
SCALE 1/16" = 1'-0"



2 DR - EAST ELEVATION



1 DR - SOUTH ELEVATION
SCALE 1/16" = 1'-0"



2 DR - WEST ELEVATION
SCALE 1/16" = 1'-0"

Will follow JSPA Design Guidelines. See SP2 - Architectural Drawings and Exterior Materials Details Below:

MATERIAL KEY		
HATCH	MATERIAL	IMAGE
	STONE - SILVER LEDGE 39% BLDG COVERAGE	
	SIDING - HEWN / WOOD LOOK FIRE TREATED 26% BLDG COVERAGE	
	METAL PANEL 3% BLDG COVERAGE	
	GLAZING 32% BLDG COVERAGE	
		STANDING SEAM METAL ROOF - DARK GRAY

Exhibit L – Retaining wall example at lodge parking area

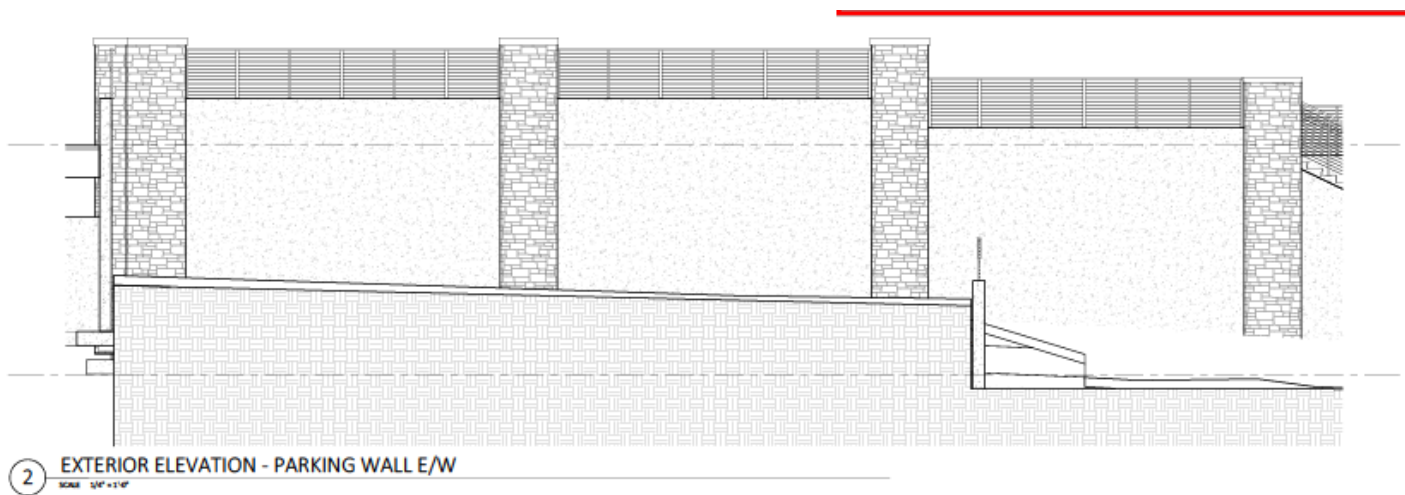


Exhibit M – Landscape buffer between lodge and existing homes









Exhibit N – ERU breakdown for lodge units

 theStelle Lodge							
Program Summary - 07/03/2024							
ROOM TYPE	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	% OF UNIT TYPES	TOTAL SQ. FT.	TOTAL ROOM KEYS	ERU'S
Studio	550	1	21	32%	11,555	21	6.93
Studio Suite	772	1	2	3%	1,544	2	1.00
Double Studio	900	2	4	6%	3,703	8	2.00
1 Bed Suite	900	1	19	29%	16,621	19	9.50
2 Bed Bunkroom Suite	1,245	1	8	12%	9,960	8	6.00
2 Bed Suite	1,476	2	8	12%	11,808	16	6.00
3 Bed Suite	2,051	2	3	5%	6,153	6	3.00
TOTALS			65		61,344	80	34.43
Note: Commercial square footage does not count towards ERU's							
MIDA HOUSING UNITS	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS				
Studio	554	1	1				
1 Bed Suite	808	1	1				
3 Bed Suite	1,982	2	1				
TOTALS	3,344	4	3				
Note: MIDA Housing Units do not count towards ERU's							

SKYRIDGE - ERU DISTRIBUTION		
SUBDIVISION #	NAME	LOTS/ERU's
1	Orion	39
2	Ursa	43
3	Constellation	54
4	Gemini	44
5	Leo	13
9	Centaur	16
6	Aries	25
7	Capricorn	18
Recorded Lots		252
8A	Pegasus	45
8B	Pegasus	46
Approved Lots		91
10	Lyra Cabins	19
12	Pisces Cabins	34
Future Cabin Product		53
8C	Pegasus	9
11 & 13	Future Subdivisions	61
-	Ranch Lots	2
Total Future Lots to Process		72
Lodge	theStelle Lodge	35
Total SkyRidge Approved ERU's		503



**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-9177
PROJECT NAME: FINAL SITE - SKYRIDGE GOLF LODGE
VESTING DATE: 4/12/2024
REVIEW CYCLE #: 4

REVIEW CYCLE STATUS: READY FOR DECISION

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded.

Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
Environmental Quality	Ready for Decision
Fire SSD	Ready for Decision

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
DRC-JSSD1	DRC - Jordanelle SSD	Continue plan review with District engineer and JSSD staff.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC - Engineering Dept		
Comment ID	Sheet Name	Comment
DRC-ENG2	05 - Final Grading Plan	Rock retaining walls higher than 4' will have to be stamped by a professional geotechnical engineer.
DRC-ENG7	12 - Landscape Plan	On sheet IR200, it appears the water for irrigation will be tapped into the main line in SkyRidge Drive. Not going to allow that.
DRC-ENG8	10 - Street Plan	As a condition of approval, fall protection must meet IBC. Handrails will be required on all retaining walls if required.

**FOURTH AMENDMENT TO LAKESIDE NORTH MASTER PLAN
DEVELOPMENT AGREEMENT**

This FOURTH Amendment to Development Agreement (“Amendment”) is entered into this ____ day of _____ 2024, by and between Jordanelle Land Investors, LLC, a Utah limited liability company, SkyRidge Development LLC, a Utah limited liability Company, SkyRidge Golf Academy, Inc, a Utah Corporation, Jordanelle Golf Lodge, LLC, a Utah limited liability Company, and Wasatch County (collectively, the “Parties”).

WHEREAS, the Parties entered into the Lakeside North Master Plan Development Agreement (the “Original DA”) on January 26, 2018, which is recorded as Entry #447878 in the recorder’s office of Wasatch County;

WHEREAS, this Fourth Amendment only applies to the Lodge Parcel, as shown in Exhibit Ad4 - A (“Lodge Parcel”), the Parking Parcel, as shown in Exhibit Ad4 - A (“Parking Parcel”), the Golf Academy Parcel, as shown in Exhibit Ad4 - A (“Golf Academy Parcel”). 14 ERU’s have been deleted from the Subdivisions listed in Preliminary plan from the 3rd Amended DA, so as to facilitate the 35 ERU’s on the Lodge Parcel, as shown in Exhibit Ad4 – A, which Lodge Parcel, Parking Parcel, Golf Academy Parcel are collectively referred to as the Amendment Property (“Amendment Property”); and

WHEREAS, the Parties entered in the First Amendment to the Lakeside North Master Plan Development Agreement (the “1st Amended DA”) on May 17, 2019, which is recorded as Entry #463725 in the recorder’s office of Wasatch County;

WHEREAS, the Parties entered in the Second Amendment to the Lakeside North Master Plan Development Agreement (the “2nd Amended DA”) on December 22, 2020, which is recorded as Entry #491157 in the recorder’s office of Wasatch County;

WHEREAS, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council on March 3, 2021, which changes included allowing the Golf Academy Lodging Facility (“Lodge”) as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA; and

WHEREAS, the master plan amendments granted on March 3, 2021 also approved certain amenities including parking on the Parking Parcel; and

WHEREAS, the Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the “3rd Amended DA”) on August 12, 2021, which is recorded as Entry #505907 in the recorder’s office of Wasatch County;

WHEREAS, the 3rd Amended DA, the 2nd Amended DA, 1st Amended DA and the Original DA are collectively called the DA in this Amendment (collectively, the “DA”); and

WHEREAS, in the course of considering and approving the Site Plan for the Lodge, the

Site Plan for the Parking Parcel (providing off-site parking for the Lodge, and a small scale final subdivision for the Lodge, collectively, the Applications, (“Applications”), which will be processed concurrently, Developer requested limited changes and clarifications to the Final Approval for the SkyRidge Subdivision SkyRidge Lodge Parcel, Plat 3C as it applies to the Lodge, and also changes and clarifications to the Welcome Center (now the Parking Parcel providing off-site parking for the Lodge) and adjacent uses as shown in the 3rd Amended DA, including Exhibit O thereto, and the associated preliminary plan, so as to facilitate that properties use as off-site parking for the Lodge; and

WHEREAS, on [date of JSPA PC hearing], following review and recommendation by the County’s Development Review Committee, and after notice as required, the Applications were recommended at a public hearing by the Wasatch County JSPA PC (“JSPA PC”) to the County legislative body; and

WHEREAS, on [date of Planning Commission hearing], following review and recommendation by the County’s Development Review Committee, JSPA PC and after notice as required under Utah Code §17-27a-205, the Applications were considered at a public hearing by the Wasatch County Planning Commission (“Planning Commission”) to the County legislative body; and

WHEREAS, the Planning Commission also recommended that this Agreement be forwarded for consideration by the County’s legislative body (“County Council”, further defined below);

WHEREAS, this Agreement is a legislative development agreement in connection with which the Applications are also being considered and approved, the County Council will serve as the land use authority for the Applications (*See* Section 16.01.05 of the County Code; Utah Code §17-27a-103, 501, 528); and

WHEREAS, On [date of County Council hearing], after notice as required under Utah Code § 17-27a-205, the County Council adopted Ordinance No. [insert ordinance number] (“Golf Lodge Ordinance”) approving the Applications and this Agreement; and

WHEREAS, the Parties intend that this Agreement, and the County’s approval of this Agreement pursuant to the Golf Lodge Project Ordinance, constitute a Land Use Regulation, as that term is defined in Utah Code § 17-27a-103; and

WHEREAS, due to the very limited circumstances in which a Lodge such as this would be applied for in the County, and the very limited circumstances existing here, as described below, which justify allowing the uses or development of land that applicable land use regulations governing the area would otherwise prohibit, the County Council has elected to authorize this Agreement rather than amend the Wasatch County Code; and

WHEREAS, this Amendment modifies the DA only to the extent it varies from the DA, but otherwise does not modify the DA, or the Preliminary except for the deletion of a parcel to maintain the required ERU numbers, for the Property, and does not alter the DA as it applies to

any property besides the Amendment Properties; and

WHEREAS, Jordanelle Golf Lodge, LLC and SkyRidge Golf Academy, Inc. hold legal title to the Amendment Property attached as Exhibit Ad4-A to this Amendment; and

WHEREAS, the parties understand and agree that pursuant to Utah Code §17-27a-528(2)(a)(iii), this Agreement allows for the “use or development of land that applicable land use regulations governing the area subject to this Agreement would otherwise prohibit” because the County’s “legislative body has approved this Agreement in accordance with the same procedures for enacting a land use regulation;” and

WHEREAS, this Agreement has been approved according to the processes set forth in Utah Code §17-27a-502; and

WHEREAS, the uses and Development rights that the otherwise applicable land use regulations may prohibit are set forth in Sections 3-6 of this Agreement, however, except as expressly set forth in this Agreement, Development of the Project will be pursuant to, and comply with, the County Code, other provisions of Applicable Law, and the DA; and

WHEREAS, after entering into the DA, the parties recognized that certain terms in the DA were not helpful for the practical application of the DA;

WHEREAS, the Parties have agreed to revise and amend certain terms in the DA.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. **Amendment to Recitals.** The Recitals of this Amendment are hereby adopted.
2. **SkyRidge Amenities and Recreation Facilities.** The row of the table shown in Section 3.1(b)(9) of the DA for Permitted Recreational Facility is modified as follows:

SkyRidge Amenities and Recreation Facilities		
<u>Amenity or Recreational Facility</u>	<u>Description</u>	<u>Date of Substantial Completion and Maintenance Responsibility</u>
Permitted Recreational Facility: Welcome Center	Welcome Center with buildings up to 1,500 square feet that includes Tennis Court and Pickle Ball Courts. These courts shall be open to the public and is depicted in Exhibit O.	At developer's discretion (anticipated in Phase 2) Maintained by Master Developer or HOA

Required - Off-Site Parking Lot	Parking Lot and Associated Landscaping Improvements as depicted in Exhibit Ad-4 O.	Prior to Certificate of Occupancy for any portion of the Golf Lodge. Maintained by the Owner of the Lodge Parcel.
Conditionally Required Amenity-Community Park	A park as shown in the Preliminary Application and as shown in Exhibit L, which includes a pavilion with picnic tables in compliance with the JSPA Handbook (including materials), and trails to it.	Within in 12 months of a Certificate of Occupancy being issued for the Golf Lodge

Additionally, Exhibit O to the DA is hereby superseded and replaced as depicted in Exhibit Ad-4 O.

3. Site Plan for SkyRidge Golf Lodge. Section 3.1(b)(17) of the DA for Construction of Golf Lodge is superseded and replaced as follows:

(17) *Construction of SkyRidge Golf Lodge.* Notwithstanding any contrary provision of the County Code, Developer may construct the Lodge as shown in Exhibit Ad4-M. In 2021, the Council approved up to 27 ERU's for the Lodging Facility, with 18 ERU's coming from the removal of the 18 ERU's of townhome product in the location of the Lodge and allowing for the 9 ERU's to be deleted from other phases of the Project. The Developer will show an ERU accounting with each phase for final subdivision approval to show from the total ERU's do not exceed 503 ERU's. The Developer has reduced 17 ERU's from Preliminary Plan Subdivisions to facilitate the Lodging Facility using 35 ERU's. The Developer may use up to 35 Residential ERU's of the Project's total 503 Residential ERU's in such Lodging Facility in a condominium configuration that shall be available for nightly rental as long as the total ERU's do not exceed 503. The primary reason the ERU's increased from 27 ERU's to 35's ERU's is due to the studio units increasing slightly in size from 495 sq. ft. to 555 sq. ft. to fit better with a mountain resort property. Lodge commercial space, common area, back of house space and administrative areas shall not count against Residential ERU's. Allocation of these 35 Residential ERU's will be determined by unit size square footage as outlined in Title 16 of the Wasatch County Code by unit square footage as follows:

<u>UNIT SIZE</u>	<u>ERU'S</u>
Not to exceed 500 sf including bathroom areas, but not including corridors outside of room	0.25
Not to exceed 700 sf including bathroom areas but not corridors outside of rooms	0.33
Not to exceed 1000 sf and not to exceed 1 1/2 baths	0.5
Not to exceed 1500 sf	0.75
Over 1500 sf	1.00

Pursuant to the Site Plan, the Lodge will be developed in accordance with the following:

 theStelle Lodge Program Summary - 07/03/ 2024							
ROOM TYPE	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	% OF UNIT TYPES	TOTAL SQ. FT.	TOTAL ROOM KEYS	ERU'S
Studio	550	1	21	32%	11,555	21	6.93
Studio Suite	772	1	2	3%	1,544	2	1.00
Double Studio	900	2	4	6%	3,703	8	2.00
1 Bed Suite	900	1	19	29%	16,621	19	9.50
2 Bed Bunkroom Suite	1,245	1	8	12%	9,960	8	6.00
2 Bed Suite	1,476	2	8	12%	11,808	16	6.00
3 Bed Suite	2,051	2	3	5%	6,153	6	3.00
TOTALS			65		61,344	80	34.43
<i>Note: Commercial square footage does not count towards ERU's</i>							
MIDA HOUSING UNITS	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS				
Studio	554	1	1				
1 Bed Suite	808	1	1				
3 Bed Suite	1,982	2	1				
TOTALS	3,344	4	3				
<i>Note: MIDA Housing Units do not count towards ERU's</i>							

- MIDA Housing Units:** certain parties entered into a Tax Sharing and Reimbursement Agreement with the Military Installation Development Authority ("MIDA") on October 1, 2021 as part of the creation of the MIDA Golf and Equestrian Center Public Infrastructure District where by the Parties shall donate to MIDA a minimum of two

condominiums ("MIDA Housing Units") consisting of a minimum of 3,250 residential square footage in the SkyRidge Golf Lodge upon the issuance of a Certificate of Occupancy. Upon issuance of the Certificate of Occupancy, the MIDA Housing Units will be property owned by MIDA in the MRF Project Area and may then fall under Section 3(v) of the Restated and Amended West Side Interlocal Cooperation Agreement between MIDA and Wasatch County that was entered into on March 7, 2023. Pursuant to WCC 16.41.02.2.1.2.1, the assigned ERU value may be adjusted by the Legislative Body, after recommendation for or against by the JSPA PC. The ERU value may also be adjusted pursuant to this legislative development agreement pursuant to UCA § 17-27a-528. Due to the fact that this property is under contract to be owned by MIDA under the Tax Sharing and Reimbursement Agreement, based the Interlocal Agreement which exempts MIDA owned properties, in accordance with the spirit of the MIDA project in Wasatch County which includes assistance to the military, the fact that MIDA will use the MIDA housing units to support military use of the facility, and due to the fact that the MIDA owned property in the future could be subject to MIDA land use authority and then may not count as ERU's under Wasatch County land use authority, the MIDA Housing units listed in the table in Section 3 above will not count towards the ERU value for the Project.

Height of the Lodge: Notwithstanding any contrary provision of the County Code, the Lodge may exceed the otherwise applicable height allowed in the Overlay Zone, subject to the limitations of this Section and its subparts. The Lodge must not exceed the height as depicted in Exhibit Ad4-Height. The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street, will be an appropriate scale and will fit in with the surrounding uses and residential and clubhouse structures. The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. The height of the Lodge from the elevation of the curb at the street in front of the lodge is approximately 34 feet with a front setback of approximately 13090 feet from the road. The provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of MIDA of facilitating recreation facilities for military personnel, and the additional height helps facilitate this purpose in a feasible manner. Moreover, in certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. *See* Section

16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height, confirm that the maximum height provided for below is appropriate for the Property. The County Council unanimously Approved the Amended Master Plan with SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

6. Parking for Lodge: Notwithstanding any contrary provision of the County Code, the parking for the Lodge is approved as shown in Exhibit Ad4-Parking ("Lodge Parking"). The County agrees that a distinction from the more typical parking requirement in the Overlay Zone is appropriate for a number of reasons. The JSPA typically requires the provision of WCC 16.33.07 & 16.41.5.8 to be followed, which requires the parking to be on-site or off-site within 200' of the use. County and Developer agree that all other requirements of WCC 16.33.07 can be complied with except for the off-site parking being within 200', the depth of the stalls being 20', the limit to the number of driveways there can be to a parking area, the requirement that parking be on the rear or side of buildings, and the prohibition on double stacked parking spaces. -The parties agree that the Lodge Parking is consistent with the JSPA vision and purpose statement in JSPA code subsection 1.1.4(I) be adequate and accessible. The Developer is required to always maintain Valet Only Parking on the Lodge Site and shuttle service from the off-site parking when the Lodge is open. The off-site parking area will not be publicly accessed parking but will be valet and lodge employees and guests only. -This will make the parking adequate and accessible. Having employee only parking helps ensure that the 18' depth of the stalls will not be a liability for the patrons or the public. The off-site parking will have a one-way shuttle turn around with a single entrance and exit. Additionally, the parties agree that the Lodge Parking furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. The Lodge parking is Valet Only with double-loaded stalls and shall be located at the front of the building to service Lodge. The Public will have no access to the Lodge parking area and the parking area shall be treated similar to back-of-house space that is accessed only by Lodge employees. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner. Moreover, the Developer has submitted, and the County's independent evaluation has confirmed, that the Lodge Parking is shown to be consistent with other resort developments and communities that have successfully provided parking to world class lodge facilities. The shared parking plan is hereby approved as proposed. Additionally, the parking stalls on the lodge site and with the shared clubhouse parking lot provide the needed parking for the Lodge guests and operations management employees, while the offsite parking will provide the needed parking for event guests and all other employees. All these reasons

together cause the County to approve the Lodge Parking as permitted, and as further detailed in Exhibit Ad4 - O- Parking to meet the parking requirements of the Lodge.

6.7.Uses: The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Parking Parcel is in the Open Space portion of the JSPA Zone. The only designation in the JSPA that would have allowed for the Lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area, and the Open Space designation would not normally allow a parking lot. The County Council determines that the Lodge is allowed on the Amendment Property despite any conflict with the uses allowed in the JSPA Zone. Additionally, the offsite parking as depicted in Exhibit Ad4-Parking is allowed as an accessory use to the Lodge, regardless of any standards in the Wasatch County Code to the contrary. The parties agree that the offsite parking on the Parking Parcel and the use of the Amendment Property as a Lodge furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner.

7.8.Administrative Amendments: The Lodge Final Site Plan is being approved prior to the completion of construction drawings for the building. It is possible that the Developer will desire slight or minor changes to the building footprint, building exterior, and site plan from the approved Site Plan when the Building Permit is submitted. It is the County's practice, in connection with the prosecution and enforcement of any land use decision, to administratively approve minor, inconsequential modifications, as determined in the discretion of the County. That process and the applicable standards are discussed in Section 16.27.10(D) of the County Code in the context of changes from preliminary approvals to final applications, but the concept is applied in the prosecution and enforcement of final approvals and site plan approvals as well. In accordance with the County's standard practice regarding land use decisions, Developer may, from time to time, propose amendments to the Site Plan, which, if proposed by Developer, may be considered and approved by the planning director, but only if such amendment represents a minor, inconsequential change to the Site Plan, and if such amendment is otherwise in compliance with Applicable Law. Nevertheless, Developer or the planning director, may refer any amendment initially proposed by the Developer to be considered by the applicable land use authority, including the JSPA PC or the County Council for approval.

8.9.Legislative Approval. As set forth in the foregoing Recitals, and for the reasons outlined in the forgoing sections, this Amendment Agreement has been approved by the County Council pursuant to Utah Code §17-27a-502 after notice as required under Utah Code

§17-27a-205. Thus, pursuant to Utah Code §17-27a-528, and as set forth in the Recitals, this Agreement Amendment allows uses and Development of land that applicable land use regulations would otherwise prohibit. The County Council finds this Agreement Amendment is consistent with the General Plan in all material respects for this Project, notwithstanding any particular provision or provisions of the General Plan which may be interpreted to be inconsistent with this Agreement Amendment, and regardless of any contrary provision of the County Code. The legislative approval this Agreement only applies to this Amendment Agreement, as opposed to the DA.

9.10. Effectiveness. Except as modified hereby, the DA shall remain in full force and effect. On or after the effective date of this Fourth Amendment, each reference in the DA to “this Agreement,” “hereunder,” “hereof,” “herein” or words of like import shall mean and be a reference to the DA as amended by this Fourth Amendment.

sn~ Signature pages follow ~

WASATCH COUNTY:

ATTEST:

By: _____
Dustin Grabau, Wasatch County
Manager

Joey Granger, Wasatch County Clerk
Auditor

STATE OF UTAH)
 ss:
COUNTY OF WASATCH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Dustin Grabau, who executed the foregoing instrument in his capacity as the Wasatch County Manager and by Joey D Granger, who executed the foregoing instrument in her capacity as the Wasatch County Clerk Auditor.

NOTARY PUBLIC
Residing at:

JORDANELLE LAND INVESTORS, LLC, a Utah limited liability company

By: _____
Tyler Aldous, Manager

STATE OF UTAH)
 ss:
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Land Investors, LLC, a Utah limited liability company.

NOTARY PUBLIC
Residing at:

By: _____
Tyler Aldous, Manager

STATE OF UTAH)
) ss:
COUNTY OF SUMMIT)

NOTARY PUBLIC
Residing at:

By: _____
Tyler Aldous, Secretary

STATE OF UTAH)
) ss:
COUNTY OF SUMMIT)

NOTARY PUBLIC
Residing at:

JORDANELLE GOLF LODGE, LLC, a Utah limited liability company

By: _____
Tyler Aldous, Manager

STATE OF UTAH)
 ss:
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Golf Lodge, LLC, a Utah limited liability company.

NOTARY PUBLIC
Residing at:

EXHIBIT Ad4-A – LEGAL DESCRIPTION

"Amendment Property"

SKYRIDGE LODGE PARCEL PLAT 3C LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.10 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES:

THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 61.71 FEET;

THENCE, N 86° 23' 56" W 261.83 FEET;

THENCE, N 20° 01' 25" W 180.95 FEET;

THENCE, N 13° 10' 37" E 131.17 FEET;

THENCE, N 18° 33' 01" W 144.66 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 530.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THE NEXT 3 COURSES ARE COMMON WITH THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE AND OF CONSTELLATION SUBDIVISION,

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 19' 13" FOR AN ARC DISTANCE OF 169.47 FEET (CHORD OF N 62° 17' 23" E 168.75 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF BEGINNING.

CONTAINS 5.37 ACRES, MORE OR LESS.

SKYRIDGE OVERFLOW PARKING PARCEL PLAT 3F LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS N 87° 04' 35" E BETWEEN THE FOUND MONUMENTS FOR THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS N 03° 26' 37" W 566.49 FEET ALONG THE WEST LINE OF SECTION 13 AND EAST 1095.82 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE CONTINUING ALONG THE WEST BOUNDARY OF THE SKYRIDGE DEVELOPMENT FOR THE NEXT 8 COURSES, N 35° 14' 07" W 88.61 FEET;

THENCE, N 13° 43' 18" W 209.40 FEET;

THENCE, N 24° 48' 15" W 374.64 FEET;

THENCE, N 46° 17' 20" E 130.72 FEET;

THENCE, N 04° 02' 18" W 234.73 FEET;

THENCE, N 12° 41' 38" E 108.53 FEET;

THENCE, N 80° 21' 42" E 510.07 FEET;

THENCE, S 67° 01' 12" E 41.81 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 462.50 FEET, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY, THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 15' 33" FOR AN ARC DISTANCE OF 228.11 FEET (CHORD BEARING S 31° 05' 59" W FOR 225.81 FEET);

THENCE CONTINUING ALONG THE SAID RIGHT OF WAY FOR THE NEXT 5 COURSES, S 45° 13' 46" W 201.33 TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST WITH A RADIUS OF 637.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 65° 49' 13" FOR AN ARC DISTANCE OF 732.35 FEET (CHORD BEARING S 12° 19' 09" W FOR 692.74 FEET);

THENCE, S 20° 35' 27" E 51.19 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE WEST WITH A RADIUS OF 462.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 27' 40" FOR AN ARC DISTANCE OF 44.08 FEET (CHORD BEARING S 17° 51' 37" E FOR 44.07 FEET);

THENCE LEAVING SAID RIGHT OF WAY, S 34° 41' 29" W 16.44 FEET;

TO THE POINT OF BEGINNING.

CONTAINS 5.35 ACRES, MORE OR LESS.

SKYRIDGE GOLF ACADEMY PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.02 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE; THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES; THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 99.92 FEET;

THENCE, S 0° 24' 56" E 225.58 FEET;

THENCE, S 23° 10' 17" E 418.43 FEET;

THENCE, S 9° 09' 37" W 203.57 FEET;

THENCE, S 18° 25' 16" W 74.37 FEET;

THENCE, S 48° 52' 00" E 141.63 FEET;

THENCE, S 11° 17' 26" W 23.20 FEET;

THENCE, S 40° 17' 40" E 95.33 FEET;

THENCE, S 48° 09' 37" W 110.00 FEET;

THENCE, S 53° 17' 02" E 185.56 FEET;

THENCE, S 36° 28' 18" W 155.49 FEET;

THENCE, S 89° 45' 45" W 1128.31 FEET;

THENCE, N 0° 00' 40" W 238.79 FEET;

THENCE, N 55° 57' 59" W 137.01 FEET;

THENCE, S 89° 59' 20" W 499.51 FEET TO THE SOUTHEAST CORNER OF LOT 128 CONSTELLATION SUBDIVISION;

THE NEXT 23 COURSES ARE COMMON WITH THE BOUNDARY OF CONSTELLATION SUBDIVISION, THENCE, N 5° 39' 19" E 108.87 FEET;

THENCE, N 11° 18' 12" E 64.14 FEET;

THENCE, N 10° 31' 16" E 99.52 FEET;
THENCE, N 28° 38' 01" E 182.48 FEET;
THENCE, N 25° 57' 58" E 96.59 FEET;
THENCE, N 22° 03' 31" E 86.52 FEET;
THENCE, N 16° 27' 35" E 58.04 FEET;
THENCE, N 11° 52' 26" E 60.39 FEET;
THENCE, N 7° 11' 45" E 60.41 FEET;
THENCE, N 4° 51' 35" E 104.05 FEET;
THENCE, N 7° 14' 47" E 97.77 FEET;
THENCE, N 8° 23' 35" E 95.46 FEET;
THENCE, N 17° 43' 28" E 89.18 FEET;
THENCE, N 28° 13' 23" E 93.09 FEET;

THENCE, N 20° 40' 52" E 101.84 FEET;
THENCE, N 19° 09' 06" E 98.41 FEET;
THENCE, N 52° 34' 32" E 78.90 FEET;
THENCE, S 85° 43' 21" E 196.40 FEET;
THENCE, N 6° 57' 59" E 110.00 FEET;

THENCE, S 83° 02' 01" E 238.26 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH
WITH A RADIUS OF 530.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 50' 12" FOR AN ARC
DISTANCE OF 405.50 FEET (CHORD OF N 75° 02' 52" E 395.88 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH
WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC
DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF
BEGINNING.

CONTAINS 57.97 ACRES, MORE OR LESS.

EXHIBIT Ad4 -M – GOLF ACADEMY LODGING FACILITY

Exhibit M of the DA, as shown in the 3rd Amended DA, is deleted and replaced with the following:

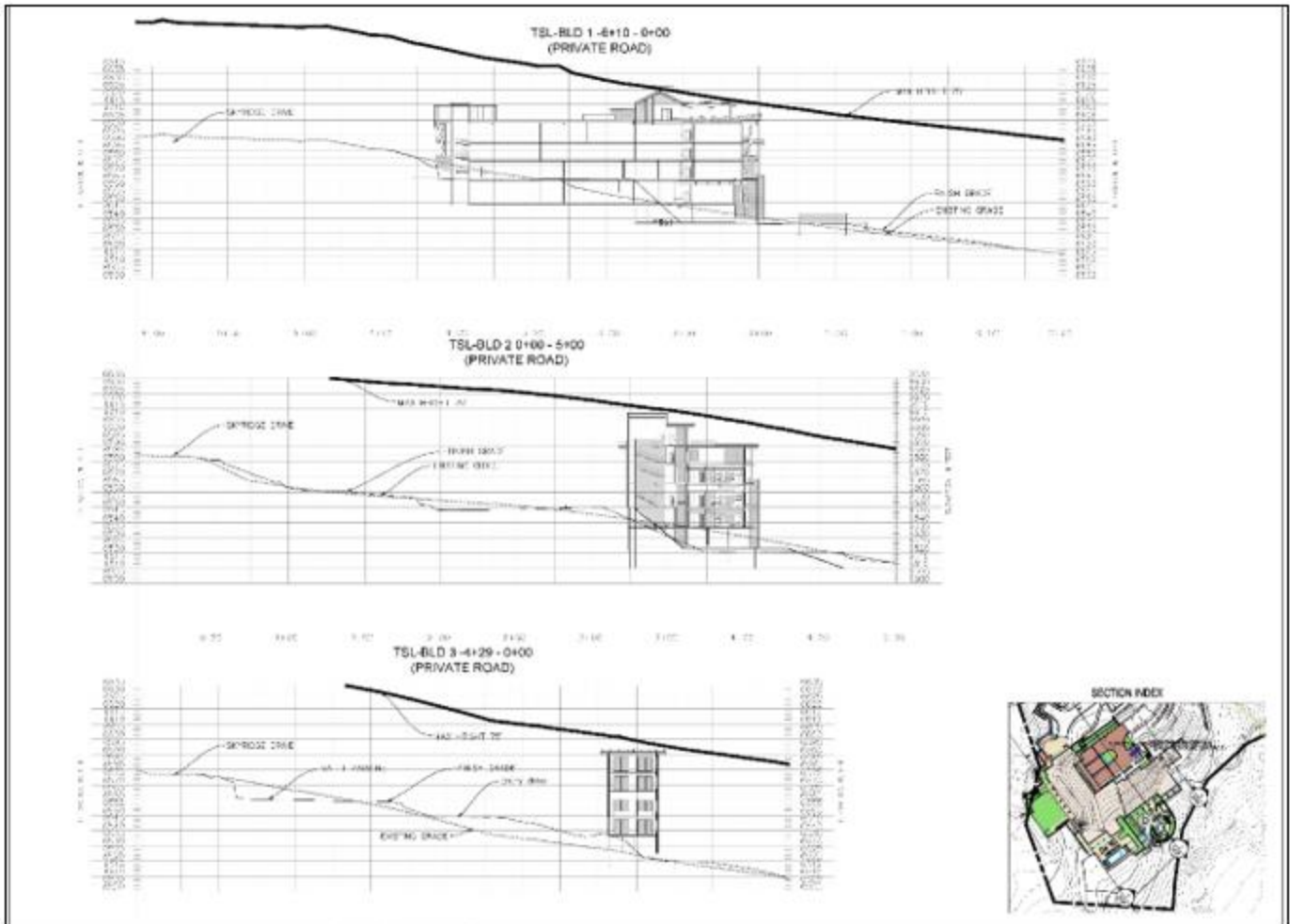
Golf Academy Lodge Site Plan consisting of 35 Residential ERU's:



Exhibit O of the 3rd Amended DA is deleted and replaced with the following:

Exhibit Ad4 - P- Height

This exhibit depicts the maximum allowed height of the Lodge in relation to the topography and elevation on the Lodge Property.





Item 4 – Title 4 and Title 16 Cleanup Code Text Amendment

Project: DEV-n/a | Title 4 and Title 16 Cleanup
Meeting Date: 12 September 2024
Report Date: 4 September 2024
Report Author: Austin Corry, Assistant Director

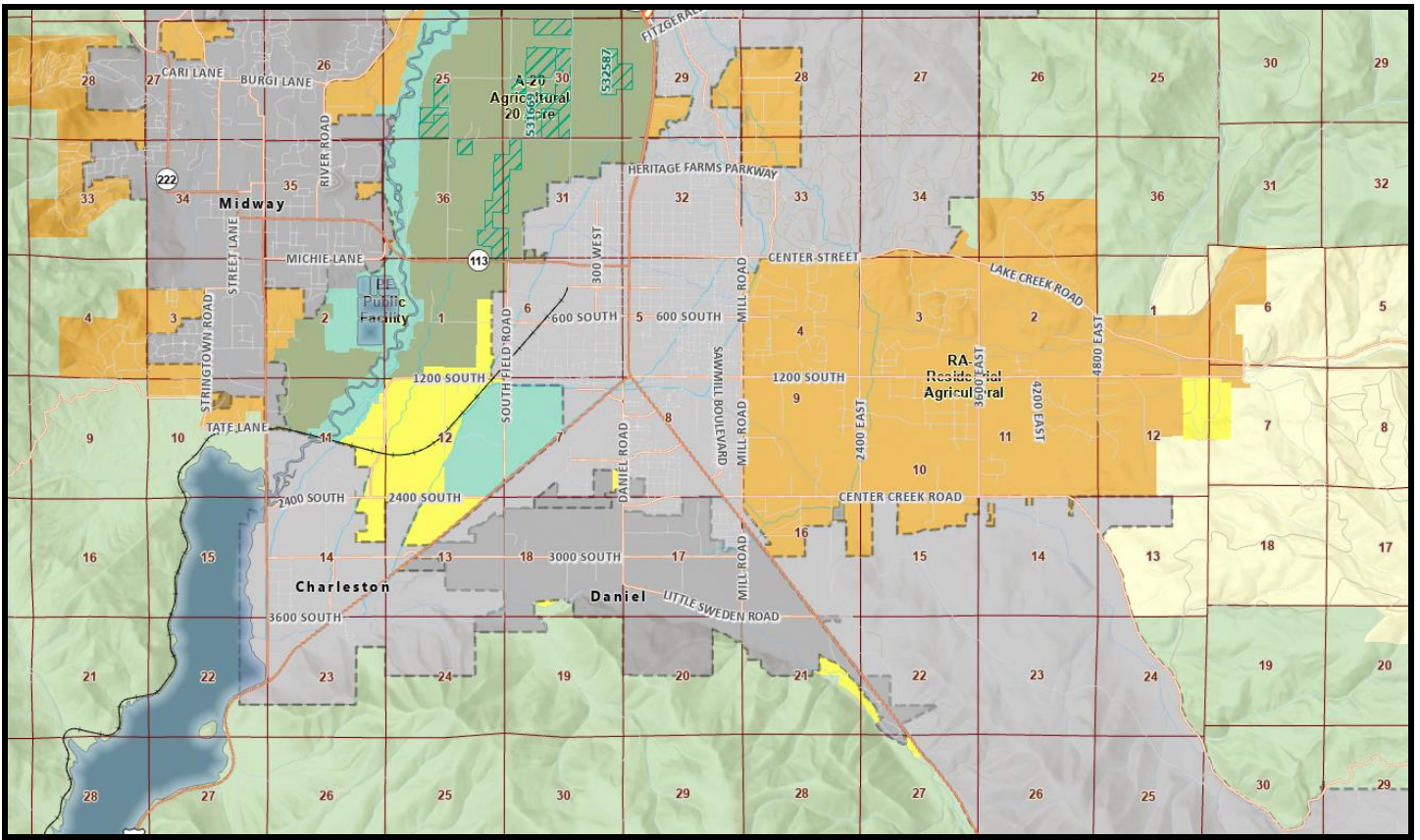
Council Action Required: Yes
Type of Action: Legislative
Applicant: Planning Department
Affected Code Section(s): 4.09.02, Title 16

DETERMINATION ISSUE

Whether the proposed ordinance amendment provides improved clarity, reduces vague interpretation, and increases the effectiveness of the land use and development codes for the purpose of furthering the health, safety, and welfare of Wasatch County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission.

RECOMMENDATION

Based on the analysis and findings in this staff report, Planning Staff is of the opinion that the amendments are in the best interest of the general welfare of the county. Therefore, it is recommended that the Planning Commission forward a POSITIVE RECOMMENDATION of the proposed code text amendment based on the findings included the staff report.



BACKGROUND

Throughout the year, Planning staff, in coordination with the Development Review Committee identifies areas where potential conflicts exist in the land use and development code (Title 16) or where minor adjustments to the language could help improve the clarity of the intent behind an ordinance. The proposed amendments are intended to address the issues identified without making any substantial or policy changes. In the event that staff recognizes a need to adjust the policy decision, those items have been specifically noted in the staff report to ensure full transparency in the need for a policy decision to be made.

PURPOSE AND INTENT

Wasatch County Code 16.02.05 requires that amendments to Title 16 “shall not be made except to promote more fully the objectives and purposes of the general plan and this title.” The purpose outlined in the Title 16 is quoted below:

16.06.01: PURPOSE

This title and the regulations and restrictions contained herein are adopted and enacted for the purpose of promoting the health, safety, welfare, prosperity, improved morals, peace, good order, comfort, convenience and aesthetics of the present and future inhabitants of the county and to:

A. Guide the future growth and development of Wasatch County, in accordance with the Wasatch County general plan;

-
- B. Provide for adequate open space, light, air, air quality, privacy, safety from fire, flood, landslides and other geologic hazards, and other dangers and to try to prevent overcrowding of the land, and to lessen traffic congestion;*
 - C. Protect and conserve the character and stability of Wasatch County, and to encourage the orderly development of the land;*
 - D. Protect and conserve the Wasatch County property values and minimize conflicts among uses of the land and structures;*
 - E. Establish public and private policy that encourages action to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities;*
 - F. Establish reasonable standards of design and procedures for development;*
 - G. Create an atmosphere attractive to visitors and residents;*
 - H. Fully exercise all of the powers granted to the county by the provisions of Utah Code Annotated section 17-27a-101 et seq., the county land use, development and management act, and all other powers granted by statute or by common law for the regulation of land uses and improvements;*
 - I. Protect and enhance the quality of life in general for Wasatch County residents.*
 - J. Allow development in a manner that encourages the preservation of scenic values, historic structures, agricultural uses and minimizes the impact on natural resources in Wasatch County;*
 - K. Provide for well planned commercial and residential centers, efficient traffic circulation, and efficient use of county services;*
 - L. Regulate development that may add to existing geologic hazards, erosion, flooding or other conditions that create potential dangers to life and safety in the community or detract from the quality of life in the community;*
 - M. Require new development to be fiscally responsible by providing all required improvements and adequately mitigating any impacts to the county;*
 - N. Establish zone districts within which the legislative body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings and structures and the uses of land; and*
 - O. Provide methods of administration and enforcement of this title and provide penalties for the violation thereof.*
-

STAFF ANALYSIS

The background section provides the main purpose of the ordinance to clean up Title 16 regulations with minor alterations to improve clarity and help administer the code clearly. The following analysis is intended to directly address items that have a potential policy impact. It is staff's desire that the Planning Commission and Council give sincere consideration to the changes made for the purpose of ensuring that the laws are thoroughly understood and vetted.

– FEES –

Title 16 currently references the ability for Planning staff to issues letters regarding the status of a properties zoning. This is a practice done in other jurisdictions, but has not been heavily utilized here in the County. However, even though the code speaks to the ability for someone to request verification from the Planning Department, the department does not currently have a process or a fee established to be able to issue one. The closest applicable application would be to utilize the miscellaneous application, which has a \$100 fee. This fee seems high for the amount of work involved. Staff proposes a fee of \$26 which represents an average of 30 minutes to complete the letter.

An adjustment is also proposed to slightly increase the Non-Conforming Use determinations. The applications being requested over the last few years have been more complicated and time consuming than in the past.

– JBOZ PROPOSED USES –

The JBOZ was amended a few years ago to eliminate an overarching statement of all uses being conditional uses, which was more open-ended than the JBOZ initially intended due to changes in State Code since the creation of the JBOZ. During the last amendment, it was known that the use table being provided was limited and would need to be expanded as further information came about. Staff has provided a few other uses for the County to consider including. Of specific note is the inclusion of Short-Term Rentals (STRs) becoming permitted in certain land use districts. STRs have a significant impact on long-term housing supply, but the JBOZ is also specifically part of the resort area where STR uses would be reasonably anticipated. The County should consider the intent and impacts of STRs.

– DETACHED ACCESSORY DWELLINGS –

Currently, section 16.21.08 requires that any accessory structure that provides living space be treated as an Accessory Dwelling Unit in order to do so. It is unclear if that was the specific intent of the County when the code was originally adopted. Planning staff would like clarity from the policy makers if the intent was to require stricter standards for any living space, or if it was actually intended to address the use of dwellings in detached structures.

The distinction between “living area” as a general term vs. the term of a “dwelling unit” is the collective existence of all the necessary facilities to be livable as an independent unit. For example, under current code, if an accessory building wanted a game room and a bathroom in an upper floor of a detached garage, that space would be required to meet the stricter ADU standards, including placing a deed restriction on the property, even though there are no cooking facilities present. By changing the restriction to “dwelling unit” instead of livable area, the ADU standards would not be triggered unless there were both sleeping, cooking, and sanitation collectively in the same unit.

– FIGURES AND IMAGES –

Many of the images currently in the code are old enough and of low resolution that they are difficult to read. In some instances, they were not updated when other texts were updated so they represent different standards than the current regulations require. The images are proposed to be updated in an effort to enhance the graphics and provide better clarity to what the text regulations are attempting to state. In some instances, figures were moved or combined in an effort to reduce overstating regulation.

DEVELOPMENT REVIEW COMMITTEE

While this proposal was not run through the traditional DRC review, staff has coordinated draft versions and had conversation with many of the departments throughout the process. The proposal is a result of the input of numerous departments.

RECOMMENDED MOTION

Move to forward a Recommendation for Approval to the County Council for item 4 consistent with the findings presented in the staff report.

– FINDINGS –

1. The proposed amendment is in the interest of the public and is consistent with the goals and policies of the Wasatch County General Plan.

2. The proposed amendment is consistent with the purpose outlined in Title 16.
3. The proposed amendment helps clarify existing policies, reduce redundancy, and reduces potential conflicts.
4. Positive impacts of the proposed changes are increased clarity and decreased redundancy and conflict.
5. Negative impacts of the proposed changes are potentials discrepancies in vested projects and which code amendments are applicable to projects currently under review. It is not anticipated this impact will be significant since the amendments are primarily not substantial or regulatory changes.
6. The Wasatch County Council, as the legislative body, has broad discretion for amendments to the Wasatch County Code.

POSSIBLE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Planning Commission should state new findings.

1. Recommendation for Approval. This action may be taken if the Planning Commission finds that the General Plan and proposed amendments are consistent and compatible. ****This action would be consistent with the staff analysis.****
2. Recommendation for Approval with Conditions. This action can be taken if the Planning Commission feels comfortable that remaining issues can be resolved through conditions or modifications to the proposed text.
3. Continue. This action can be taken if the Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommendation for Denial. This action may be taken if the Planning Commission finds that the proposed code amendment is not appropriate at this time and/or is not supported by the General Plan.

EXHIBITS

Exhibit A – Proposed Ordinance 24-136

Exhibit A – Proposed Ordinance 24-13

ORDINANCE NO. 24-13

AN ORDINANCE AMENDING WASATCH COUNTY CODE TO CLARIFY DEFINITIONS, REORGANIZE SECTIONS TO CONSOLIDATE SIMILAR CONTEXTS, AND OTHER TECHNICAL CHANGES.

RECITALS

WHEREAS, counties may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the unincorporated area of the county to provide for the health, safety, and welfare, promote prosperity, improve good order, comfort, convenience, and aesthetics of each county, and to protect both urban and non-urban development; and

WHEREAS, pursuant to this authority, the County Legislative Body enacted the Land Use and Development Code, and now amends the Land Use and Development Code; and

WHEREAS, the County Legislative Body desires to clarify certain aspects of the Land Use and Development Code for consistency with regulations and adopted policies; and

WHEREAS, the County Legislative Body desires to reduce redundant language and reduce potential conflicts within the code; and

WHEREAS, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Code be amended as follows:

SECTION I: Enactment. The following amendments, additions, and deletions to Title 14 and Title 16, the Land Use and Development Code, are hereby enacted: ***See attached Exhibit A.***

SECTION II: Repealer. If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: Amendment of Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: Effective Date. This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and **PASSED** this _____ day of _____, 2024.

Attest:

WASATCH COUNTY COUNCIL:

Joey Granger
Wasatch County Clerk / Auditor

Spencer Park, Chair
Wasatch County Council

VOTE

Spencer Park, Chairman	_____
Karl McMillan, Vice-Chair	_____
Luke Searle	_____
Steve Farrell	_____
Erik Rowland	_____
Kendall Crittenden	_____
Mark Nelson	_____

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
): ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [] (a) Causing this ordinance to be entered at length in the ordinance book;
- [] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
- [] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in *The Wasatch Wave*, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this ____ day of _____, 2024.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this ____ day of _____, 2024.

Notary Public

Residing in:
My commission expires:

EXHIBIT A – PROPOSED AMENDMENT

4.09.02: WASATCH COUNTY FEES

C.	Fees Of The Wasatch County Planning and Zoning Department:	
	...	
2.	Other fees:	
	<u>Lot of Record Non-Conforming Use Determination</u>	\$130 <u>155</u> .00
	<u>Land Use Verification Letter</u>	<u>\$26.00</u>

...

16.01.07: BUILDING PERMITS REQUIRED

- A. Generally: No building or structure shall be constructed, reconstructed, altered or moved, except after either the issuance of a permit by the building ~~inspection~~ department unless otherwise exempt herein or, if exempted by Utah Code Annotated section 58-56-4, as currently amended, the signing of an agricultural building zoning conformance application by the planning department. An agricultural building permit zoning conformance application only verifies that the agricultural building meet the zoning requirements in the area.
- B. Agricultural Buildings: Agricultural buildings exempt under Utah Code Annotated section 15A-1-204 from the building permit requirements of the state adopted construction code (hereinafter "exempt agricultural building" for purposes of this section only) must comply with the ~~land use and zoning requirements of subsection B2 of this section below requirements:~~
1. Procedure: An applicant wishing to obtain approval to build an exempt agricultural building must first submit an application ~~to with~~ the building department. The building department must then verify that the proposed structure meets ~~the definition of "agricultural use" in Utah Code Annotated requirements necessary to qualify as an exempt agricultural building section 58-56-3, as currently amended.~~ If the proposed structure ~~meets the definition is an exempt agricultural building,~~ the building department will submit the application to the planning department for review of zoning compliance. The planning department will thereafter review the plans and issue a certificate of zoning compliance if warranted.
 2. Land Use ~~A~~and Zoning Requirements ~~O~~f Exempt Agricultural Buildings: Notwithstanding this section, an exempt agricultural building is only subject to the following land use and zoning requirements, unless, in the sole discretion of the county, a reasonable basis exists for imposing any other land use or zoning requirement due to a health, safety or welfare concern:
 - a. Height;
 - b. Setbacks; and
 - c. Site plan approval in accordance with section 16.21.08 paragraph C of this title section.

C. All applications for building permits for ~~any new construction, excluding (and not interior remodels or maintenance that do not affect the footprint of the structure,)~~ shall be accompanied by:

1. A plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of existing ~~buildings~~~~structures~~, ~~structures~~~~buildings~~ to be erected and existing ~~structures~~~~buildings~~ on adjacent property, and such other information as may be deemed necessary by the building inspector or the planning department for the enforcement of this title.
2. When property boundaries are unclear or undetermined, a complete and accurate legal description of the property, which is the subject of the application, together with a certified survey of the property showing any conflict with adjoining property, overlaps or discrepancies between the legal description, and any existing fence lines.
3. When the road upon which the lot has frontage is unimproved, or the boundaries of said road are not clearly ascertainable, or there is any question by the building inspector, engineering department, or the planning department, of whether the actual road is within the platted right of way, a certified survey of the road showing any conflict with actual and platted right of way, overlaps or discrepancies between the legal description, and any existing fence lines, is required.

16.01.08: BUILDING PERMITS; PLOT PLAN REQUIRED~~RESERVED~~

~~All applications for building permits for new construction (and not interior remodels) shall be accompanied by:~~

~~A. A plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of existing buildings, buildings to be erected and existing buildings on adjacent property, and such other information as may be deemed necessary by the building inspector or the planning department for the enforcement of this title.~~

~~B.A. When property boundaries are unclear or undetermined, a complete and accurate legal description of the property, which is the subject of the application, together with a certified survey of the property showing any conflict with adjoining property, overlaps or discrepancies between the legal description, and any existing fence lines.~~

~~When the road upon which the lot has frontage is unimproved, or the boundaries of said road are not clearly ascertainable, or there is any question by the building inspector, engineering department, or the planning department, of whether the actual road is within the platted right of way, a certified survey of the road showing any conflict with actual and platted right of way, overlaps or discrepancies between the legal description, and any existing fence lines, is required.~~

...

16.01.10: LAND USE VERIFICATION ~~CERTIFICATES~~**LETTERS**

At the request of an applicant, after payment of the appropriate fee, the planning staff may issue a land use verification ~~certificate~~~~letter~~, which determines the current standing of the property as to zoning, whether a requested use is permitted in the zone as of the date of the issuance of the land use verification ~~certificate~~~~letter~~, and ~~any~~ known issues that relate to the potential for building on the property. Land use verification ~~certificates~~~~letters~~ are based on the current ordinance and may be subject to change with future amendments to the land use code.

75 ...

76 **16.04.02: DEFINITIONS OF TERMS AND WORDS**

77 The following words shall have the described meaning when used in this title, unless a contrary meaning
78 is apparent from the context of the word:

79 ...

80 ACCESSORY BUILDING: A building or structure, the use of which is incidental and subordinate in size
81 and use to the main building.

82 ...

83 BUILDING, ATTACHED: A building connected on one or more sides of an adjacent building by a
84 common wall that shares at least 50% of the length and 50% of the height of the common wall, and which
85 encloses occupiable or habitable space.

86 ~~BUILDABLE ENVELOPE: A three dimensional space on a lot within which a structure is permitted to~~
87 ~~be built. The space does not include any required yard or open space. Buildable areas must be defined on~~
88 ~~subdivision plats in areas of thirty percent (30%) slope or less.~~

89 BUILDING ENVELOPE (BUILDABLE AREA): That part of a parcel of land where the construction
90 of buildings and structures can be located typically formed by the ability to build a structure therein and
91 comply with applicable standards, such as the required yards, ~~or~~ setbacks, access, driveway standards, and
92 a physical constraints inventory of a property. It may be or otherwise defined on by subdivision plat plat or
93 a physical constraints inventory of a property.

94 BUILDING, DETACHED: A freestanding building independent of any other building and that has open
95 space on all ~~four (4)~~ sides.

96 ...

97 FRONTAGE: The distance between the intersecting points of each two (2) side lot lines line with the
98 street right-of-way line of a parcel measured on a line parallel to along the street or street chord, or streets
99 of a corner lot, which the parcel is allowed to access. For private roads without a dedicated street right-of-
100 way, a street line shall be determined using a 30 foot offset from the centerline of the road for the purpose
101 of measuring frontage only. For purposes of this title, temporary turnarounds, dead ends of roadways, or
102 emergency accesses shall not be used as frontage.

103 ...

104 GRADE, FINISH: ~~A measurement of the degree of slope on the disturbed surface of the ground~~ The
105 finished or resulting grade of the top surface of the earth after completion of a development activity.

106 ...

107 GRADING PLAN: A topographic development plan prepared by a registered civil engineer showing
108 contours ~~for of~~ before and after grading.

109 ...

110 LANDSCAPE ARCHITECT: A professional landscape architect registered in the state of Utah to practice
111 in the field of landscape architecture.

112 ...

113 LOT, CORNER: A building lot situated within a corner created by the intersecting lines of a street or
114 streets that has frontage on two (2) sides, which street shall have an angle of intersection of not more than
115 one hundred thirty-five (135) degrees.

116 LOT, DOUBLE FRONTAGE: Any building lot which has both the front and rear yard line bounded by a
117 street. This does not normally include ~~corner~~ Corner ~~lots~~.

118 LOT, FLAG: A lot that does not have the required frontage on a county road or private road built to
119 county standards. Access to the buildable portion of the lot is through a narrow private access (more
120 narrow than the required frontage) that is contiguous and part of the lot.

121 LOT, INSIDE GORE SHAPED: A lot where side lot lines converge towards the rear to a point or the rear
122 lot line width is less than half the required width for the lot in the applicable zone.

123 LOT, INTERIOR: Any building lot other than a corner lot.

124 LOT LINE, FRONT: Any street right of way line of record ~~or established by use,~~ which forms one or
125 more boundaries of a lot. For corner lots, double-frontage lots, or non-conforming lots with no street
126 frontage, the front lot line shall be determined by the direction the primary structure faces.

127 LOT LINE, REAR, ~~FOR CORNER LOTS:~~ The ~~interior~~ lot line ~~which has been designated as the rear lot~~
128 ~~line determined by the direction the house faces~~ most distant from and generally opposite the front lot
129 line. For regular lots, the term “generally opposite” means the lot line which is parallel to the front lot
130 line. For irregular lots, the term “generally opposite” means a lot line which does not adjoin the front lot
131 line, is located to the rear of the lot, and is more or less parallel to any portion of the front lot line.

132 LOT LINE, STREET SIDE, FOR CORNER LOT: ~~All interior lot lines for multi-frontage lots; for other~~
133 ~~corner lots, that interior side~~ lot line ~~which the lot owner has designated as the side lot line runs along~~
134 the street right-of-way line that is not the front lot line.

135 LOT LINE, SIDE, ~~FOR INTERIOR LOTS:~~ Those interior lines lying opposite each other, running
136 between the front and rear lot lines, ~~or in the case of a multi-frontage lot, those interior lines which run~~
137 between the two (2) front lot lines.

138 LOT, MULTI-FRONTAGE: Any building lot, the centerline of which intersects two (2) front lot lines
139 and which has no rear lot line.

140 ~~LOT WIDTH FOR CORNER LOTS: The width of the lot as measured along both street frontages at the~~
141 ~~required setback.~~

142 ~~LOT WIDTH FOR INTERIOR LOTS: The horizontal distance between the side lot lines measured along~~
143 ~~a line lying at right angles to the centerline of the lot at the point of the required setback. The distance~~
144 between side lot lines measured at the required minimum front setback on a line parallel to the road or
145 street chord.

146 . . .

147 NONCONFORMING LOT OF RECORD: A lot or parcel that: a) legally existed as a lot or parcel
148 developable as a detached single family dwelling, before its current land use or zoning designation; b) has
149 been shown continuously to be an independently existing piece of property since its creation or since
150 before enactment of zoning (August 11, 1965) ; c) has not decreased in size since its creation, except for
151 lot line adjustments approved in writing by the county, as defined in Utah Code Annotated section 17-
152 27a-103, as currently amended; and d) because of one or more subsequent land use ordinance changes
153 does not conform with the minimum size, width, frontage, depth or other applicable dimensional
154 requirements of the zone where the lot is located.

...

OPEN SPACE: Land which has an open space easement or deed restriction which states the land shall not be covered by dwellings, structures, or by pavement or other impervious material, except for trails and minimal improvements which facilitate recreational use without compromising the open, undeveloped nature of the land, and only as approved by the land use authority. ~~Open space parcels should have connections to other open space parcels when possible and shall have a minimum depth that can be maintained and utilized as open space and access. Small isolated, unusable remnants of open space shall not be allowed. A parcel counted as open space shall not be less than .2 acres, and shall be greater than 20' width at its narrowest point.~~

...

SETBACK: The minimum distance by which any building or structure must be separated from a street right of way ~~or, lot line, or other defined feature.~~

...

~~SINGLE FAMILY DWELLING: A dwelling, single family detached, as defined herein.~~

...

YARD, FRONT: Any yard between the front lot line and ~~the setback line~~ front facade of a main building and extending for the full width of the lot parallel to the front lot line.

YARD, REAR: A yard between the rear lot line and the rear facade of a main building, ~~and~~ extending across the full width of ~~inside the~~ lot parallel to the rear lot line.s and, f or corner lots, a yard between the rear lot line and the rear facade of the building and extending between the side lot line and the ~~front street~~ side yard lying opposite.

YARD, SIDE: Any yard between the side lot line and the ~~setback line of a side façade of the~~ main building, extending from the front yard to the rear yard.

YARD, STREET SIDE: ~~On corner lots, the yard determined by the owner to be t~~ The side yard on the street of corner lots and running from the front setback line to the rear property line.

...

16.05.12: PERMISSIBLE LOT COVERAGE MAXIMUM AREA OF DISTURBANCE

~~See subsection 16.28.07M of this title.~~

- A. For lots or parcels less than one acre in size, the limits of disturbance for an individual single-family use and any accessory structure shall not exceed ten thousand (10,000) square feet, unless significant existing site vegetation is retained or remedial revegetation and land reclamation improvements which substantially advance the purposes of this chapter have been proposed and will be implemented on the site in accordance with a revegetation and land reclamation plan. In such cases, the limits of disturbance for lots or parcels less than one acre in size may be increased up to, but not to exceed, fifteen thousand (15,000) square feet.
- B. For lots or parcels one acre in size or greater, the LOD for an individual single-family use and any accessory structure shall not exceed twelve thousand (12,000) square feet unless the conditions above are satisfied, in which case the LOD may be increased to eighteen thousand (18,000) square feet.

...

16.09.13: PERMISSIBLE LOT COVERAGE MAXIMUM AREA OF DISTURBANCE

See subsection 16.28.07M of this title.

- A. For lots or parcels less than one acre in size, the limits of disturbance for an individual single-family use and any accessory structure shall not exceed ten thousand (10,000) square feet, unless significant existing site vegetation is retained or remedial revegetation and land reclamation improvements which substantially advance the purposes of this chapter have been proposed and will be implemented on the site in accordance with a revegetation and land reclamation plan. In such cases, the limits of disturbance for lots or parcels less than one acre in size may be increased up to, but not to exceed, fifteen thousand (15,000) square feet.
- B. For lots or parcels one acre in size or greater, the LOD for an individual single-family use and any accessory structure shall not exceed twelve thousand (12,000) square feet unless the conditions above are satisfied, in which case the LOD may be increased to eighteen thousand (18,000) square feet.

16.15.03: PERMITTED AND CONDITIONAL USES

Those principal uses or categories of uses as listed herein, and no others, are allowed as a permitted or conditional use in the JBOZ.

- A. All uses contained herein are listed by number as designated in the Wasatch County land use classification, which is published and maintained by the planning department, and are attached, as appendix 1, chapter 16.36 of this title. Classes or groupings of uses permitted in the zone are identified by a four (4) digit number in which the last one or two (2) digits are zeros, and subuses of those categories or groupings will follow that number. (For example, a particular category may be listed as 8100, and a subcategory of 8100 would be 8110 and a subcategory of 8110 would be 8111.) This document, available in the planning office, is to be used by the planning office and others to assist in determining similar uses and the intent of this chapter.
- B. Those uses labeled as conditional may be granted only after the issuance of a conditional use permit.
- C. All such classes listed herein and all specific uses contained within them in the Wasatch County land use classification will be permitted in the Jordanelle Basin Overlay Zone (JBOZ), subject to the limitations set forth herein: PERMITTED AND CONDITIONAL USES IN THE JORDANELLE BASIN OVERLAY ZONE (JBOZ) P = Permitted C = Conditional - = Not allowed

Use Number	Use Classification	Critical / Sensitive Lands Open Space	Countryside Residential	Low Density Residential	Medium Density Residential	High Density Residential	Mixed Use Commercial	Neighborhood Commercial	Community Commercial	Commercial Resort
1111	Single-family dwellings (detached)	-P	P	P	P	P	-	-	-	-
1112	Single Family Dwellings (attached)	-	-	C	P	P	C	-	-	-

<u>1113</u>	<u>Single-family dwelling, attached to non-residential</u>	=	=	=	=	=	<u>P</u>	<u>P</u>	<u>P</u>	
<u>1120</u>	<u>Duplex</u>	=	=	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>	=	=	
<u>1130</u>	<u>Multiple Family Dwelling</u>	=	=	=	<u>P</u>	<u>P</u>	<u>P</u>	=	=	
<u>1140</u>	<u>Apartment (low rise)</u>	=	=	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	
<u>1292</u>	<u>Residential Facility for Handicapped Persons</u>	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>1293</u>	<u>Residential Facility for Elderly</u>	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>1310</u>	<u>Residential Hotels and Aparment Hotels (75% or more occupied by permanent guests)</u>	=	=	=	=	<u>C</u>	<u>C</u>	=	<u>C</u>	
<u>1511</u>	<u>Hotels</u>	=	=	=	=	=	<u>C</u>	=	<u>C</u>	
<u>1515</u>	<u>Transient apartments rented by day or week (Short Term Rental)</u>	=	=	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>1908</u>	<u>Internal Accessory Dwelling Unit (IADU)</u>	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	=	
1907	Guest ADU	-	C	C	C	C	-	-	-	-

1908	IADU	-	P	P	P	P	P	-	-	-
4712	Telephone Relay Tower, microwave or other	-	C	C	C	C	C	C	C	C
4713	Small Wireless Facilities	C	C	C	C	C	C	C	C	C
4760	Recording and sound studios	-	-	-	-	-	C	C	C	-
4810	Electric utility (excluding 4812 and 4813)	-	C	C	C	C	C	C	C	C
4821	Underground gas pipeline right of way	P	P	P	P	P	P	P	P	P
4824	Gas pressure control stations	-	C	C	C	C	C	C	C	C
4831	Underground water pipeline right of way	P	P	P	P	P	P	P	P	P
4832	Water treatment plants (purification)	-	C	C	C	C	C	C	C	C
4834	Water Storage	C	C	C	C	C	C	C	C	C
4835	Irrigation distribution channels	P	P	P	P	P	P	P	P	P
4836	Water pressure control stations and pumping plants	-	C	C	C	C	C	C	C	C

4839	Other water utilities or irrigation, NEC	-	P	P	P	P	P	P	P	P
4841	Underground sewage pipeline right of way	P	P	P	P	P	P	P	P	P
4911	Petroleum pipeline right of way	C	C	C	C	C	C	C	C	C
5200	Building Materials, hardware, farm equipment and supplies	-	-	-	-	-	-	C	C	-
5300	General Merchandise	-	-	-	-	-	P	P	P	C
5400	Food	-	-	-	-	-	P	P	P	-
5530	Gasoline Service Stations	-	-	-	-	-	-	P	P	-
5600	Apparel and Accessories	-	-	-	-	-	P	P	P	-
5700	Furniture, Home furnishings and equipment	-	-	-	-	-	P	P	P	-
5800	Eating and Drinking Places (Except 5813)	-	-	-	-	-	P	P	P	C
5910	Drug and proprietary	-	-	-	-	-	P	P	P	-
5931	Antiques	-	-	-	-	-	P	P	P	-

5940	Books, stationery, art and hobby supplies	-	-	-	-	-	P	P	P	-
5950	Sporting goods, bicycles and parts	-	-	-	-	-	P	P	P	-
5970	Jewelry	-	-	-	-	-	P	P	P	-
5990	Miscellaneous retail trade, NEC (Except 5992)	-	-	-	-	-	P	P	P	-
6100	Finance, insurance and real estate service	-	-	-	-	-	P	P	P	€
6200	Personal service (Except 6240 and 6290)	-	-	-	-	-	P	P	P	€
6500	Professional services	-	-	-	-	-	P	P	P	-
6800	Educational services	-	-	-	<u>-C</u>	<u>-C</u>	P	P	P	-
6911	Churches, synagogues, temples, and missions	-	C	C	C	C	C	C	C	-
7100	Cultural activities and nature exhibitions	C	<u>-C</u>	-	-	-	P	P	P	€
7400	Recreational activities (except 7419, and 7450)	P	P	P	P	P	P	P	P	₪
7419	Private trailhead	C	-	-	-	-	C	C	C	€

	staging area for snowmobile rentals. (No business transactions)									
7450	Firearms and archery	C	€	-	-	-	C	C	C	€
7510	Resorts (except 7518)	-	-	-	-	-	C	P	P	-
7518	Recreational Resort Parks	-	€	-	-	-	-P	-	-	P
7600	Parks	P	P	P	P	P	P	P	P	P
8110	Field and seed crops	P	P	P	P	P	P	P	P	-
8160	Pasture and rangeland	P	P	P	P	P	P	P	P	P

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226 **16.15.06: JBOZ DENSITIES**

227 The following densities shall be allowed within the JBOZ. The standard densities shall be measured in
228 equivalent residential units termed "ERUs".

229 A. Critical/Sensitive Lands Open Space: Density: 1 ERU/40 net developable acres. ~~This amount may~~
230 ~~be transferred to a higher density area deemed appropriate by the county council after a~~
231 ~~recommendation for or against by the planning commission.~~ Areas where development is
232 prohibited-significantly restricted due to steep hillsides (over 30%), high value wetlands, ridge
233 lines, fault lines, stream corridors, landslide areas and flood plains. Recreation amenities such as
234 equestrian activities, trails and public open space are encouraged. ~~Transfers of development to off-~~
235 ~~site properties may be authorized where a greater percentage of open space is desired and~~
236 ~~compensatory enhancement to assure permanent value to the land is appropriate.~~

237 B. Countryside Residential: Density: One ERU/five (5) net developable acres. Designed to encourage
238 open space, this district preserves view corridors, and a sense of openness. ~~Agricultural activities~~
239 ~~are allowed, as is recreation with limited development. Residential development shall not exceed~~
240 ~~one (1) residence per 5 acres. Transfers of development to off site properties may be authorized~~
241 ~~where a greater percentage of open space is desired and compensatory enhancement to assure~~
242 ~~permanent value to the land is appropriate.~~

243 C. Low Density Residential: 1.5 ERU/net developable acres. Areas suitable for low density
244 developments with substantial open space to provide protection and preservation of wetlands,
245 stream corridors, flood plains, ridge lines, wildlife habitat, view corridors, hillsides, and aesthetic
246 attributes. ~~A variety of housing types and styles, and flexibility is allowed.~~

- D. Medium Density Residential: 2.5 ERU/net developable acre. Clustered, master planned developments are encouraged in this district. Interconnected open space amenities through developments of this type assist shall be used to create conservation of stream corridors, view sheds and ridge lines as well as ~~development of a contributing to the~~ Jordanelle Basin trail system.
- E. High Density Residential: 3.25 ERU/net developable acre. This area ~~allows a variety of housing types, with~~ requires proximity to schools, shopping areas, and major recreational facilities. This district can also be used as a transitional area between commercial uses and lower density residential areas.
- F. Mixed Use Commercial: Eight (8) ERU/net developable acre. Designed to provide a mixture of compatible, interrelated uses within a community. Mixed-use requires that the uses be in the same or interconnected buildings or in immediate proximity to one another within a parcel or parcels owned by the same property owner that are zoned mixed-use. ~~For example, small offices are compatible in the same building as housing (horizontal mixed use). Housing can also be provided above shops and offices (vertical mixed use). Offices can be located above shops.~~ These mixed-uses can come in a number of combinations. ~~Hotels are also allowed within this category.~~
- G. Neighborhood Commercial: Neighborhood commercial centers shall provide for a limited range of commercial uses to meet the shopping needs of the residents in the adjacent neighborhoods. Businesses are to be oriented to the neighborhood and compatible with surrounding residential uses. ~~Examples may include convenience stores, bakery, variety store or child care centers.~~ Minimum site area: Twenty thousand (20,000) square feet; Maximum building footprint size: Three thousand five hundred (3,500) square feet; Maximum building square foot/site ratio: Thirty five percent (35%).
- H. Community Commercial ~~Uses:~~ Community Commercial uses ~~include including~~ general retail centers providing for general retail, service and recreation-oriented commercial uses intended to serve the basin as a whole. ~~This designation allows limited commercial uses to serve the community. Preferred uses include business support services, financial services, health care services, personal services, professional offices, repair services, veterinary clinics, and business or vocational schools. Hotels are also allowed within this category.~~ Special consideration shall be directed to traffic generation, visual impacts, surrounding natural features, parking, lighting, landscaping and architecture. ~~Proposed development shall screen and minimize external impacts. Proposed developments shall preserve and enhance natural features, and~~ Coordination coordinate and the clustering of all Community Commercial Uses ~~is required~~. Development standards and review criteria are specifically intended to prohibit strip development and encourage high amenity, low impact commercial areas. Minimum site area: Forty thousand (40,000) square feet. Maximum building footprint size/site ratio: Twenty five percent (25%) Maximum building square foot/site ratio: Thirty five percent (35%)
- I. Community/Civic Facilities: As the needs arise.

16.21.06: OPEN SPACE

- A. When open space is required as part of a development approval or where open space is used to comply with another land use ordinance, the open space shall meet the following minimum criteria in addition to any other criteria specified under the applicable land use section:
1. Open space areas shall be protected by a recorded conservation easement enforceable by the county;

2. Open space areas shall be a minimum of twenty (20) feet at the narrowest point unless otherwise permitted by the applicable land use ordinance. The county may require a larger size if the open space serves other purposes, such as utility or trail corridors, that require a larger size;
3. Open space areas shall be a minimum of 0.2 acres in size and shall not be small isolated remnant parcels that are not contiguous with larger open space parcels.

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16.21.08: ACCESSORY BUILDINGS STRUCTURES

- A. Accessory ~~Building-Structure~~ Permit Requirement: Accessory buildings ~~(regardless of their use)~~ over two hundred (200) square feet, must apply for a building permit ~~except as provided below: in accordance with 16.01.07 unless specifically exempt through a provision of this Title.~~

~~Agricultural buildings which are exempt under Utah Code 15A-1-204, as amended, from receiving a building permit are also exempt from this section except they require a site plan approval from the planning department. The site plan must include the location of the structure on the property including dimension to all property lines and all existing and proposed structures on the property and adjoining properties.~~

1. High Tunnels Greenhouses are exempt from regulations in accordance with Utah ~~State~~ Code 10-9a-525 for municipalities and any other updates to state code with the following stipulations:
- Building codes and land use codes do not apply.
 - No permit or application shall be required.
 - Setbacks shall be sufficient to maintain drainage on-site.
 - Shall be located behind the rear façade in the rear yard if there is a dwelling on the site.
 - Shall be out of any clear view area as defined by County code.
 - Shall have a minimum of a 30' setback from any road.

- B. Accessory Buildings Prohibited As ~~Living Area Dwelling Unit~~: ~~Living and sleeping quarters Dwelling Units, as defined in 16.04,~~ shall not be permitted in any accessory building unless approved as a guest ADU or caretaker ADU.

- C. Accessory Buildings; Time Of Construction: No accessory building may be constructed until a main dwelling, or primary structure in the case of a commercially zoned property, has been constructed thereon or a main structure ~~that~~ has received a building permit.

- D. Detached Accessory Structure Setbacks: Accessory structures shall be separated from all primary dwellings or structures by a minimum of ten feet (10') and shall meet all setbacks applicable to the primary structure except as noted below: If accessory buildings are located in the front or side yard, the required setbacks as stated in the individual zone shall be required.

- An accessory building that does not contain an ADU may be located in a rear yard ~~may be located~~ ten feet (10') from the rear property line and/or side property line only if all roof drainage is retained on the subject lot or parcel.
- Structures Housing Animals: The distance from any accessory building that houses animals shall be a minimum of one hundred feet (100') from a road right of way, fifty ~~feet~~ (50') from all other property lines not adjacent to a road, and one hundred feet (100') from any existing dwelling ~~on or off~~ off-site.

- ~~D-E.~~ Shipping Containers: Shipping containers are not allowed as accessory storage buildings, with except when the following requirements are met:

- Shall be maintained with a neutral earth tone color.

2. Shall be on a lot with a minimum lot size of five (5) acres.
3. Shall meet all ~~setback~~ requirements for accessory structures listed herein, including, but not limited to height, setbacks, and timing of construction standards.
4. Shall only be in the rear yard regardless of lot size.

...

16.21.11: HEIGHT OF BUILDINGS

- A. Minimum Height Of Buildings: No dwelling shall be erected which has a ceiling height of less than eight feet (8') above the average level of the ground on which the dwelling is located.
- B. Maximum Height:
1. Churches: Churches are a conditional use in all zoning districts. In the event that a conditional use is granted for a greater height than is permitted in the zone, additional setbacks may be required.
 2. Structures Not For Human Occupancy: Chimneys, flagpoles, clock towers, church towers and similar structures not used for human occupancy or industrial uses, are excluded in determining height, except as specifically otherwise required in this title.
 3. Residential Structures: Height of residential structures are contained in the individual zones.
- C. Compliance Statement: A statement on a building permit application or other form provided by the County that actual construction will comply with applicable local ordinances and building codes, or a statement substantially similar to that required under UCA 17-36-55 (2021, as amended), will be interpreted as an affirmative statement that the structures applied for will comply with the height restrictions under this title, and the setback restrictions under this title, in addition to other local ordinances and building codes. It shall be signed by the responsible party as part of the building permit application. The responsible party is responsible to make any changes to the improvements necessary to correct violations of the compliance statement.

16.21.12: PROCEDURES FOR BUILDING PERMITS WITH REGARD TO MAXIMUM HEIGHT AND SETBACKS~~RESERVED~~

~~Compliance Statement: A statement on a building permit application or other form provided by the County that actual construction will comply with applicable local ordinances and building codes, or a statement substantially similar to that required under UCA 17-36-55 (2021, as amended), will be interpreted as an affirmative statement that the structures applied for will comply with the height restrictions under this title, and the setback restrictions under this title, in addition to other local ordinances and building codes. It shall be signed by the responsible party as part of the building permit application. The responsible party is responsible to make any changes to the improvements necessary to correct violations of the compliance statement.~~

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16.21.16: EXTERIOR LIGHTING REGULATIONS

...

- I. Lighting Standards:

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- 377 3. Lighting application illuminance limits:
- 378 a. Exterior lighting required by the version of the International Building Code (IBC)
- 379 version incorporated by reference in Section 7.04.01 as adopted in Wasatch County
- 380 Code Chapter 14.01, including but not limited to points of egress and along the
- 381 path of travel for the exit discharge from each exit to the public way, shall employ
- 382 illuminances that adhere to, but not exceed, the IBC-required values.

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384 **16.21.27: SINGLE-FAMILY DWELLINGS DESIGN STANDARDS**

- 385 A. Single-family dwellings shall be constructed on permanent foundations.
- 386 B. The roof of each single-family dwelling should be varied and articulated but may have the majority
- 387 of the roof flat as long as positive drainage is demonstrated during the building permit process.
- 388 There shall be an overhang at the eaves of not less than twelve inches (12"). ~~Parapet~~Parapet walls
- 389 are not permitted for single family residential homes.
- 390 C. Each single-family dwelling shall not be less than twenty feet (20') in depth at the narrowest point.
- 391 The depth shall be considered to be the lesser of the two (2) primary dimensions of the dwelling,
- 392 exclusive of attached garages, bay windows, room additions or other similar appendages.

393 ...

394 **16.21.38: ~~PLATTED SUBDIVISION~~RESERVED**

395 ~~Prior to commencing any construction work within a platted/recorded subdivision or development, an~~

396 ~~engineered plan shall be submitted for review and approval by the engineering, planning or other Wasatch~~

397 ~~County departments that are responsible for approving developments in the county.~~

398 ...

399 **16.21.42: SOLAR PANELS**

- 400 A. Purpose: The purpose of this section is to regulate the permitting of solar panels for personal use
- 401 and encourage renewable energy practices with minimal regulation while mitigating negative
- 402 effects.
- 403 B. Flush mounted roof solar panels are allowed as a permitted use in any zone as long as the panels
- 404 are mounted flush (or minimum parallel separation allowed for cooling) with the roof and are a
- 405 maximum of four feet (4') thick.
- 406 C. Structured roof mounted solar panels are a conditional use in any zoning district. "Structured
- 407 panels" are defined as a panel that does not mount flush with the roof, but has some type of structure
- 408 to change the angle of the panel.
- 409 D. Freestanding solar panel structures under 300 square feet are a permitted use in any residential
- 410 zoning district, with the following regulations:
- 411 1. A maximum height of fifteen feet (15') from natural grade.
- 412 2. A maximum area of three hundred (300) square feet.
- 413 3. The solar panel structure shall meet all the setback requirements for an accessory structure
- 414 as required in section 16.21.08 of this title.

- E. Free standing solar panel structures larger ~~than~~ 300 square feet ~~as described in section (4) above~~ shall be ~~as administrative~~ conditional use ~~(see section 16.23.03)~~ in any residential zone with the following additional regulations:
- ~~In order to exceed the 300 square foot maximum in (4), t~~The lot will need to be at least 1 acre in area.
 - The structure is limited to a maximum height of fifteen feet (15') from natural grade.
 - The solar panel structure shall meet all the setback and location requirements for an accessory structure as required in 16.21.08.
 - There must be a main dwelling on the site.
 - ~~The structure should be placed in the rear yard of the lot. Side yards, behinds the front facade of the main dwelling, can be used if necessary for greater sun exposure.~~
 - ~~5.~~ Structures and panels should be out of view from the street whenever possible and should not block sightlines or be a reflective nuisance.
 - ~~7.6.~~ The structure should be appropriately sized to power only the structures on the property. Submittals need to include calculations of energy usage for the property and power output of the system.
 - ~~8.7.~~ Where possible, panels should first be placed on the dwelling and accessory structures on the lot rather than free standing structures. All applications for free-standing solar panels shall include a detailed explanation of why the panels must be free-standing as opposed to being roof mounted on a dwelling or accessory structure.
- F. Solar panels require a building permit in all cases.

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16.21.46: INTERNAL ACCESSORY DWELLING UNITS (IADU), CARETAKER ACCESSORY DWELLING UNITS, AND, GUEST UNITS

- A. Purpose: the purpose of this section is to provide reasonable accommodations for family members, guests, caretaker employees or long term tenants of residents of the County that live in the main dwelling on the site. All stated uses are secondary to the main use and are not intended to significantly increase density, traffic, sewer and water impacts or other impacts to the neighborhood or greater community on a permanent basis. A single-family zoning district's primary use shall remain single-family. Regulations limiting square footage, aesthetics, parking and uses are intended to maintain the character of a single family neighborhood. ~~The allowance of an IADU is intended to provide options for affordable housing and not additional short term rental options. The intent of this ordinance allowing IADU's is for them to be within close proximity to services and not in remote areas of the County. Remote areas of the County are not primarily used for residential purposes and will not be allowed IADU's.~~
- B. ...
- C. Internal Accessory Dwelling Units (IADU's) IADUs are only allowed in compliance with the following restrictions. The allowance of an IADU is intended to provide options for affordable housing and not additional short term rental options. The intent of this ordinance allowing IADU's is for them to be within close proximity to services and not in remote areas of the County. Remote areas of the County are not primarily used for residential purposes and will not be allowed IADU's.
- ...

9. A building permit issued by Wasatch County is required for any IADU.

- 459 ~~9.10.~~ The IADU must fit in with the neighborhood aesthetically, and the primary
460 dwelling must appear to be single family detached dwelling. Impacts, if any, should not
461 detract from the residential nature of the neighborhood.
- 462 ~~10.11.~~ A Guest ADU may be converted into an IADU, if it conforms to this section, ~~but~~
463 ~~an IADU may not also be placed in a primary dwelling which has a Guest ADU.~~
- 464 ~~11.12.~~ The IADU shall not be rented for less than 30 consecutive days.
- 465 ~~12.13.~~ A business license shall be obtained by the primary owner of the property, unless
466 they sign a legal declaration which states they are not renting the IADU, and will obtain a
467 business license if they do start renting the IADU.
- 468 ~~13.14.~~ A deed restriction shall be filed by the applicant on a form provided by the
469 county that prohibits the sale, condominiumization, subdivision, or separation of the
470 IADU as a separate parcel of property (an illegal subdivision of property) prior to
471 receiving a certificate of occupancy. It shall state the IADU will not be rented for periods
472 of less than 30 consecutive days. It shall state and that the owner is required to maintain a
473 business license at any time the IADU is rented. ~~The application must prove the~~
474 ~~recorded deed restriction on a form provided by the County to the planning department~~
475 ~~prior to occupancy being granted.~~
- 476 D. Guest Accessory Dwelling Units (Guest ADU's): Guest ADU's are only allowed upon issuance of
477 a conditional use permit in the compliance with the standards of Chapter 16.23 and the following
478 additional restrictions:
- 479 ~~1.—The proposal must receive a conditional use permit.~~
- 480 ~~2.1.~~ Maximum size of an attached guest ADU if in a basement may be the full area of the
481 basement or if above ground limited to one thousand (1,000) square feet in size. A
482 detached guest ADU may be a maximum of (1,000) square feet or if placed within a
483 larger accessory structure (such as a garage, barn, or arena) the living space of the guest
484 ADU shall be limited to one thousand (1,000) square feet in size.
- 485 ~~3.2.~~ A guest ADU shall not be rented.
- 486 ~~4.3.~~ No more than one guest ADU may be permitted on a single lot or parcel, the parcel may
487 not have an IADU or a caretaker ADU.
- 488 ~~5.4.~~ A guest ADU shall not be allowed on any parcel or subdivision that is considered non-
489 conforming for any reason or lots that are considered non-conforming lots of record.
- 490 ~~6.5.~~ The minimum lot size for a guest ADU is one acre if on sewer and 5-acres if on septic
491 unless the underlying zone requires a larger acreage.
- 492 ~~7.6.~~ Height of structure, setbacks, and location on property shall conform to all applicable
493 county zoning codes.
- 494 ~~8.7.~~ A guest ADU must be connected to a public sewer system or an on-site septic system if
495 5-acres or more. If connected to an on-site septic system, special conditions may be
496 imposed by the Wasatch County health department to protect the surface water and
497 groundwater quality from increased degradation above that of single residence on the
498 property. This may include the use of an alternative on site system for nitrogen reduction,
499 compliance with R317-4-4.2 method 1 for determining lot size, or other property specific
500 requirements. The Health department may also not approve the additional load on the
501 septic system, in which case the conditional use shall be denied.
- 502 ~~9.8.~~ Required utilities (water, sewer, power) shall be connected through the same connections
503 and hookups as the main residence. No separate meters are allowed.
- 504 ~~10.9.~~ The guest ADU may not be sold or separated from the entire property unless the
505 property is legally subdivided with official approval of the county.
- 506 ~~11.10.~~ A deed restriction shall be filed by the applicant on a form provided by the
507 county that prohibits the rental, sale, condominiumization, subdivision, or separation of
508 the guest ADU as a separate parcel of property (an illegal subdivision of property) prior

- to receiving a certificate of occupancy. ~~The applicant must provide the recorded deed restriction on a form provided by the County to the planning department prior to occupancy being granted.~~
- ~~12.11.~~ 11. All parking for the guest ADU shall be provided on the property, and not on the public road.
- ~~13.12.~~ 12. Applicants must ~~receive~~ provide a letter of approval ~~from the County water board and will need to submit approval~~ from the state engineer (for a private well) or public water provider (for public system) for additional water requirements.
- ~~14.13.~~ 13. A building permit issued by Wasatch County is required for any guest ADU.
- ~~15.14.~~ 14. Applications for detached guest ADU on a lot within a subdivision regulated by a homeowners' or property owners' association shall submit official written notice from said POA or HOA stating that the proposed guest ADU is allowed by subdivision regulations, covenants, and also submit approval from the HOA architectural committee if required.
- ~~16.15.~~ 15. The exterior appearance of a newly constructed ADU shall fit in with the neighborhood aesthetically and comply with detached single family home requirements and any other applicable code requirements, and shall be structurally built using materials and designs similar to existing dwellings on the parcel though more modern materials may be used in the event that the materials used on existing dwellings cannot meet building code requirements.
- E. Caretaker Accessory Dwelling Unit (Caretaker ADU's): Caretaker ADU's are only allowed upon issuance of a conditional use permit in compliance with the standards of Chapter 16.23 and the following additional restrictions:
- ~~1. The caretaker accessory dwelling unit must be clearly incidental to the main residence.~~
- ~~2. The caretaker ADU must receive a conditional use permit by the Planning Commission.~~
- ~~3.1.~~ 1. There is no maximum size limit for the caretaker ADU, however, the caretaker ADU must clearly be incidental to the main use in size, location, and appearance.
- ~~4.2.~~ 2. The parcel must be a minimum of 10 acres and in compliance with the underlying zone.
- ~~5.3.~~ 3. Legally non-conforming lots or lots of record cannot have a caretaker dwelling.
- ~~6.4.~~ 4. Approved transient lodges on 10 acres or more may have caretaker dwellings.
- ~~7.5.~~ 5. A caretaker ADU may be placed within a larger detached accessory structure (such as a garage, barn, or arena, ~~etetc.~~).
- ~~8.6.~~ 6. No more than one caretaker ADU may be permitted on a single lot or parcel.
- ~~9.7.~~ 7. Height of structure, setbacks, and location on property shall conform to all applicable county zoning codes.
- ~~10.8.~~ 8. A caretaker ADU must be connected to a public sewer system or an on-site septic system. If connected to an on-site septic system, special conditions may be imposed by the Wasatch County health department to protect the surface water and groundwater quality from increase degradation above that of a single residence on the property. This may include the use of an alternative on site system for nitrogen reduction, compliance with R317-4-4.2 method 1 for determining lot size, or other property specific requirements. The Health department may also not approve the additional load on the septic system. In which case the conditional use shall be denied.
9. Required utilities (irrigation, water, sewer, power, gas) are encouraged to be connected through the same connections and hookups as the main dwelling unit. If possible no separate meters should be used for utilities, including water, gas or power unless required by the utility provider and approved by the planning commission and use authority as part of the conditional use.
- ~~11.10.~~ 10. Impact fees will apply for a detached caretaker dwelling.
- ~~12.11.~~ 11. The caretaker ADU may not be rented, leased, sold or separated from the entire property. A deed restriction shall be filed by the applicant on a form provided by the

county that prohibits the rental, sale, condominiumization, subdivision, or separation of the caretaker ADU as a separate parcel of property (an illegal subdivision of property). The deed restriction shall recite that in the event that the caretaker ADU is not used by a caretaker for farming or ranching operations, property maintenance, security, the caretaker ADU is rented, or the property is subdivided so the acreage is below the required 10 acre minimum the conditional use shall be forfeited. ~~The improvements allowed by the conditional use shall be subject to the conditions of section 16.23.~~

~~13.12.~~ All parking for the caretaker ADU shall be provided on the property, and not on a public road, and shall be subject to any additional requirements of section 16.33.

~~14.13.~~ A caretaker ADU will need to submit for approval from the county water board for additional water requirements that may be necessary to supply water to the caretaker ADU.

~~15. A building permit issued by Wasatch County is required for any caretaker ADU.~~

~~16.14.~~ A main residential structure must accompany a caretaker ADU structure. A caretaker ADU may be constructed prior to the main structure with the following conditions:

- a. The main residential unit must start construction within 5-years of receiving a certificate of occupancy for the caretaker ADU.
- b. If the main residential structure has not started construction within the 5-year period, the conditional use shall be null and void and the applicant will need to apply for a new conditional approval under the current code.
- c. If the code at the time of the application does not allow for a caretaker dwelling, the unit on the property will be considered the main dwelling.

~~17.15.~~ Applications for a detached caretaker ADU on a lot within a subdivision regulated by a homeowners' or property owners' association shall submit official written notice from said POA or HOA stating that the proposed caretaker ADU is permitted by subdivision covenants and regulations, and also submit approval from the HOA architectural committee if required. The exterior appearance of a newly constructed caretaker ADU shall fit in with the neighborhood aesthetically. Caretaker dwellings shall comply with the standards for single family homes and all other ordinance regulations, and shall be structurally built using materials and designs similar to existing dwellings on the parcel though more modern materials may be used in the event that the materials used on existing dwellings cannot meet building code requirements.

~~18.16.~~ The planning commission must make a determination that the property proposed to have a caretaker ADU has a justification cause for the caretaker ADU for a use specifically allowed under this section 16.21.46.

...

16.27.15: GRADING-ENGINEERING PERMITS

A. A grading ~~or subdivision construction~~ permit shall not be issued for any ~~on-on~~-site work of a proposed development, until such a time as the ~~planning commission~~land use authority shall grant final approval for the development.

A-B. Prior to commencing any construction work within a platted/recorded subdivision or development, an engineered plan shall be submitted for review and approval by the engineering, planning or other Wasatch County departments that are responsible for approving developments in the county.

...

606 **16.27.16: FLAG LOT STANDARDS**~~RESERVED~~

607 Flag lots are not encouraged, but may be approved as part of a development if the following standards are
608 met (see section 16.37.01, figure 1, of this title for flag lot example):

- 609 ~~A. Flag lots shall have a minimum of fifty feet (50') of frontage on a road built to county standards.~~
610 ~~B.A. The acreage contained within the "flag" portion of the lot must meet the minimum lot~~
611 ~~size requirements without considering the acreage contained within the "pole" area.~~
612 ~~C.A. The length of the "pole" area may not exceed two hundred fifty feet (250'), and may~~
613 ~~require special conditions relating to fire safety, including special fire turnaround areas, sprinklers~~
614 ~~or other requirements set by the fire marshal for safety reasons.~~
615 ~~D.A. Setback requirements for front setbacks must be counted only from the front edge of the~~
616 ~~"flag" portion without considering any of the "pole".~~
617 ~~E.A. Side setback requirements may be set as a condition considering whether the "pole" area~~
618 ~~is likely to be needed as a road through the property to reach other properties or other roads. This~~
619 ~~shall be considered at the time of creation of the lot itself, as well as at the time of the request for~~
620 ~~the building permit.~~
621 ~~F.A. The "pole" portion of the lot shall be part of the lot and not an easement.~~
622 ~~G.A. A flag lot cannot be created from a illegally divided lot or an existing platted subdivision.~~
623 ~~H.A. A maximum of ten percent (10%) of the overall development may be flag lots.~~
624 ~~I.A. Flag lots are only allowed in areas where topography does not allow all lots to have the required~~
625 ~~frontage on a road. Flag lots in flat areas will not be allowed.~~
626 ~~J.A. Any land area contained within the "pole" that is not part of the access road must be landscaped~~
627 ~~and maintained in an attractive manner. A plan must be submitted to the planning department and~~
628 ~~approved as part of the conditional use request.~~
629 ~~K.A. The shape of a flag lot must be approved by the planning department as part of the~~
630 ~~conditional use approval. Doglegs and jagged, irregular shapes are not acceptable.~~
631 ~~L.A. Driveways shall be a minimum of twenty feet (20') wide with compacted road base.~~

632 **16.27.17: SHAPE OF LOTS**

- 633 A. Lot lines shall generally be perpendicular with the street and run radially away from the street.
634 Odd shaped lots will not be allowed except that the land use authority may allow lot lines to
635 follow natural features such as ridgelines or stream channels so long as all other dimensional
636 requirements are being met.
- 637 ~~B.A. Double fronted lots will not be allowed, except in situations where access is not allowed~~
638 ~~onto a major collector, as described in the master street plan.~~
639 ~~1. A lot is not considered double fronted if there is a minimum of a twenty (20) foot deep~~
640 ~~open space area running the entire length between the rear property line of the lot and the~~
641 ~~right-of-way. Open space areas shall conform to the requirements of 16.21.06.~~
- 642 B. Flag lots are not ~~encouraged~~ permitted, but may be approved at the discretion of the land use
643 authority as part of a development if the following standards are met (see section 16.37.01, figure
644 1, of this title for flag lot example):
- 645 1. Flag lots shall have a minimum of fifty feet (50') of frontage on a road built to county
646 standards.
647 2. The acreage contained within the "flag" portion of the lot must meet the minimum lot
648 size requirements without considering the acreage contained within the "pole" area.

3. The length of the "pole" area may not exceed two hundred fifty feet (250'), and may require special conditions relating to fire safety, including special fire turnaround areas, sprinklers or other requirements set by the fire marshal for safety reasons.
4. Setback requirements for front setbacks must be counted only from the front edge of the "flag" portion without considering any of the "pole".
5. ~~Larger~~ Side setback requirements may be set as a condition considering whether the "pole" area is likely to be needed as a road through the property to reach other properties or other roads. This shall be considered at the time of creation of the lot itself, as well as at the time of the request for the building permit.
6. The "pole" portion of the lot shall be part of the lot and not an easement.
7. A flag lot cannot be created from an illegally divided lot or an existing platted subdivision.
8. A maximum of ten percent (10%) of the overall development may be flag lots.
9. Flag lots are only allowed in areas where topography does not allow all lots to have the required frontage on a road. Flag lots in flat areas ~~with a natural grade of less than 510%~~ will not be allowed.
10. Any land area contained within the "pole" that is not part of the access road must be landscaped ~~as part of the development application~~ and maintained in an attractive manner. ~~A plan must be submitted to the planning department and approved as part of the conditional use request.~~
11. ~~The shape of a flag lot must be approved by the planning department as part of the conditional use approval. Doglegs and jagged, irregular shapes are not acceptable.~~
12. Driveways shall be a minimum of twenty feet (20') wide with compacted road base. ~~Hard surface pavement may be required if necessary for building or emergency services.~~

16.27.18: FRONTAGE

Every lot shall have frontage on a public road or private road built to county standards, for a distance as required by the zone in which the property is located, except as follows:

- A. Cul-De-Sac Lots Or Lots On Inside Curves: Lots that front on the bulb of a cul-de-sac or an inside curve shall have a minimum frontage of seventy feet (70') at the right of way line, and the minimum lot width required for the particular zone or development type, at the required setback line. In order to qualify for this reduced frontage requirement, at least seventy five percent (75%) of the frontage of the lot must be contained within the bulb of the cul-de-sac, or inside curve. (See section 16.37.10; ~~figure 10~~, of this title.)
- B. Double fronted lots will not be allowed, except in situations where access is not allowed onto a major ~~or minor~~ collector, ~~arterial or state highway~~, or as described in the master street plan.
 1. A lot is not considered double fronted if there is a minimum of a twenty (20) foot deep open space area running the entire length between the rear property line of the lot and the right-of-way. Open space areas shall conform to the requirements of 16.21.06 ~~and shall not be created solely for the intent of complying with this section.~~

16.27.21: BONDS GUARANTEEING CONSTRUCTION OF IMPROVEMENTS

A. Definitions:

LANDSCAPING: Landscaping, as used in this section, is required landscaping that will be

dedicated to and maintained by the County, or are associated with and proximate to trail improvements that connect to planned or existing public infrastructure.

PERFORMANCE BOND: An instrument, in a form approved by the county, with a sum not fixed as a penalty binding the developer to the county, to complete certain actions according to the standards in this code ~~and the Wasatch County standards handbook~~, and any other applicable regulation or condition imposed by the county as a condition of approval including any common amenities, improvements on development parcels or common area improvements or amenities approved that allowed additional density; conditioned, however, that the payment of the penalty may be avoided by the performance by the developer of the acts agreed to in the bond documents.

WARRANTY BOND: An instrument, approved by the county, with a sum fixed guaranteeing the quality and/or conformance of completed and accepted improvements or other promised performance according to the standards in this code, ~~the Wasatch County standards handbook~~, and any other applicable regulation or condition imposed by the county as a condition of approval.

- B. Performance Bonding Required: For ~~subdivision construction permits, the performance bonding requirements of 14.02.04 must be complied with. A~~ Subdivision Construction Permits, a performance bond shall be posted with Wasatch County prior to any final approved plat being ~~released by the planning department for recording, or any development activity, recorded~~ in a principal amount of one hundred percent (100%) of the total estimated cost of any improvement or other performance required by or promised to Wasatch County as part of the development, provided the improvements or other performance are not completed and accepted by Wasatch County prior to any final approved plat being ~~released by the planning department for recording, recorded~~. The bond must include protection for the county legislative body, must meet county standards ~~or and~~ county code. The bond shall consist of cash, and the bond agreement shall be on a form approved by the ~~county attorney~~ County Attorney. The Bond Agreement shall require the infrastructure improvements necessary for building codes and fire codes to be met and continue to be met using standard ~~maintenance management~~ practices and frequency in the Wasatch Back, to be completed before building permits can be issued. The County Manager, in his sole discretion, may accept a letter of credit from an FDIC insured financial institution, ~~or an eserow as approved by the County~~. Any letter of credit must expire not less than 1 year after the reasonably anticipated completion date of the improvements, at as determined in the discretion of the ~~county engineer~~ planning director. If the performance bond remains in effect for more than a year, the developer shall annually provide an updated cost estimate, and shall bond for any additional costs. The bond, including any ~~eserow or~~ letter of credit, must be subject to the laws of the State of Utah and Wasatch County, and must provide the ~~forum form~~ of Wasatch County. The bond may name the developer or the contractor as the "principal". Each bond shall be accompanied by a bond agreement between the developer, contractor, county and financial institution (if applicable and necessary). In no event shall the County be responsible to complete bonded for improvements, in part, because the Utah Code has limited the ability of the County to adequately ensure the completion assurance will be adequate to complete the bonded for improvements, though the County may, in its sole discretion, complete bonded for improvements. The estimated cost shall be based upon the estimate of the ~~county engineer (typically for infrastructure) or the~~ planning director (typically for landscaping), who shall take into account some or all of the following factors when making his-their estimate:
1. The developer's ~~engineering estimate or~~ landscaping estimate;
 2. The estimate of any reviewing ~~engineer-landscape architect~~ or other qualified reviewer;
 3. The average cost paid for the same type of performance in Wasatch County in the past; and

- 742 4. Any other relevant information. ~~If the performance bond remains in effect for more than~~
743 ~~a year, the developer shall annually provide an updated cost estimate, and shall bond for~~
744 ~~any additional costs.~~
- 745 C. Failure Of Performance, Extension Of Time: In the event that any performance required by a
746 performance bond is not completed within the time period allowed for under the performance
747 bond, the developer may petition the county for an extension of time in which to complete the
748 required performance. A one year extension of time may be granted by the county upon
749 application by the developer and upon a showing of good cause and diligent effort by the
750 developer to complete the required improvements within the required period, provided such
751 application is submitted at least sixty (60) days prior to the expiration of the performance bond,
752 and the issuer of the bond is willing to extend the time of the assurance. ~~The bond amount shall~~
753 ~~be increased ten percent (10%) for each year extension granted by the county.~~ If at the end of the
754 performance bond term, the county determines that the required improvements or other promised
755 performance has not been completed according to Wasatch County standards and other
756 requirements placed upon the developer, the county, in its sole discretion may:
- 757 1. Refuse to accept the improvements or other performance and require the developer to
758 bring the improvements or other performance to county standards; and
 - 759 2. Receive any part of the bond which is necessary to complete the promised performance
760 or to repair any inadequate performance and proceed with work to bring the performance
761 to county standards.
- 762 D. Warranty Bonding: A warranty bond in the amount of ten percent (10%) ~~warranty bond of either~~
763 ~~the county planning director's approved estimate of completion, or the actual cost of completing~~
764 ~~the Landscaping,~~ is required for the County to accept or approve any required improvement, or
765 prior to allowing a final plat to be recorded that includes required Landscaping. The warranty
766 bond shall be cash. The bond shall be valid for a period of one year from the time of final
767 acceptance ~~or approval of the improvements construction~~ to guarantee compliance with the
768 requirements of this chapter, but may be for up to two years ~~for infrastructure improvements~~ if
769 the County Manager or ~~engineering coordinator~~ planning director finds good cause. The bond
770 shall be released upon approval of the ~~engineering coordinator and the County Manager (typically~~
771 ~~for an infrastructure improvement), or by the~~ planning director ~~(typically for landscaping).~~ The
772 warranty bond shall be on a form approved by the County Attorney. In some cases, the warranty
773 bond will be on the same document as the performance bond. The warranty bond must provide
774 that in the event the completed and accepted improvements or other promised performance
775 covered by the bond fail, are not structurally sound, or are found to be less than the accepted
776 standard during the term of the bond, that the county has the right to require repair and/or
777 replacement, and in the event of failure by the developer to adequately respond, the county shall
778 have the right to recover against the warranty bond and repair or replace the covered
779 improvements or other promised performance. ~~The warranty bond shall be in the amount of ten~~
780 ~~percent (10%) of the lower of: i) the actual cost of the required improvement or other promised~~
781 ~~performance, or ii) the county engineer's original estimated cost of completion.~~ In the event the
782 performance and warranty bond are on the same document, the performance bond may not be
783 released for an amount lower than the amount required for the warranty bond.
- 784 E. Partial Release Of Bonds (Bond Reduction): ~~1-~~ The county may approve partial bond releases
785 (bond reductions) of the performance bond prior to final release. Each release must be approved
786 by ~~all of the following: the~~ county planning director, ~~county engineering director,~~ county manager
787 and county attorney. ~~When the number of releases exceed two (2), Partial releases shall be~~
788 ~~assessed~~ a two hundred dollar (\$200.00) fee ~~will be assessed~~ for each release ~~thereafter~~ to cover
789 any administrative costs. The releases approved by the county shall not exceed the contractor's
790 bond and shall not exceed the percentage of work completed and, at no time prior to final
791 acceptance or approval of the improvements by the county, may the total amount of the bond be
792 allowed to be reduced lower than the greater of: a) one hundred ten percent (110%) of the value

of the county manager or ~~engineering coordinator's estimate of the incomplete infrastructure improvements or~~ the planning director's estimate of other promised performance; or b) the amount required by the warranty bond in the event the performance bond and warranty bond are on the same document. Until complete, the County shall maintain a balance of a minimum of 25% of the total bond amount.

- F. Approval Of Bonds: Any bond submitted to the county pursuant to this section must be on a form approved by the county, ~~which form will be available from the county~~ attorney's office, submitted to the county department requesting the bond and approved by the county as meeting the requirements of this code. Property bonds will not be acceptable in any form.
- G. Required Time Period For Performance: All improvements must be completed by the date set in the bond according to county approved plans and specifications unless the ~~county manager or engineering coordinator for infrastructure improvements, or~~ the planning director ~~for other improvements,~~ agrees in writing to extend the duration. Any ~~escrow, or~~ letter of credit shall be extended to match the revised anticipated completion date, and in no event shall expire prior to the bonded for improvements being completed and approved by the county. It is the express obligation of the developer and/or contractor to either complete the improvements before the performance bond expires, or, in the case of a warranty bond, to repair and/or replace the substandard improvements before the warranty bond expires, or to provide the county with a new bond and bond agreement approved by the county to guarantee and/or warrant the improvements. The new bond and bond agreement must be provided to the county one year in advance of the expiration of the performance bond, or one month before the expiration of the warranty bond. It shall not be a defense to the validity of the bond or bond agreement that the time to perform as listed in the bond or bond agreement has expired. The obligations in the bond and bond agreement shall continue until such time as the applicable statute of limitation expires under Utah law.
- H. Supervision And Inspection: A representative of the county may, from time to time, enter onto the property to inspect or cause to be inspected all work done which is covered by a performance or warranty bond. No advance notification is required to be given to the developer and/or contractor. If the developer/contractor requests that the county inspect the project, notification shall be given to the inspector at least forty eight (48) hours prior to the request. The performance or warranty bond shall not be released without an inspection by the county to determine whether the improvements are complete, meet county standards, are structurally sound, and need to be repaired or replaced and whether all applicable provisions of this title are satisfied.
- I. Improvements Covered By Bonds: Bonds may be requested for any improvements required by Wasatch County standards, this code, the development review committee, planning staff, the county engineer, the weed control board, the planning commission ~~and or~~ the county council. These improvements may include ~~on-on-site~~ and ~~off-off-site~~ improvements, including, but not limited to, roads, curb and gutter, storm drains, sewer, water, street lighting, signs, sidewalks, landscaping, open space, fencing, amenities, weed control, parks and trails.
- J. No Third Party Rights: All performance and warranty bonds and agreements are between the county, developer (or contractor if applicable) and financial institution. No other party shall be deemed a third party beneficiary or have any rights under this section or any bond or agreement entered into pertaining to performance and warranty bonds. Any other person or entity, including, but not limited to, owners of individual units or lots, shall have no right to bring any action under and performance or warranty bond or agreement as a third party beneficiary or otherwise.

...

839 **16.27.29: ROADS AND INTERSECTIONS**

840 A. New Streets To Be Dedicated: All new streets which are to be dedicated and accepted by the
841 county or which are required as a condition of approval for any development must be built to
842 current county road standards. Streets shall be planned as public streets unless approval is given
843 for a private street as part of the approval for the development. Private streets will rarely be
844 approved for purposes of gating a community for exclusivity. Private streets may only be
845 approved when the findings show a valid purpose that serves the general public as a whole.
846 Private streets shall be dedicated to the homeowners' association.

847 ~~B. Street/Block Length/Through Street Requirements:~~ Maximum block lengths shall be one
848 thousand three hundred feet (1,300') and minimum block lengths shall be four hundred feet
849 (400'). Block lengths shall be measured from ~~existing streets~~ center of intersection to center of
850 intersection. ~~Street Lengths:~~ If permitted, Cul-de-sacs shall not exceed one thousand three
851 hundred feet (1,300') in length and shall have a turnaround with a diameter of eighty feet (80').
852 Dead ends or cul-de-sacs are not intended to be longer than one thousand three hundred feet
853 (1,300') without joining with another street to create a block that allows a separate ingress and
854 egress. The length of a cul-de-sac shall be measured from centerline of intersection to center of
855 the turnaround.

856 C. ~~Through Street Requirements:~~ Developments that are required to provide a through street shall
857 build the street to the required public standard and as a through street even if the development is
858 proposed to be private or gated. Through streets shall connect higher classification streets and
859 provide a traffic network. ~~Through streets will not be required if due to topography a through~~
860 ~~street is not feasible. Cul-de-sacs and non-through streets are discouraged, but may prohibited,~~
861 ~~except that the land use authority may allow cul-de-sacs to~~ be used only where unusual drainage,
862 topography or land ownership configurations exist which make other designs undesirable or
863 impossible; and where review of the conceptual connectivity plan or other street plans for the
864 area do not require through circulation.

865 ~~B.D.~~ Private, Gated Communities: Private gated communities shall only be considered when
866 the following apply to the development:
867 1. The project does not have a required through street within the project as noted in section
868 16.27.28 of this chapter.
869 2. Due to topography, streets stubbed out to adjoining properties are not possible.
870 3. Every gated entrance shall be required to provide a knox box lock, or an electronic
871 system that can be activated by emergency sirens.

872 ~~C.E.~~ Clear Visibility At Intersecting Streets: In all zones, no obstruction to view in excess of
873 three feet (3') in height above road grade shall be placed on any corner lot within a triangular area
874 formed by the streets at the property line and a line connecting them at points twenty five feet
875 (25') from the intersection of the street lines (see section 16.37.05, ~~figure 506~~, of this title), except
876 a reasonable number of trees pruned enough to permit automobile drivers an unobstructed view.
877 This shall not require changes in the natural grade on the site. If a sign is proposed to be placed
878 near an intersection, different standards may apply. See chapter 16.26 of this title regarding signs.

879 ~~D.A.~~ ~~Street Lengths: Cul-de-sacs shall not exceed one thousand three hundred feet (1,300') in~~
880 ~~length and shall have a turnaround with a diameter of eighty feet (80'). Dead ends or cul-de-sacs~~
881 ~~are not intended to be longer than one thousand three hundred feet (1,300') without joining with~~
882 ~~another street to create a block that allows a separate ingress and egress.~~

883 ...

884 **16.27.32: CUL-DE-SACS**~~RESERVED~~

885 ~~Cul-de-sacs are discouraged, but may be used only where unusual drainage, topography or land~~
886 ~~ownership configurations exist which make other designs undesirable or impossible; and where street~~
887 ~~plans for the area do not require through circulation.~~

888 ...

889 **16.28.07: EROSION CONTROL**~~RESERVED~~

890 ~~A. Maximum Area Of Disturbance Applicable In Mountain Zone (M), Preservation Zone (P-160) And~~
891 ~~Strawberry Recreation Zone (SRZ):~~

- 892 ~~1. For lots or parcels less than one acre in size, the limits of disturbance for an individual~~
893 ~~single family use and any accessory structure shall not exceed ten thousand (10,000) square~~
894 ~~feet, unless significant existing site vegetation is retained or remedial revegetation and land~~
895 ~~reclamation improvements which substantially advance the purposes of this chapter have~~
896 ~~been proposed and will be implemented on the site in accordance with a revegetation and~~
897 ~~land reclamation plan. In such cases, the limits of disturbance for lots or parcels less than~~
898 ~~one acre in size may be increased up to, but not to exceed, fifteen thousand (15,000) square~~
899 ~~feet.~~
900 ~~2. For lots or parcels one acre in size or greater, the LOD for an individual single family use~~
901 ~~and any accessory structure shall not exceed twelve thousand (12,000) square feet unless~~
902 ~~the conditions above are satisfied, in which case the LOD may be increased to eighteen~~
903 ~~thousand (18,000) square feet.~~

904
905 ~~Note: This section has been moved to 14.02.04~~

906 ...

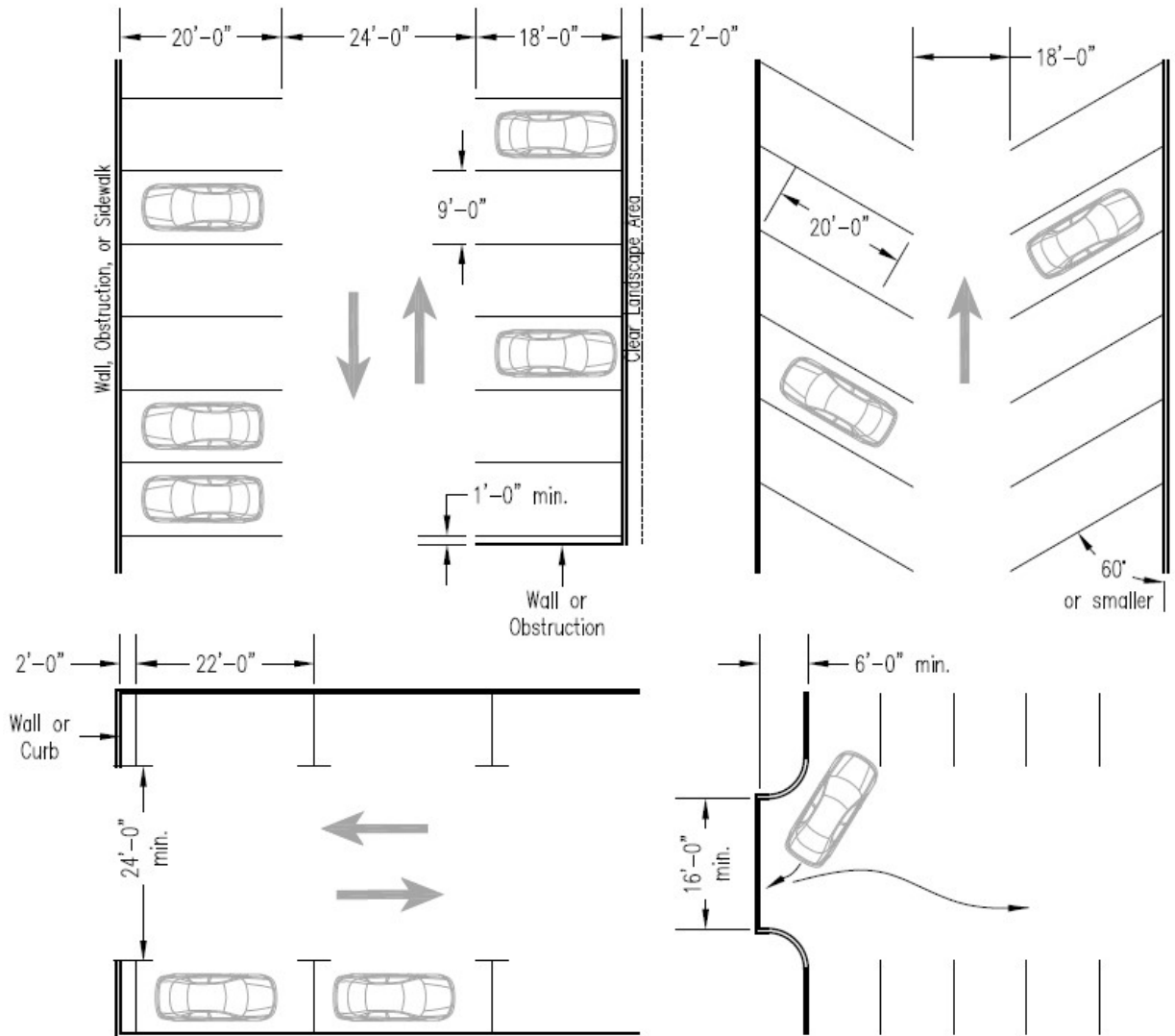
907 **16.33.08: PARKING DESIGN STANDARDS**

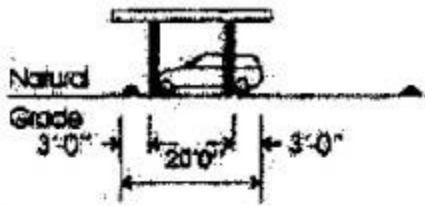
908 All off-street parking facilities shall be built ~~consistent with figures 16.33.14, 16.33.15, and~~ in conformance
909 with the following design standards:

- 910 A. Each ~~off-off~~ street parking space shall be not less than nine feet by twenty feet (9' x 20') for diagonal
911 or ninety degree (90°) spaces, or nine feet by twenty two feet (9' x 22') for parallel spaces, exclusive
912 of access drives or aisles. The planning department may consider allowing up to a two foot (2')
913 reduction in the length of diagonal or ninety degree (90°) parking spaces if bumper guards are
914 placed so that a vehicle can extend over a landscaped area without interfering with the plants or
915 pedestrian passage. No vehicle may protrude over any sidewalk or into the drive aisle. Handicap
916 stalls shall be in accordance with (ADA) Americans with Disabilities Act requirements.
917 1. Notwithstanding the above provisions, commercial and industrial parking lots may have
918 not more than five percent (5%) of the parking spaces designated for motorcycles, which
919 shall measure at least four feet by eight feet (4' x 8').
920 B. Parking located adjacent to walls or other similar obstructions must be one (1) foot wider to
921 accommodate door opening clearance and vehicle maneuverability.
922 C. Additional back-up areas, such as hammerhead, shall be provided at the end of a dead-end parking
923 aisle.

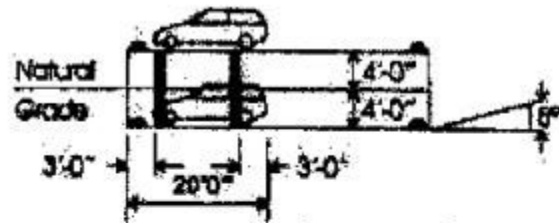
- D. All bicycle parking facilities shall be built consistent with the Association of Pedestrian and Bicycle Professionals' Essential of Bike Parking guide. In no case shall any bicycle parking be place in a manner that obstructs pedestrian movements, ADA accessibility, or blocks doors.

16.33.08 Figure 1

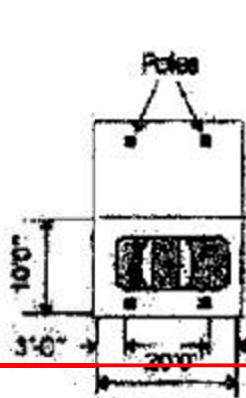




Side view of carports and poles



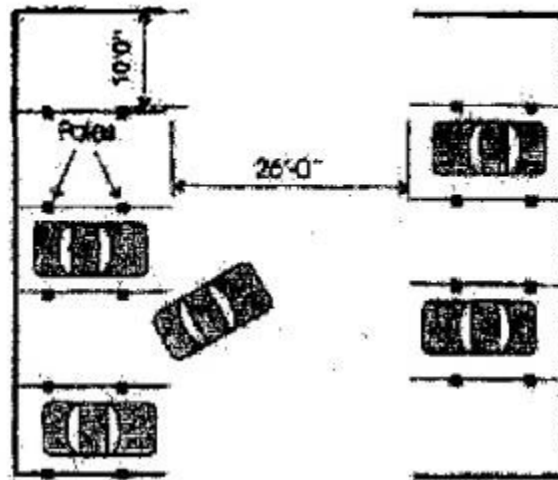
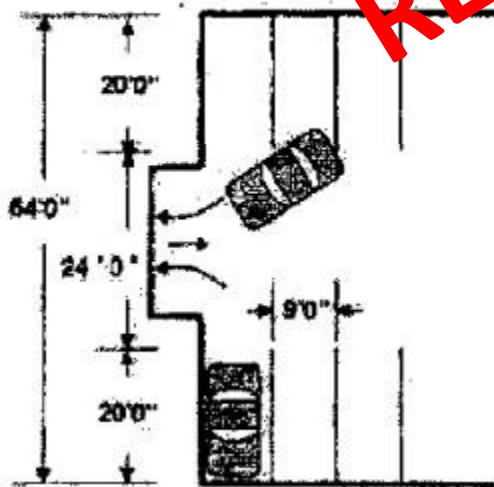
Side view of parking structure and poles

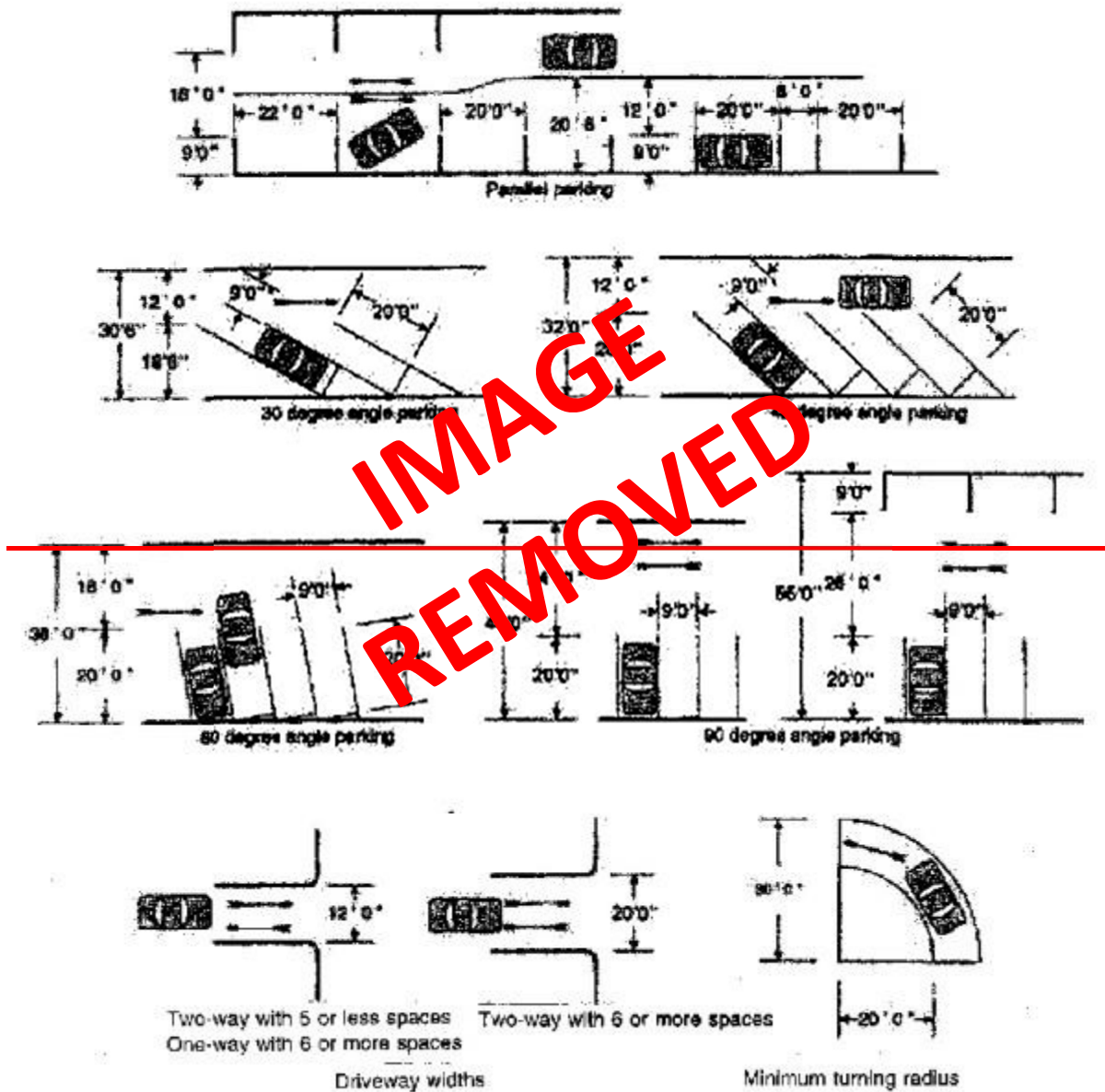


Top view carport, poles

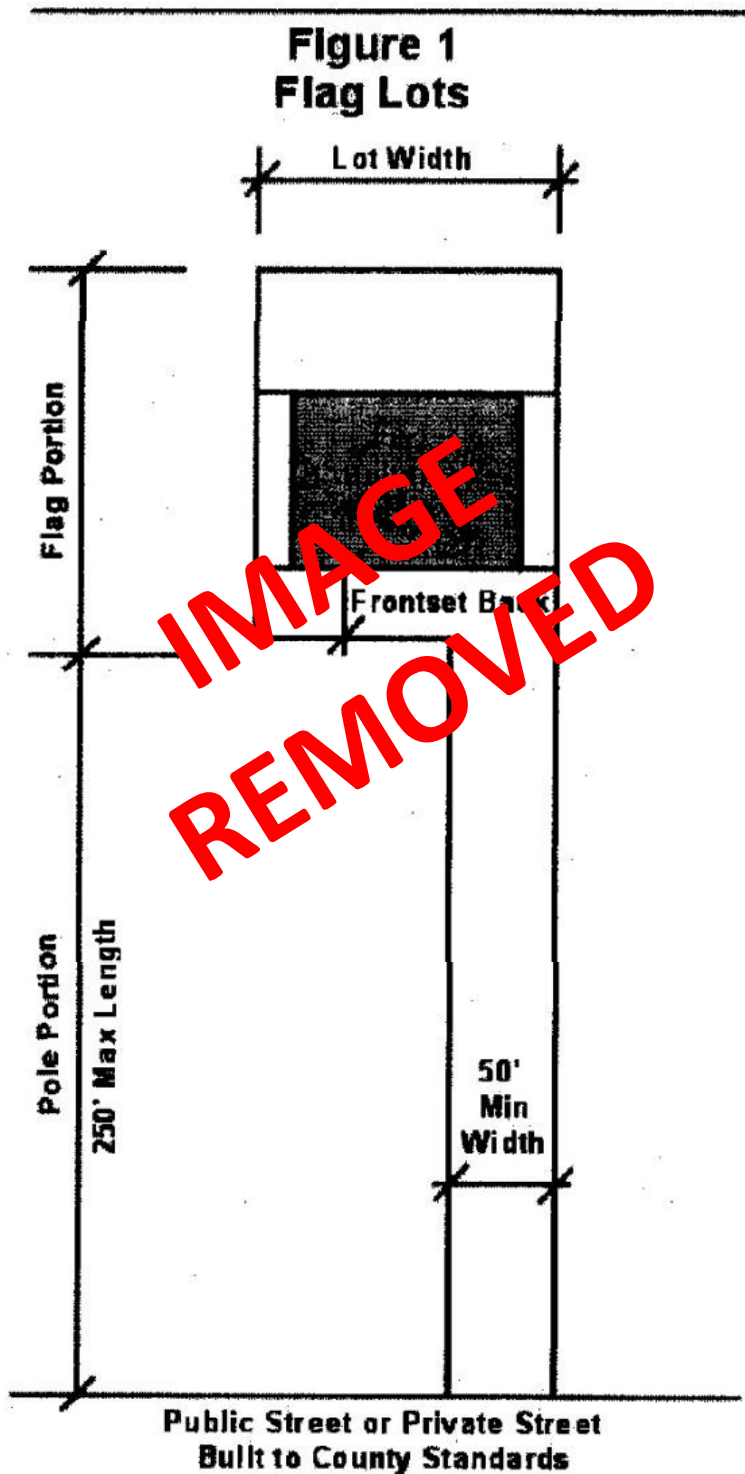


Top view parking structure, poles

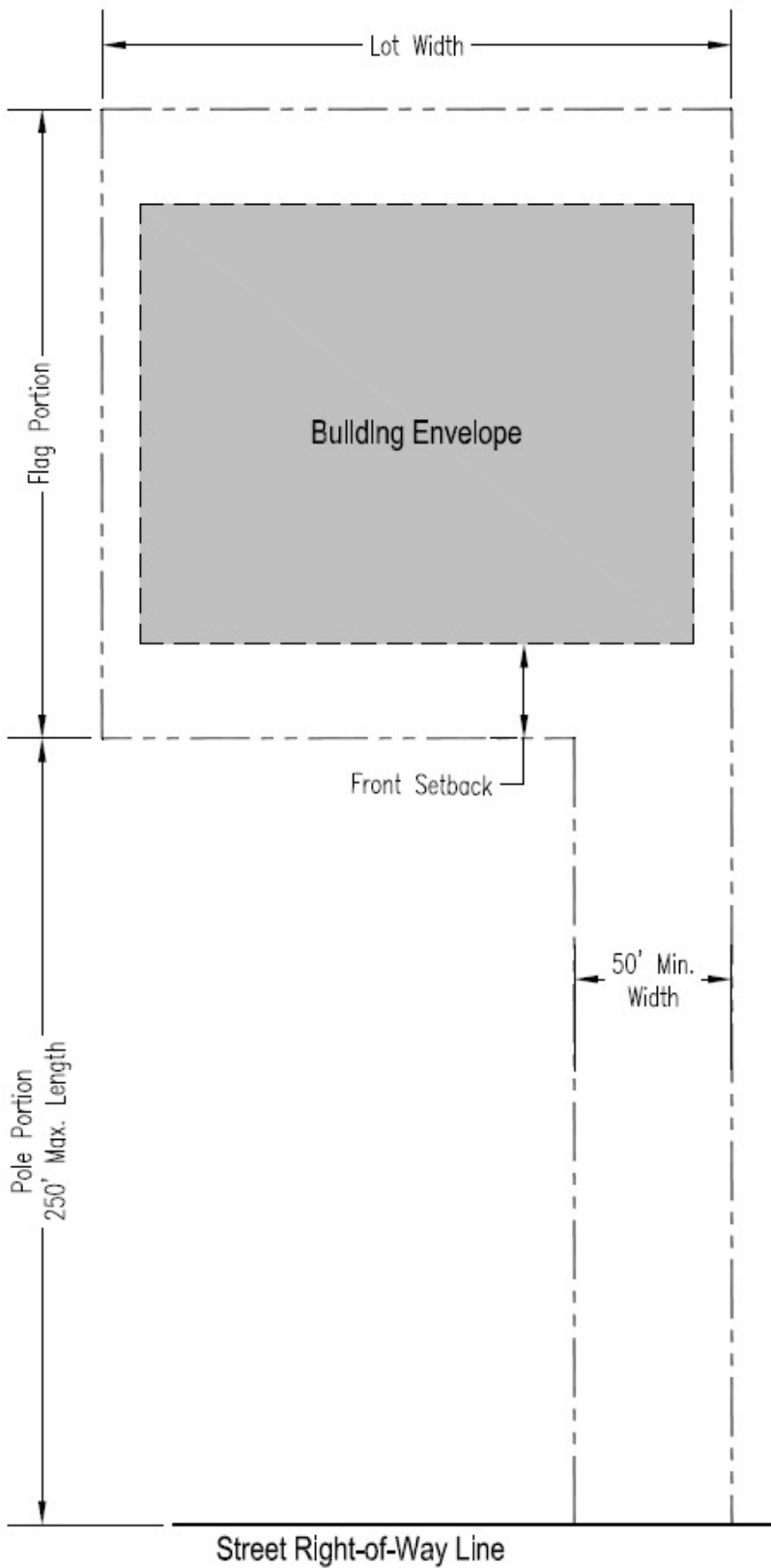


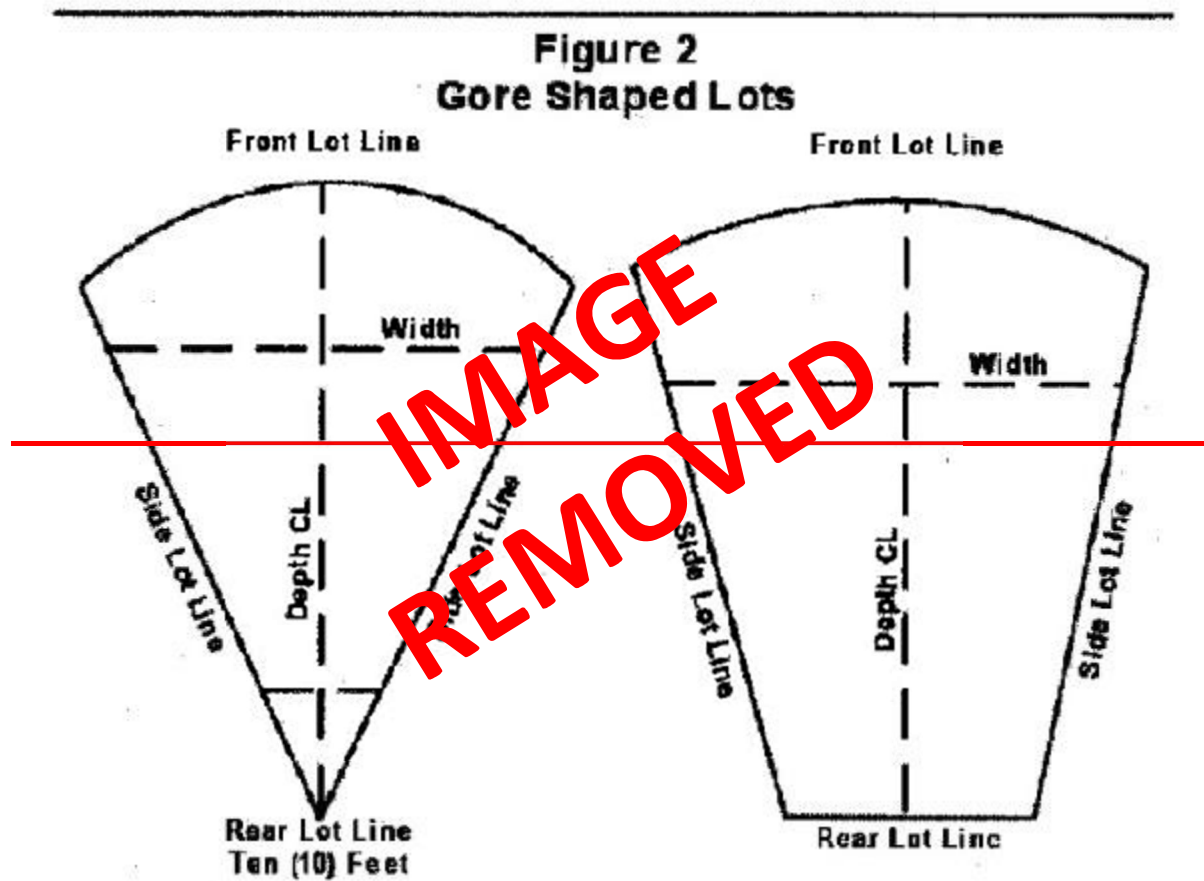


16.37.01: FLAG LOT



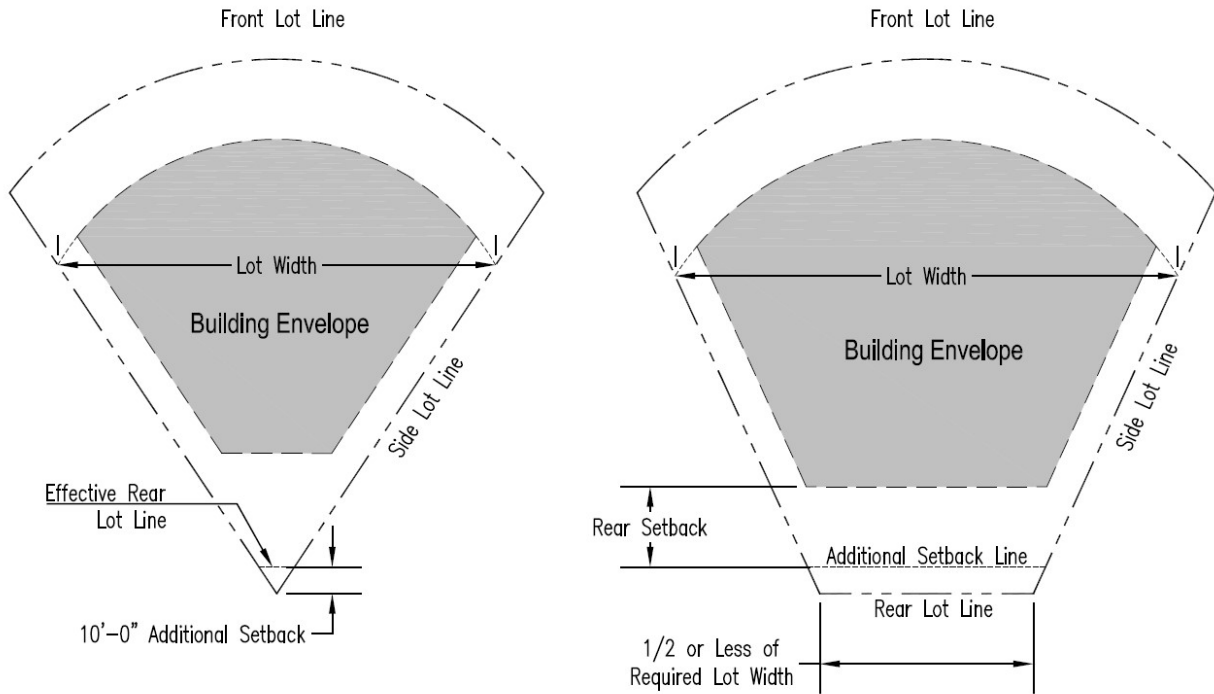
[Note to Editor: The following image is added]





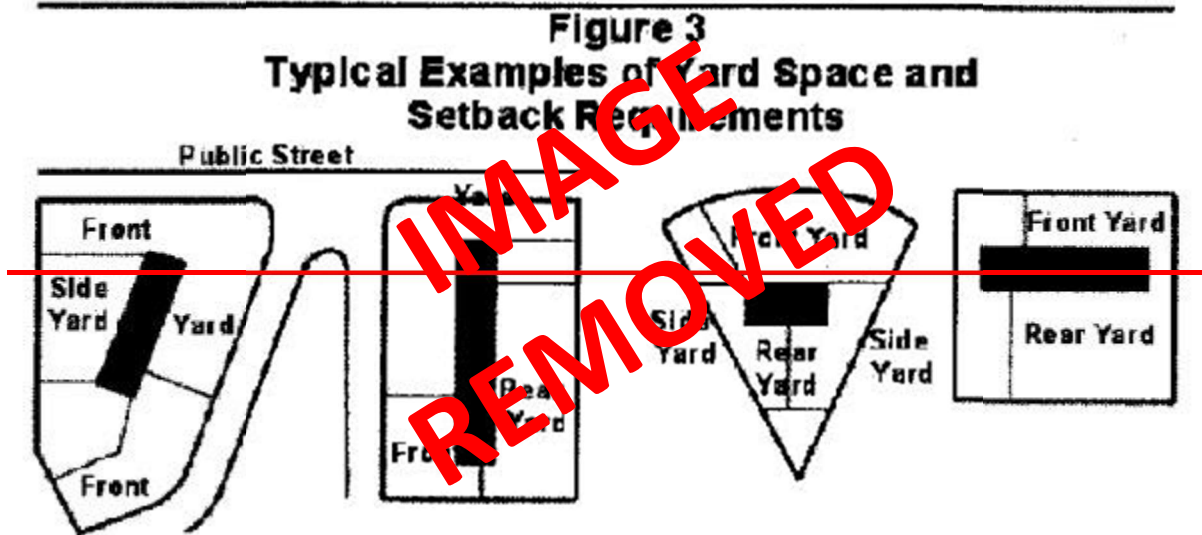
941

942 *[Note to Editor: The following image is added]*



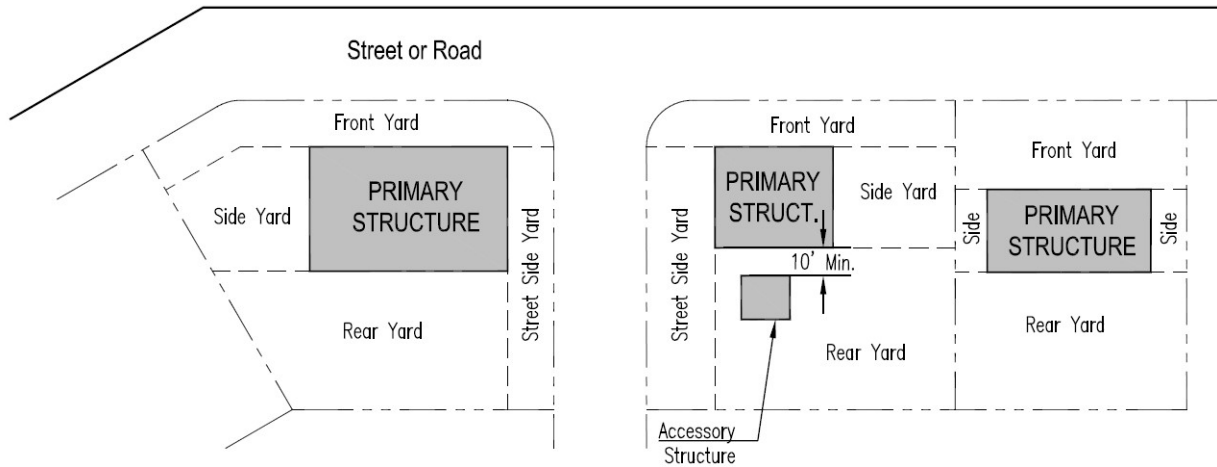
943

944 **16.37.03: TYPICAL EXAMPLES OF YARD SPACE AND SETBACK REQUIREMENTS**



945

946 *[Note to Editor: The following image is added]*



Note: The yard lines shown here are not the same as required minimum setback lines. The yard lines are determined by the structure.

16.37.04: ACCESSORY BUILDING RESERVED

**Figure 4
Accessory Building**

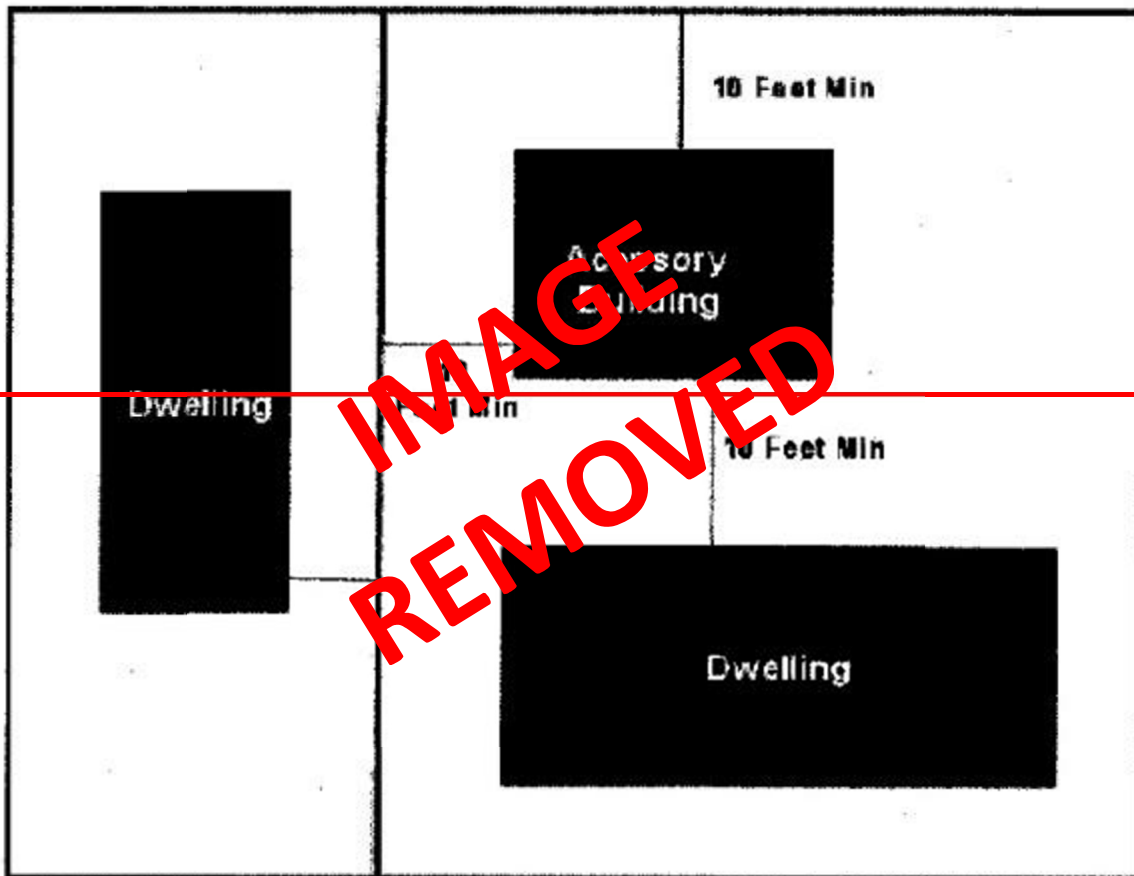
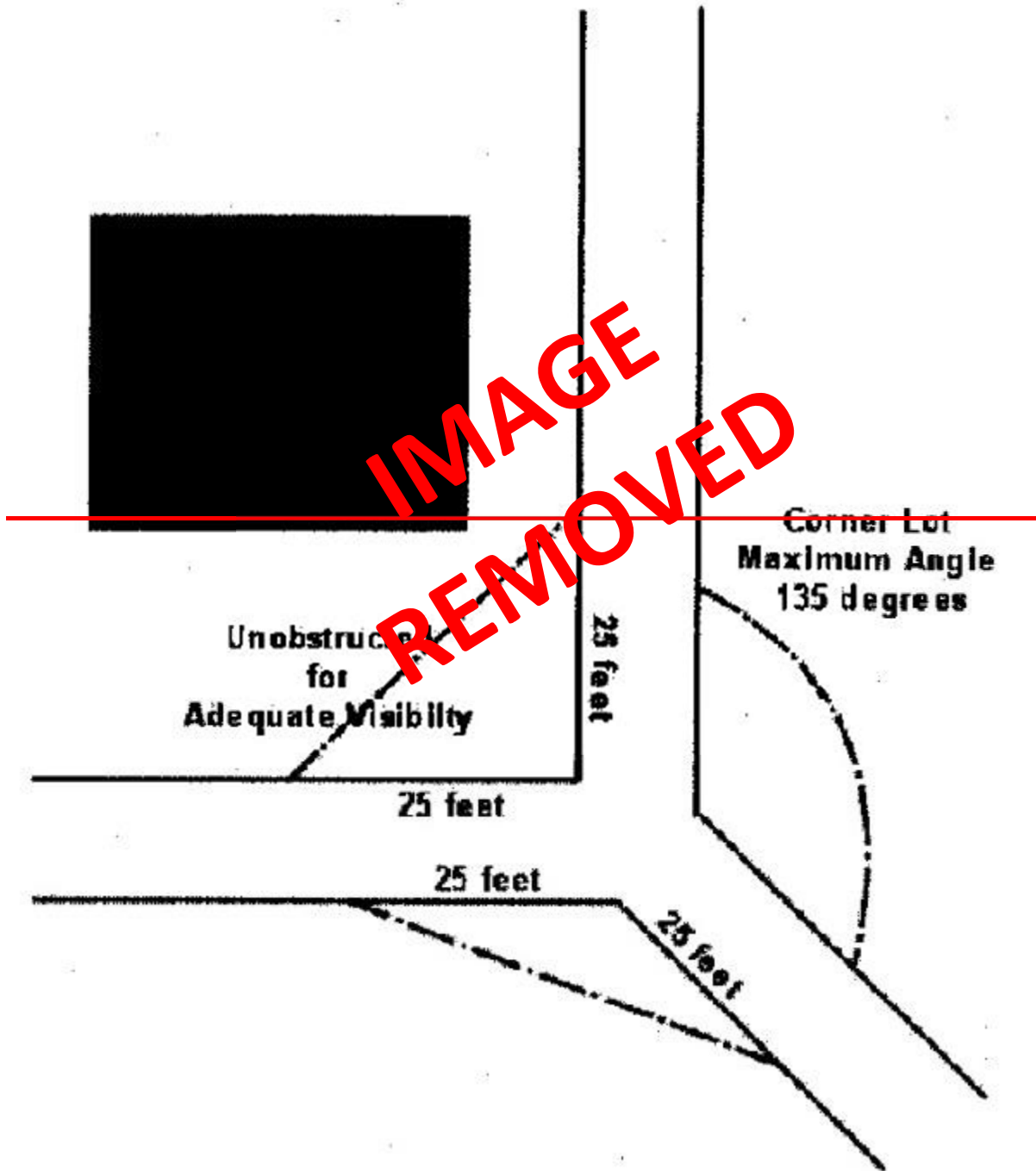
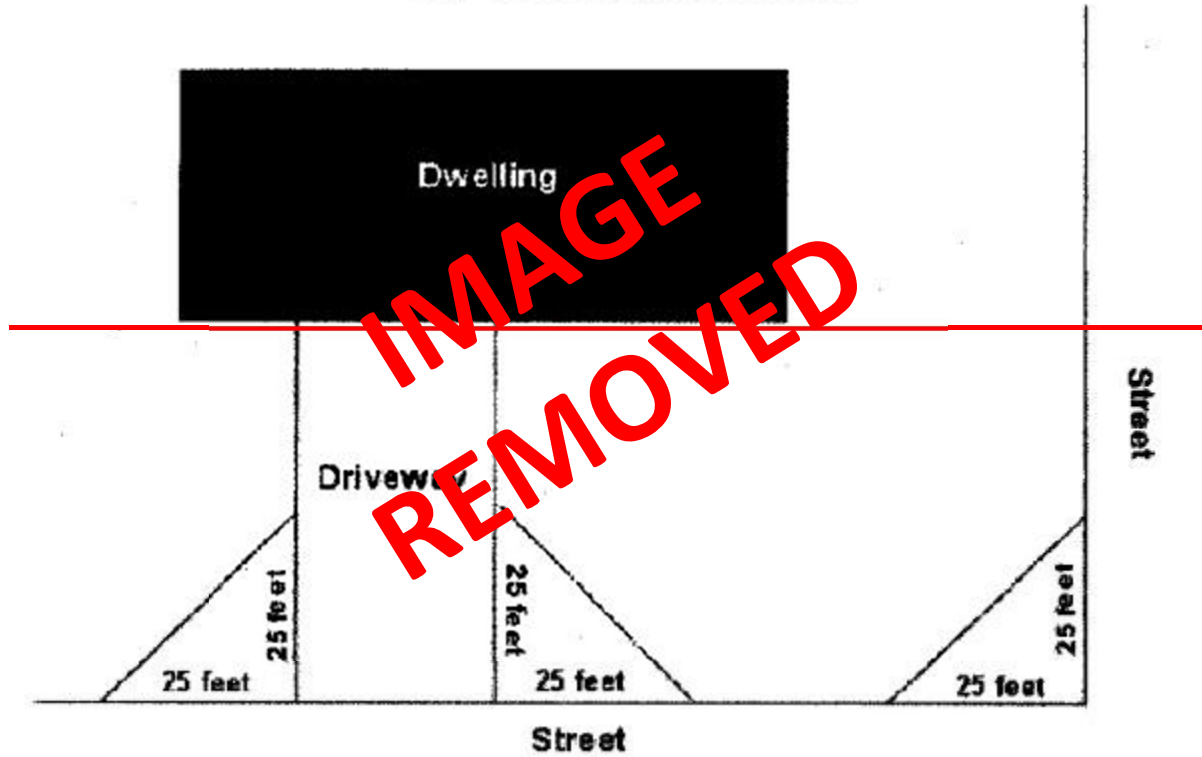


Figure 5
Corner Clear Views



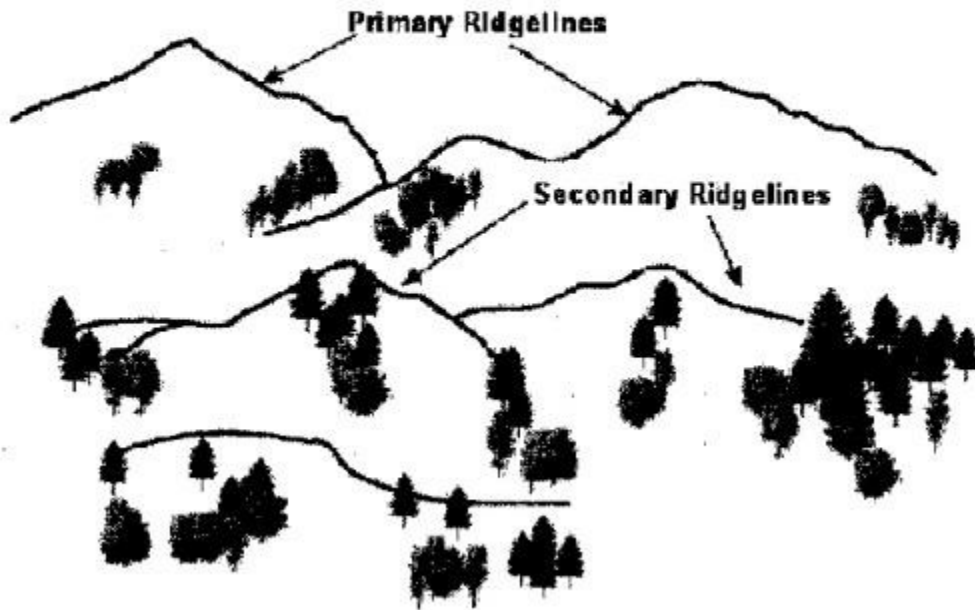
953 **16.37.06: CLEAR VIEW AND DRIVEWAY REQUIREMENTS**

**Figure 6
Clear View Requirements**



954
955 *[Note to Editor: The following image is added]*

Figure 7
Primary and Secondary Ridgelines



959

16.37.08: RECOMMENDED PLACEMENT RESERVED

Figure 8
Recommended Placement



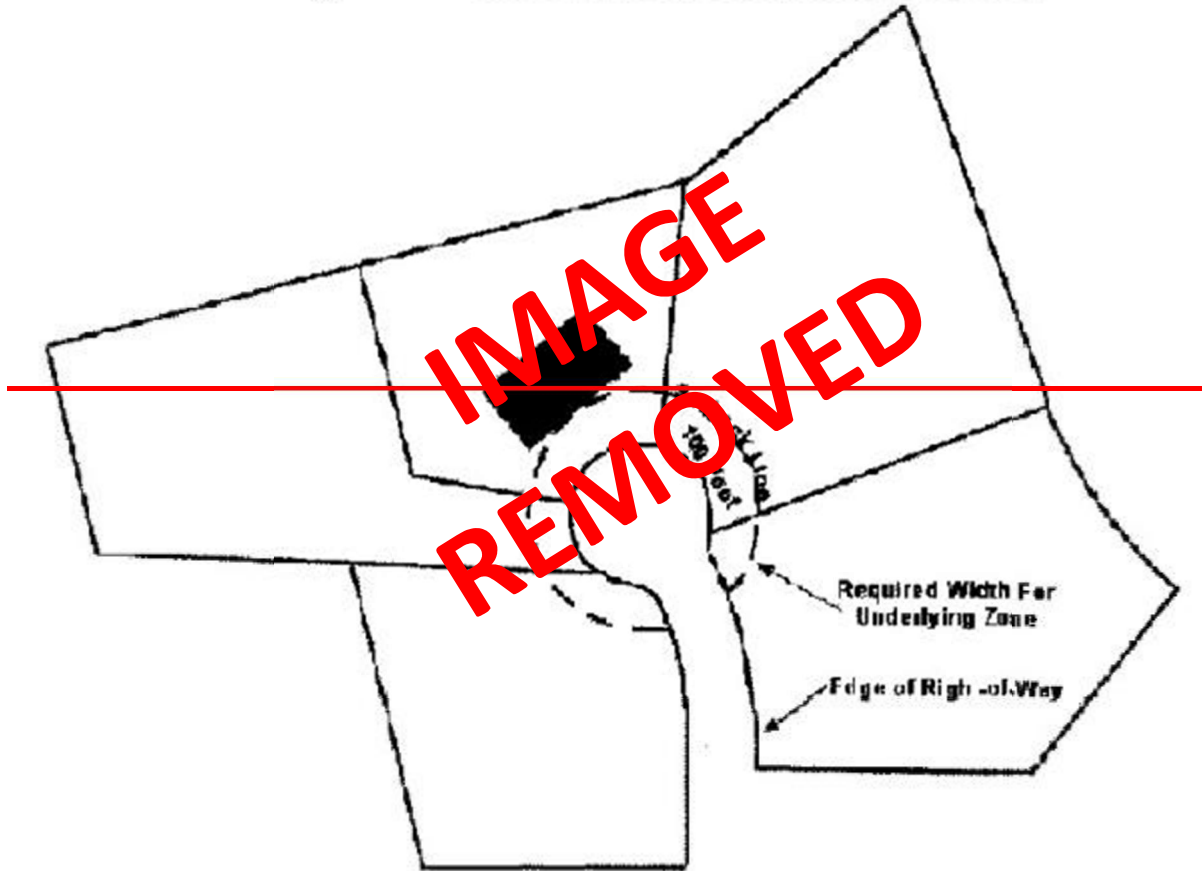
960

961

962 **16.37.09: RESERVED**

963

Figure 10
Frontage on Cul-de-sac lots or lots on Inside Curves



[Note to Editor: The following image is added]



...

Chapter 16.40: APPENDIX 5, STORM DRAINAGE AND EROSION CONTROL, SITE DEVELOPMENT RESERVED

[Note to Editor: 16.40.01 is being moved to a new 14.02.14]

16.40.01 14.02.14: APPENDIX F, DRAINAGE DESIGN CRITERIA SUMMARY (SEPTEMBER 15, 2004)

Storm drainage and erosion control ~~planning submittal~~ requirements are outlined in this chapter. Criteria can also be found in the "Wasatch County - A Guide For Erosion And Sediment Control" (1996).

976 A. ~~Planning~~ Land Use Application and Engineering Permit Submittal Requirements: Unless
977 provided otherwise, the criteria and methods presented in the following references should be used
978 in planning and design of the drainage system:

979 . . .

980 E. Water Quality/Detention Basins Maintenance Requirements: Key components include
981 nonplugging outlets design, maintenance access design, and pond side slope erosion protection
982 design.

983 1. Detention basin outlets should be designed to be non-plugging as much as possible. A
984 possible option for the water quality capture volume discharge orifice is to provide an orifice
985 (set with the orifice invert at the bottom of the water quality capture volume level) with a
986 connected pipe inlet placed a minimum of six inches (6") below the water level at which
987 water begins to discharge. Outlet pipes should be protected by inlet grates which are sized,
988 spaced, and oriented such as to minimize plugging of the outlets.

989 2. Maintenance access to the ponds should be provided. Required access includes access with
990 heavy equipment to the pond floor (generally 15 ~~inches~~ feet minimum width with 15 percent
991 maximum slope) and all weather access should be provided to the pond outlet facilities.
992 Access and maintenance easements shall be provided.

993 . . .



Item 5 – General Road Standards Code Text Amendment

Project: DEV-9245 | General Road Standards
Meeting Date: 12 September 2024
Report Date: 4 September 2024
Report Author: Jed Muhlestein, County Engineer

Council Action Required: Yes
Type of Action: Legislative
Applicant: Engineering Department
Affected Code Section(s): Chapter 14.02, 16.27.12

DETERMINATION ISSUE

Whether or not code chapter 14.02 (Engineering Department) and section 16.27.12 (Final Plat Requirements) should be amended to correct and clarify standards for trails, sidewalks, and roads within the County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission.

RECOMMENDATION

Based on the analysis and findings in this staff report, Engineering Staff is of the opinion that the amendments to the road cross sections and other minor changes to engineering standards are in the best interest of the general welfare of the county. Therefore, it is recommended that the Planning Commission forward a POSITIVE RECOMMENDATION of the proposed code text amendment based on the findings included the staff report.



BACKGROUND

The purpose of this agenda item is to update road cross sections as found in WCC 14.02.07. Title 16 requires 10', 8', or 4' trails depending on location (WCC 16.38.03). It is the intent of this ordinance to standardize trail widths throughout the code. Updating the cross sections instigated changes to standard utility locations and public utility easement (PUE) widths. All these changes are proposed herewith.

Ordinance 24-12 has three primary objectives which are:

1. Unify trail standard widths between Engineering and Planning codes (Title 14 and 16);
2. Update standard utility locations to current needs of wet and dry utility companies;
 - a. Part of this is proposing a fifteen-foot (15') front public utility easement, upping the size from ten feet (10')
3. Reduce redundancy in the code and perform some code cleanup for clarity.

STAFF ANALYSIS

– STANDARD TRAIL WIDTHS –

Current planning code 16.38 calls for 10, 8, and 4-foot sized trails. The 10 and 8-foot sized trails are shown on the recently adopted "Heber Valley Non-Motorized Trail Plan" (Map 22 of the General Plan, attached as Exhibit A) to be on arterial and collector classified roads. The 4-foot sized trails are meant to be "back country" trails and are not shown on roadway cross sections. The two larger of the three trails are named Improved Multi-Use (10') and Improved Pedestrian (8') and are proposed to be included in the construction or improvement of any arterial or collector road.

There is one cross section smaller than a collector road that also includes an 8-foot Improved Pedestrian trail, and that is the "Sixty Foot Major Local with Swales" cross section. The 8-foot trail was there previously, the only change to this cross section was removing the "meandering" requirement of the trail.

All cross sections that had a requirement to “meander” the trail or sidewalk have been modified to eliminate the meandering of the trail. Meandering trails are difficult to build, maintain, landscape, and do not provide a clear marker of property boundaries for homeowners adjacent to them.

For consistency throughout the county, all sidewalks and trails are proposed to be built with the outside edge being one foot (1') from the property line.

– STANDARD UTILITY LOCATIONS AND 15' FRONT PUBLIC UTILITY EASEMENT –

In process of updating the trails within the standard cross sections, members of the DRC expressed interest in updating the Typical Utility Locations (Figure 10, WCC 14.02.08) at the same time. Staff met with members of Rocky Mountain Power, Heber Light & Power, Enbridge Gas (formerly Dominion Energy), and the Jordanelle Special Service District (JSSD). All members expressed the need for more room for utilities within the front public utility easement (PUE) on lots. The current requirement is developers must provide a ten-foot (10') front PUE; this ordinance proposes to enlarge that to fifteen feet (15'). JSSD's standard water meter infrastructure consists of a five-foot diameter meter vault. When this meter vault is placed inside the ten-foot PUE, there is not enough room to install the other dry utilities with their standard separation requirements. A fifteen-foot front PUE was highly requested by all parties involved.

Gas line separation requirements do not allow a main line to be installed within ten feet of a building or home. If a fifteen-foot PUE is granted, the smallest building setback that could be allowed in a zone would be twenty-five feet. Wasatch County Zoning shows thirty-feet in most zones for building setbacks but does have some zones with twenty-foot setbacks. In the zones with twenty-foot setbacks, a fifteen-foot PUE would not work and therefore those zones must continue as they are, with ten-foot PUE's. The proposed code is written to reflect this requirement.

Staff did an evaluation of most other counties in the state regarding PUE requirements. The results of that study are shown in Table 1.

<u>COUNTIES WITH AN EXACT MEASUREMENT LISTED</u>	
Box Elder County	10
Beaver County	10
Garfield County	15
Iron County	15
Kane County	15
Morgan County	10+
Sevier County	10 front, 15 perimeter
Weber County	10
Utah County	10
<u>COUNTIES WITHOUT AN EXACT WIDTH BUT DID HAVE LANGUAGE TO REQUIRE THE PUE AND WIDTH "AS REQUIRED" OR "TO ACCOMMODATE UTILITIES IN THE DEVELOPMENT"</u>	
Cache County	As required
Duchesne County	As required
Carbon County	As required
Salt Lake County	As required

Davis County	As required
Juab County	As required
Kane County	15' + verbiage
Summit County	As required
Uintah County	As required

Table 1 – Utah State County’s Public Utility Easements
(as listed in each county’s code)

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. The cross-sections proposed are a result of the collaborative discussion between all DRC departments. The Committee has forwarded the item for the Planning Commission and Council to render a decision.

RECOMMENDED MOTION

Move to forward a Recommendation for Approval (with Conditions) to the County Council for item 5 consistent with the findings presented in the staff report.

– FINDINGS –

1. The proposed amendment is in the interest of the public, and is consistent with the goals and policies of the Wasatch County General Plan.
2. The General Plan goal 9 states that the County should “Develop a connected multi-modal transportation infrastructure that will meet the travel requirements of existing and future residents and visitors; is compatible with the mountain and rural characteristics of Wasatch County; improves mode choice for Wasatch County residents and visitors; and promotes environmental preservation...”
3. The General Plan further states an objective to “Collector and arterial roadway rights-of-way shall include adequate space for roadways and safe and comfortable bike and pedestrian facilities; active transportation facility types should respond to the location context and be consistent with Federal Highway Administration guidance.”
4. Utah Code 17-50-309 authorizes the County to enact regulations for the control, construction, alteration, repair, and use of all public roads and highways outside of cities or towns.
5. Positive impacts of the proposed changes are general clarification of code, creating consistency within the code regarding trails, and providing adequate space for the installation of utilities within front public utility easements.

POSSIBLE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Planning Commission should state new findings.

1. Recommendation for Approval. This action may be taken if the Planning Commission finds that the General Plan and proposed amendments are consistent and compatible. ****This action would be consistent with the staff analysis.****
2. Recommendation for Approval with Conditions. This action can be taken if the Planning Commission feels comfortable that remaining issues can be resolved through conditions or modifications to the proposed text.
3. Continue. This action can be taken if the Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommendation for Denial. This action may be taken if the Planning Commission finds that the proposed code amendment is not appropriate at this time and/or is not supported by the General Plan.

EXHIBITS

Exhibit A – Heber Valley Non-Motorized Trail Plan (Map 22).....	6
Exhibit B – Proposed Ordinance.....	7

Exhibit A – Heber Valley Non-Motorized Trail Plan (Map 22)



WASATCH
COUNTY



Heber Valley Non-Motorized Trail Plan

2024

0 0.38 0.75 1.5 Miles

SCALE 1:35,000



Legend

Trail Type

- Improved Multi-use, Existing
- Improved Multi-use, Proposed
- Improved Pedestrian, Existing
- Improved Pedestrian, Proposed
- Backcountry, Existing
- Backcountry, Proposed

Trail Heads

- Class 1, Existing
- Class 1, Proposed
- Class 2, Existing
- Class 2, Proposed
- Class 3, Existing
- Class 3, Proposed

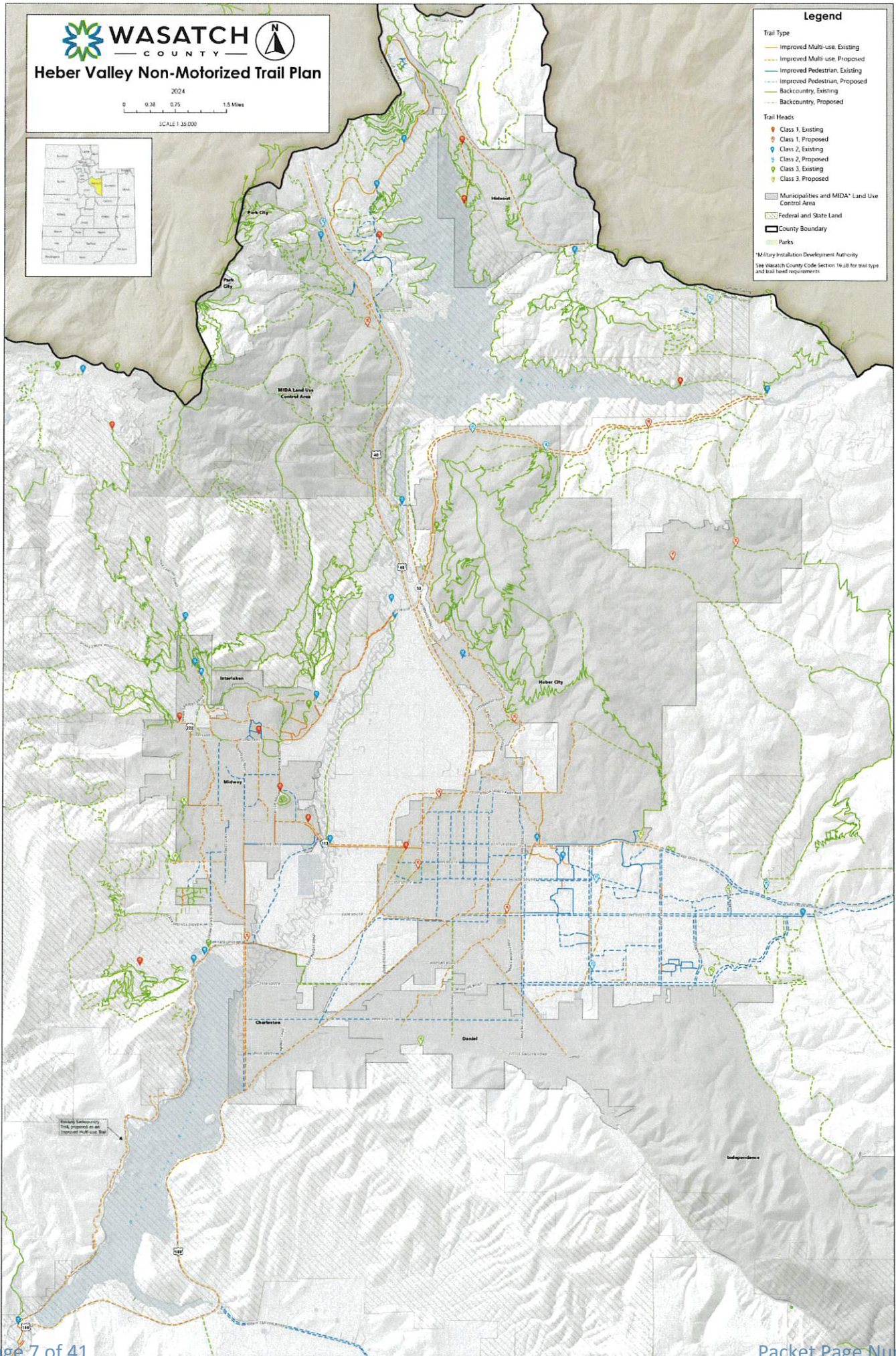
Municipalities and MIDA* Land Use Control Area

Federal and State Land

County Boundary

Parks

*Military Installation Development Authority
See Wasatch County Code Section 16.08 for trail type and trail head requirements



Existing Backcountry trail, proposed as an improved multi-use trail

Exhibit B – Proposed Ordinance

ORDINANCE NO. 24-12

AN ORDINANCE AMENDING WASATCH COUNTY CODE CHAPTER 14.02 & 16.27 TO UPDATE ENGINEERING ROAD STANDARDS.

RECITALS

WHEREAS, Wasatch County desires to correct and clarify standards for trails, sidewalks, and roads to beautify the County and provide for the safety and welfare of its residents; and

WHEREAS, Utah Code Section 17-50-302 authorizes the County to provide services, exercise powers, and perform functions that are reasonably related to the safety, health, morals, and welfare of their inhabitants; and

WHEREAS, Utah Code Section 17-50-309 authorizes the County to enact regulations for the control, construction, alteration, repair, and use of all public roads and highways outside of cities or towns; and

WHEREAS, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Code be amended as follows:

SECTION I: Enactment. The following amendments, additions, and deletions to Title 14 & Title 16 are hereby enacted: *See attached Exhibit A.*

SECTION II: Repealer. If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: Amendment of Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: Effective Date. This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and **PASSED** this _____ day of _____, 2024.

Attest:

WASATCH COUNTY COUNCIL:

Joey Granger
Wasatch County Clerk / Auditor

Spencer Park, Chair
Wasatch County Council

VOTE

Spencer Park, Chairman	_____
Karl McMillan, Vice-Chair	_____
Luke Searle	_____
Steve Farrell	_____
Erik Rowland	_____
Kendall Crittenden	_____
Mark Nelson	_____

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
): ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [] (a) Causing this ordinance to be entered at length in the ordinance book;
- [] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
- [] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in *The Wasatch Wave*, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this ____ day of _____, 2024.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this ____ day of _____, 2024.

Notary Public

Residing in:
My commission expires:

EXHIBIT A – PROPOSED AMENDMENT

Chapter 14.02: ENGINEERING DEPARTMENT

14.02.01: CREATION OF DEPARTMENT AND DEFINITIONS

There is hereby created a department of engineering. The department shall consist of one engineering coordinator or as contracted by the County Manager and such other employees or contract as may be necessary to fulfill the duties of the department.

A. Definitions:

Alley: means a public access privately maintained within a block primarily intended for service and access to abutting property by vehicles and not designed for general travel and only allowed when units have frontage on a road or pedestrian plaza built to the applicable County standard.

...

14.02.04: EXCAVATION, FILL CONSTRUCTION, SWPPP, AND EROSION CONTROL

A. Permits:

...

1. Driveway and Encroachment Permit:

...

h. Payment of applicable fees, see 4.09.02.

2. Grading Permit:

...

i. Payment of applicable fees, see 4.09.02.

3. Right of Way Excavation Permit:

...

k. Payment of applicable fees, see 4.09.02.

4. Subdivision Construction Permit:

...

k. Payment of applicable fees, see 4.09.02.

...

B. Subdivision Bonding:

1. Definitions:

PERFORMANCE BOND: An instrument, in a form approved by the county, with a sum not fixed as a penalty binding the developer to the county, to complete certain actions

35 according to the standards in this code and the Wasatch County standards handbook, and
36 any other applicable regulation or condition imposed by the county as a condition of
37 approval including any common amenities, improvements on development parcels or
38 common area improvements or amenities approved that allowed additional density;
39 conditioned, however, that the payment of the penalty may be avoided by the
40 performance by the developer of the acts agreed to in the bond documents.

41
42 WARRANTY BOND: An instrument, approved by the county, with a sum fixed
43 guaranteeing the quality and/or conformance of completed and accepted improvements or
44 other promised performance according to the standards in this code, the Wasatch County
45 standards handbook, and any other applicable regulation or condition imposed by the
46 county as a condition of approval.

47
48 1.2. Performance Bond: For Subdivision Construction Permits, a performance bond shall be
49 posted with Wasatch County prior to any final approved plat recorded in a principal
50 amount of one hundred percent (100%) of the total estimated cost of any improvement or
51 other performance required by or promised to Wasatch County as part of the
52 development, provided the improvements or other performance are not completed and
53 accepted by Wasatch County prior to any final approved plat being recorded. The bond
54 must include protection for the county legislative body, must meet county standards ~~or~~
55 and county code. The bond shall consist of cash, and the bond agreement shall be on a
56 form approved by the County Attorney. The Bond Agreement shall require the
57 infrastructure improvements necessary for building codes and fire codes to be met and
58 continue to be met using ~~good-standard~~ management practices and frequency in the
59 Wasatch Back, to be completed before building permits can be issued. The County
60 Manager, in his sole discretion, may accept a letter of credit from an FDIC insured
61 financial institution, or an escrow as approved by the County. Any letter of credit must
62 expire not less than 1 year after the reasonably anticipated completion date of the
63 improvements, as determined in the discretion of the county engineer. If the performance
64 bond remains in effect for more than a year, the developer shall annually provide an
65 updated cost estimate, and shall bond for any additional costs. In no event shall the
66 County be responsible to complete bonded for improvements, in part, because the Utah
67 Code has limited the ability of the County to adequately ensure the completion assurance
68 will be adequate to complete the bonded for improvements, though the County may, in its
69 sole discretion, complete bonded for improvements. The bond, including any escrow or
70 letter of credit, must be subject to the laws of the State of Utah and Wasatch County, and
71 must provide the forum of Wasatch County. The bond may name the developer or the
72 contractor as the "principal". Each bond shall be accompanied by a bond agreement
73 between the developer, county and financial institution (if applicable and necessary). The
74 estimated cost shall be based upon the estimate of the engineering coordinator, who shall
75 take into account some or all of the following factors when making his estimate:

- 76 a. The developer's engineering estimate;
77 b. The estimate of any reviewing engineer or other qualified reviewer;
78 c. The average cost paid for the same type of performance in Wasatch County in the
79 past; and
80 d. Any other relevant information.

81 3. Failure Of Performance, Extension Of Time: In the event that any performance required
82 by a performance bond is not completed within the time period allowed for under the
83 performance bond, the developer may petition the county for an extension of time in
84 which to complete the required performance. A one-year extension of time may be

granted by the county upon application by the developer and upon a showing of good cause and diligent effort by the developer to complete the required improvements within the required period, provided such application is submitted at least sixty (60) days prior to the expiration of the performance bond, and the issuer of the bond is willing to extend the time of the assurance. The bond amount shall be increased ten percent (10%) for each year extension granted by the county. If at the end of the performance bond term, the county determines that the required improvements or other promised performance has not been completed according to Wasatch County standards and other requirements placed upon the developer, the county, in its sole discretion may:

- a. Refuse to accept the improvements or other performance and require the developer to bring the improvements or other performance to county standards; and
- b. Receive any part of the bond which is necessary to complete the promised performance or to repair any inadequate performance and proceed with work to bring the performance to county standards.

3.4. Partial Releases of Bonds (Bond Reduction): The county may approve partial bond releases (bond reductions) of the performance bond prior to final release. Each release must be approved by all of the following: county ~~planning director (for landscaping or planning bonds), county~~ engineering coordinator/director, ~~(for infrastructure bonds),~~ county manager, and county attorney. ~~When the number of releases exceeds two (2), a two hundred dollar (\$200.00) fee~~ A Bond Reduction Fee, pursuant to section 4.09.02, will be assessed for each release ~~thereafter to cover administrative costs~~. The releases approved by the county shall not exceed the contractor's bond and shall not exceed the percentage of work completed and, at no time prior to final acceptance or approval of the improvements by the county, may the total amount of the bond be allowed to be reduced lower than the greater of: a) one hundred ten percent (110%) of the value of the county manager or engineering coordinator's estimate of the incomplete infrastructure improvements or other promised performance-; or b) the amount required by the warranty bond in the event the performance bond and warranty bond are on the same document. Until complete, the County ~~may~~ shall maintain a balance of a minimum of 25% of the total bond amount.

5. Warranty Bond; A warranty bond in the amount of ten percent (10%) of either the county engineer's approved estimate of completion of all public infrastructure, or the actual cost of completing the public infrastructure, is required for the County to accept or approve any infrastructure improvement, or prior to allowing a final plat to be recorded that includes any public infrastructure. The warranty bond must ~~shall~~ be cash. The bond shall be valid for a period of one year from the time of final acceptance of construction to guarantee compliance with the requirements of this chapter, but may be for up to two years if the County Manager or engineering coordinator finds good cause. The bond shall be released upon approval of the engineering coordinator and the County Manager. The warranty bond shall be on a form approved by the County Attorney. In some cases, the warranty bond will be on the same document as the performance bond. The warranty bond must provide that in the event the completed and accepted improvements or other promised performance covered by the bond fail, are not structurally sound, or are found to be less than the accepted standard during the term of the bond, that the county has the right to require repair and/or replacement, and in the event of failure by the developer to adequately respond, the county shall have the right to recover against the warranty bond and repair or replace the covered improvements or other promised performance. In the event the performance and warranty bond are on the same document, the performance bond may not be released for an amount lower than the amount required for the warranty bond.

- 134 6. Weed Bond: A cash weed bond is required on all Subdivision Construction Permits. The
135 bond is refundable after a 3 year period after a project has received final approval or until
136 the Wasatch County noxious weed manager approves the bond release. The weed bond
137 agreement, and release forms can be found on the Wasatch County's web site in the
138 Engineering department under forms. A non refundable weed fee is charged on the other
139 Title 14 permit types.
- 140 7. Approval Of Bonds: Any bond submitted to the county pursuant to this section must be on
141 a form approved by the county, which form will be available from the county attorney's
142 office, submitted to the county department requesting the bond and approved by the county
143 as meeting the requirements of this code. Property bonds will not be acceptable in any
144 form.
- 145 8. Required Time Period For Performance: All improvements must be completed by the date
146 set in the bond according to county approved plans and specifications unless the county
147 manager or engineering coordinator agrees in writing to extend the duration. Any escrow,
148 or letter of credit shall be extended to match the revised anticipated completion date, and
149 in no event shall expire prior to the bonded for improvements being completed and
150 approved by the county. It is the express obligation of the developer and/or contractor to
151 either complete the improvements before the performance bond expires, or, in the case of
152 a warranty bond, to repair and/or replace the substandard improvements before the
153 warranty bond expires, or to provide the county with a new bond and bond agreement
154 approved by the county to guarantee and/or warrant the improvements. The new bond and
155 bond agreement must be provided to the county one year in advance of the expiration of
156 the performance bond, or one month before the expiration of the warranty bond. It shall
157 not be a defense to the validity of the bond or bond agreement that the time to perform as
158 listed in the bond or bond agreement has expired. The obligations in the bond and bond
159 agreement shall continue until such time as the applicable statute of limitation expires
160 under Utah law.
- 161 9. Improvements Covered By Bonds: Bonds may be requested for any improvements required
162 by Wasatch County standards, this code, the development review committee, planning
163 staff, the county engineer, the weed control board, the planning commission and the county
164 council. These improvements may include on-site and off-site improvements, including,
165 but not limited to, roads, curb and gutter, storm drains, sewer, water, street lighting, signs,
166 sidewalks, landscaping, open space, fencing, amenities, weed control, parks and trails.
- 167 10. No Third Party Rights: All performance and warranty bonds and agreements are between
168 the county, developer (or contractor if applicable) and financial institution. No other party
169 shall be deemed a third party beneficiary or have any rights under this section or any bond
170 or agreement entered into pertaining to performance and warranty bonds. Any other person
171 or entity, including, but not limited to, owners of individual units or lots, shall have no right
172 to bring any action under and performance or warranty bond or agreement as a third party
173 beneficiary or otherwise.

174 ...

175 **14.02.06: ROAD GRADE EXCEPTIONS**

- 176 A. Road grades are generally listed in Section 14.02.07(M). The minimum allowed grade for all
177 roadways is one half percent (0.5%).
- 178 B. The maximum allowed grades for all roadways are as follows:
- 179 1. Minor local, the maximum grade shall not exceed ten percent (10%);

~~2.—Local, the maximum grade shall not exceed ten percent (10%);~~
~~3.—Major local, the maximum grade shall not exceed ten percent (10%); and~~
~~4.—Minor collector, the maximum grade shall not exceed eight percent (8%).~~
C.B. Physical terrain may require exceptions to the above maximum grade. The following mitigating circumstances may permit an increase in the maximum grade. The burden of meeting the criteria shall be solely upon the applicant and shall be shown by a clear and convincing standard:

1. Terrain difficulties;
 2. Nature of materials; soil and geology;
 3. Significant vegetation to be preserved;
 4. Aspect, i.e., north facing, south facing, etc.;
 5. Size of lots;
 6. Number of units serviced;
 7. Drainage considerations;
 8. Roadway classification;
 9. Pullouts provided, widths and spacing;
 10. Safety mitigation factors are added; and
 11. Length of exception requested.
- ~~D.C.~~ An application for an exception to Section 14.02.06 shall follow the process and meet the requirements of Section 14.02.07(N), except that the findings required under Section 14.02.07(N)(1)(e) shall be replaced with the findings required under Section 14.02.06(CB). In the event the applicant has met its burden of showing an exception, the maximum allowed centerline grades are as follows:

1. ~~Local~~ grade shall not exceed twelve percent (12%) for the following roads;
 - a. Major Local with swale
 - b. Agricultural Seasonal Road
 - c. Fire Emergency
 - d. Mountain Road
 - ~~a-e. Shared Driveway~~
- ~~2.—Major local grade shall not exceed ten percent (10%); and~~
~~3.2. Minor collector grade shall not exceed eight percent (8%).~~ Exceptions requested for maximum centerline grade shall not be granted for the following roads:
 - a. Arterial
 - b. Major Collector
 - c. Minor Collector
 - d. Major Local
 - a-e. Other roads not otherwise listed.

E.D. Compliance with local road grade standards does not guarantee school bus service.

...

14.02.07: GENERAL ROAD DESIGN STANDARDS

Roads shall be designed at a minimum in accordance with AASHTO design criteria and per street cross sections shown in section 14.02.08 of this chapter. The roadway design standards shall be the same for publicly owned and all privately owned roadways. All Wasatch County roads shall be classified by the county master transportation plan. The standards shall be applicable to new developments in Wasatch County:

- A. **One Hundred and Six Foot (106') width Arterial** (See section 14.02.08, Figure 1): To be used where the potential of traffic at build out is greater than 8000 ADT requiring a minimum of 3 driving lanes (including the turn lane) and 5' asphalt shoulders for bike/emergency lane. Drainage to be controlled with a drainage swale, no curb and gutter. ~~In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric or rip rap.~~ There will be no private resident access allowed ~~of frontage.~~ There will be no on street parking allowed. ~~Larger right of ways allows for two meandering ten foot (10') asphalt paths on each side of the road.~~

~~1. The County Council will approve the final section for construction. The following is a suggested section as shown in section 14.02.08, figure 1 of this chapter:~~

~~a. A five foot (5') concrete meandering sidewalk or an eight ten foot (8'10') paved asphalt trail based on the county overall trail plan, located between off set one foot (1') from the property line and the drainage swale;~~

~~— A twelve foot (12') landscape park strip;~~

~~b. A five foot (5') drainage swale;~~

~~c. A two foot (2') gravel shoulder;~~

~~d. A five foot (5') paved shoulder;~~

~~e. A twelve foot (12') paved surface lane;~~

~~f. A twelve foot (12') paved median;~~

~~g. A twelve foot (12') paved surface lane;~~

~~h. A five foot (5') paved shoulder;~~

~~i. A two foot (2') gravel shoulder;~~

~~— A five foot (5') swale;~~

~~j. A twelve foot (12') landscape park strip;~~

~~k. A five ten foot (5'10') meandering asphalt sidewalk through a twenty three foot (23') section between trail off set one foot (1') from the property line and the drainage swale.~~

- B. **Seventy Five Foot (75') Major Collector** (See section 14.02.08, Figure 2): To be used where the potential of traffic at build out is greater than 8000 ADT requiring a minimum of 3 driving lanes (including turn lane) and 5' asphalt shoulders for bike/emergency lane. Drainage to be controlled with a drainage swale, no curb and gutter. ~~In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric or rip rap.~~ There will be no private residential access allowed except for very specific exceptions for existing buildable lots bordering a 75' county right of way in circumstances where the applicant has proven safety

concerns can be adequately mitigated. These exceptions can only be approved by the County Manager and Engineering Coordinator. There will be no on street parking allowed. ~~The right of way allows for two meandering five foot (5') walkways on each side of the road.~~

~~1. The County Council will approve the final section for construction. The following is a suggested section as shown in section 14.02.08, figure 2 of this chapter:~~

- ~~a. An five foot (5') concrete meandering sidewalk or an eight foot (8') paved asphalt trail based on the county overall trail plan, located between off set one foot (1') from the property line and the drainage swale;~~
- ~~b. A five foot (5') drainage swale;~~
- ~~c. An two footeighteen inch (2'18") gravel shoulder;~~
- ~~d. A five foot (5') paved shoulder;~~
- ~~e. An eleven foot (11') paved surface lane;~~
- ~~f. A twelve foot (12') paved median;~~
- ~~g. An eleven foot (11') paved surface lane;~~
- ~~h. A five foot (5') paved shoulder;~~
- ~~i. An two footeighteen inch (2'18") gravel shoulder;~~
- ~~j. A five foot (5') swale;~~
- ~~k. An five eight foot (5'8') meandering sidewalk through a section between asphalt trail off set one foot (1') from the property line and drainage swale.~~

C. **Sixty Six foot (66') Minor Collector Roadway** (See section 14.02.08, Figure 3): To be used where the potential of traffic at build out is between 2000 and 8000 ADT. Roadway to have two driving lanes with 5' asphalt shoulders for bike/emergency lanes. Drainage to be controlled with a drainage swale, no curb and gutter. ~~In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric or rip rap.~~ There will be no private resident access allowed except for very specific exceptions for existing properties bordering a 66' county right of way. Exceptions to be approved by the County Manager or Engineering Coordinator. There will be no on street parking. ~~Right of way allows for two meandering five foot (5') walkways on each side of the road.~~

~~1. With a swale, the sections shall be built as shown in section 14.02.08, figure 3 of this chapter, and shall meet the following criteria:~~

- ~~a. An five eight foot (5'8') meandering sidewalk within a asphalt trail off set nine one foot (9'1") area between from the property line and drainage swale;~~
- ~~b. A five foot (5') drainage swale;~~
- ~~c. A two foot (2') gravel shoulder;~~
- ~~d. A five foot (5') paved shoulder;~~
- ~~e. Two (2) 12 foot paved surface lanes;~~
- ~~f. A five foot (5') paved shoulder;~~
- ~~g. A two foot (2') gravel shoulder;~~
- ~~h. A five foot (5') drainage swale;~~

- ~~i. An five eight foot (5'8") meandering sidewalk within a off set nine one foot (9'1") area between from the property line and drainage swale.~~

D. **Sixty Foot (60') Major Local Road** (See section 14.02.08, Figure 4): This is the primary residential road standard where the average lot frontage is less than one hundred fifty feet (150'). The traffic potential at build out will be less than 2000 ADT. The overall road width to be 30' of asphalt. On street parking may be allowed. Due to the potential for numerous driveways, the drainage is to be controlled with curb and gutter. ~~This Major Local Road includes 4' sidewalk on each side of the street.~~

- ~~1. **Sixty Foot (60')** With a curb and gutter, the section shall be built, as shown in section 14.02.08, figure 4 of this chapter, and shall meet the following criteria:~~

- ~~a. A four five foot (4'5") sidewalk off set one foot (1') from the property line;~~
~~b. A five six and one half foot (56.5') landscape park strip;~~
~~c. A two and one half foot (2.5') modified or rolled curb and gutter;~~
~~d. Two (2) 15 foot paved surface lanes;~~
~~e. A two and one half foot (2.5') modified or rolled curb and gutter;~~
~~f. A five six and one half foot (56.5') landscape park strip;~~
~~g. A four five foot (4'5") sidewalk off set one foot (1') from the property line.~~

E. **Major Local with Swales** (See section 14.02.08, Figure 5): To be used for local roadways, with RA-1 or ~~greater less dense~~ zoning, with a minimum 150' lot frontage. The traffic potential at build out will be less than 2000 ADT. Drainage to be controlled with a drainage swale, no curb and gutter. ~~In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric. Rip Rap will not be allowed. Trail needs to be on one side of the street, location to be determined or approved by Wasatch County Planning and Engineering departments.~~

- ~~1. The section shall be built, as shown in section 14.02.08, figure 5 of this chapter, and shall incorporate the following criteria:~~

- ~~a. An fourteen foot (14') area on one side of the right of way for an eight foot (8') wide meandering paved asphalt trail off set one foot (1') from the property line. The trail needs to only be on one side of the street. With the Location location to be determined or approved by Wasatch County Planning and Engineering departments. Center line of paved surface of the motor vehicle road to be off set six feet (6') from center line of the right of way to allow more room for trail to meander and a five foot (5') park strip. Only for this Major Local with Swales standard, the width and material that the trail is built from supersede the width and material standards for trails in Title 16 of the Wasatch Code.~~

~~— A ten foot (10') drainage swale;~~

~~b. A two foot (2') gravel shoulder;~~

~~c. Two (2), fifteen foot (15') paved surface lanes for motor vehicles.~~

~~d. A two foot (2') gravel shoulder.~~

~~e. A five foot (5') drainage swale on each side of the asphalt. Drainage swales to be topsoil and seeded, no cobble lined ditch. Permanent erosion control fabric to be installed if road grade is greater than 5%.~~

~~f.—A two foot (2') open landscape space between edge of swale and right of way.~~

- F. **Agriculture/Seasonal Road (See section 14.02.08, Figure 6):** To be used for private local roadways to support agricultural uses, with RA-5 or less dense zoning, with a minimum 300' lot frontage. If used to serve a subdivision, an Agricultural/Seasonal road shall only be used to serve less than five buildable lots. The traffic potential at build out will be less than 50 ADT. Drainage to be controlled with a drainage swale, no curb and gutter. ~~In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric or rip rap.~~ Any other road surface besides asphalt must be approved by the engineering coordinator and the county council, and may only be approved in these limited circumstances where the applicant has proven and the County Council finds health, safety, and welfare of the road and the public will not be negatively impacted.

~~1.—Twenty four foot (24') wide road with either road base, roto mill tailings, or asphalt surface course as shown on section 14.02.08, figure 6 of this chapter, and shall incorporate the following criteria:~~

- ~~a.—Road Base Surface: Twenty four foot (24') width of a minimum nine inches (9") commercial road base. An additional section width may be required depending on subgrade soils.~~
- ~~b.—Roto Mill Tailings Surface: Twenty four foot (24') width of a minimum section comprised of four inches (4") of roto mill tailings and six inches (6") of commercial road base. An additional section width may be required depending on subgrade soils.~~
- ~~c.—Asphalt Surface: Twenty four foot (24') wide asphalt surface course with two (2) 2 foot gravel shoulders. A minimum section width of three inches (3") of asphalt and eight inches (8") of road base is required. An additional section width may be required depending on subgrade soils.~~
- ~~d.—Road Grade: A five foot (5') wide ditch to be on the cut side of the road. If road grade is steeper than five percent (5%), the ditch is to be lined with a C-350 fabric or better, or six inches (6") of riprap. If the road grade is steeper than five percent (5%), check dams spaced no more than every two hundred feet (200') will be required.~~

- G. **Fire/Emergency Road (See section 14.02.08, Figure 7):** Only to be used in legally non-conforming subdivisions or lots of record and must be expressly approved by the engineering coordinator and the county council on a ~~ease by ease~~case-by-case basis where the applicant has proven and the County Council finds health, safety, and welfare of the road and the public will not be negatively impacted. The Fire/Emergency Road may not be used as a secondary access. A fire/emergency road must have controlled access on each end point to prevent ordinary daily traffic. ~~If it is determined by the County Manager or the Fire Chief that a fire emergency road is required to be maintained on a year-round basis the surface material must be asphalt.~~

~~1.—Twenty foot (20') wide road with road base, roto mill tailings or asphalt surface course as shown on section 14.02.08, figure 7 of this chapter, and shall incorporate the following criteria:~~

- ~~a.—Road Base Surface: Twenty foot (20') width of a minimum nine inches (9") of commercial road base. An additional section width may be required depending on subgrade soils.~~

b. ~~Roto-Mill Tailing Surface: Twenty-foot (20') width of a minimum of four inches (4") of roto-mill tailings and six inches (6") of commercial road base. An additional section width may be required depending on subgrade soils.~~

c. ~~Asphalt Surface: Twenty-foot (20') wide asphalt surface course with two (2) 2-foot gravel shoulders. A minimum section width of three inches (3") of asphalt and eight inches (8") of road base is required.¹~~

d. ~~Road Grade: A four foot (4') wide ditch to be on the cut side of the road. If road grade is steeper than five percent (5%), the ditch is to be lined with a C-350 fabric or better, or six inches (6") of riprap. If the road grade is steeper than five percent (5%), check dams spaced no more than every two hundred feet (200') will be required.~~

H.G. ~~Year Round Basis: If it is determined by the County Manager or the Fire Chief that a fire emergency road is required to be maintained on a year round basis the surface material must be asphalt.~~

I.H. Mountain Road (See section 14.02.08, Figure 8): This road standard is designed for connective road traffic through mountainous terrain. It is not to allow frontage for any residential use. Potential traffic is less than 200 ADT. ~~Drainage to be controlled with a drainage swale, no curb and gutter. In areas where the profile grade is steeper than 5% the drainage swale must be lined with an approved fabric or rip rap.~~ No driveway access is allowed. A mountain road may not be plowed in the winter by the county maintenance department. Emergency services may not be available in areas accessed on Mountain Roads when there is snow on the road.

1. ~~A twenty four foot (24') wide asphalt road as shown on section 14.02.08, figure 8 of this chapter, and shall incorporate the following criteria:~~

a. ~~A twenty four foot (24') wide asphalt surface course with two (2) 2-foot wide gravel shoulders. A minimum section width of three inches (3") of asphalt and eight inches (8") of road base. An additional section width may be required depending on subgrade soils.~~

b. ~~A five foot (5') wide ditch to be on the cut side of the road. If road grade is steeper than five percent (5%), the ditch is to be lined with a C-350 fabric or better, or six inches (6") of riprap. If the road grade is steeper than five percent (5%), check dams spaced no more than every two hundred feet (200') will be required.~~

J.I. Shared Driveway (See section 14.02.08, Figure 9): This standard, per 16.27.31, is designated for situations in which three or less residential homes share one driveway access. A shared driveway cannot be more than 500 feet long. All shared driveways shall be maintained, including snow removal activities, by the private residents. Drainage shall be controlled with adequate means to divert stormwater away from buildings. Added run-off must be accommodated in the overall detention design for the community. A stormwater plan must be approved by the engineering coordinator. A shared driveway must be designed to allow for emergency access to all buildings. If driveways extend beyond 150' from main access road, a turnaround must be provided for emergency vehicles. Shared driveways must have the express written consent of the fire marshal.

1. ~~A twenty foot (20') wide asphalt road as shown on section 14.02.08, figure 9 of this chapter, and shall incorporate the following criteria:~~

a. ~~A twenty foot (20') wide asphalt surface course with two (2) 2-foot wide gravel shoulders. A minimum section width of three inches (3") of asphalt and eight~~

inches (8") of road base. ~~An additional section width may be required depending on the subgrade soils.~~

- ~~b. A five foot (5') wide ditch to be on the cut side of the road. If the road grade is steeper than five percent (5%), the ditch is to be lined with a C-350 fabric or better, or six inches (6") of riprap. If the road grade is steeper than five percent (5%), check dams spaced no more than every two hundred feet (200') will be required.~~

K.J. Typical Utility Locations (See section 14.02.08, Figure 10): Utilities in the road will be located as shown in section 14.02.08, figure 10 of this chapter.

L.K. Alley Way Standard: In some circumstances alleys can be used to enhance the pedestrian experience by removing driveways, garage openings, loading docks, garbage containers, utility services and other drive activities from the front of buildings. Alleys shall be used on a limited basis and will be private with public access and public utility easements. By utilizing alleys, some utilities, loading docks, dumpsters and other service needs are kept to the back of the buildings and away from the pedestrian amenities. Alleys are **not** intended as a tool to avoid having a public street or private pedestrian plaza that meets the standards of a public street at the front of the buildings. The use of alleys must be approved by either the Wasatch County Manager or the engineering coordinator, and also the Wasatch County Fire District.

Definition:

~~1. "Alley" means a public access privately maintained within a block primarily intended for service and access to abutting property by vehicles and not designed for general travel and only allowed when units have frontage on a road or pedestrian plaza built to the applicable County standard.~~

General Conditions:

Alley or access may be permitted under the following conditions. If all conditions are not met then the use of alleys is prohibited.

- ~~2.~~ Building access must be available from a public street or private street/plaza built to the public standard as well as the alley.

~~— (a) Alleys or Lanes are built to specific standards as provided below.~~

- The applicant must show all private improvements and how they will impact the alley, including garages or other structures, stairs, vaults, fences, walls, driveways, parking lots, walkways, or other improvements.

- ~~(b)~~ Water and sewer utilities shall be in the street unless approved by the County Manager or the engineering coordinator. If underground wet utilities, sanitary sewer, waterlines, storm drains, etc. are installed in alleys, they shall be constructed prior to the surfacing of the alley and per Wasatch County Standards.

- ~~(c)~~ If utilities are constructed within the alley then connections for all underground utilities and sanitary sewers shall be laid prior to the asphalt or concrete to avert the necessity for disturbing the alley improvements, when service connections thereto are made.

- ~~1.~~ Alleys constructed of concrete will be 20' wide with an inverted crown and a centerline drainage collection system. Alleys constructed of concrete shall have a minimum

pavement section of 8 inches of PCC over ~~6 inches~~ **six inches (6")** of base rock, placed over geotextile fabric, or approved per geotechnical recommendations and approved by the County Manager or the engineering coordinator for H-2O loading. Asphalt construction may only be used with a concrete water way for drainage at the center of the alley. A minimum of 3" of asphalt over 9" of road base will be required. In conditions where asphalt construction is used, concrete ribbon curbing will be required outside the 20' width of the asphalt section to protect the edge of the asphalt. Said curbing shall be 2' wide for a total drivable surface of 24'.

- a. If the natural soils have a CBR under 20, then a thicker section will be required as determined by the developer's geotechnical engineer, with approval of the County Manager or engineering coordinator. ~~The applicant must show all private improvements and how they will impact the alley, including garages or other structures, stairs, vaults, fences, walls, driveways, parking lots, walkways, or other improvements.~~
- b. The applicant must indicate existing drainage patterns and show private drainage inlets, outlets, and pipes beyond the alley right-of-way that will be impacted by the alley construction.

~~4.5. (d)~~ Joint Pattern: The PCC pavement shall be placed full width in one pour, with no longitudinal joints. The alley design shall include a transverse joint pattern, shown on the plans, so that the joints are spaced to create panel lengths that are 0.75 to 1.25 times the alley width. The joint pattern will be coordinated to intersect with utility features such as poles, manholes, and catch basins.

~~5.6. 1.~~ Alley Approaches: The alley approaches shall be constructed as commercial driveways in all respects, except that the structural section will be increased to 10 inches, or shall match the alley pavement structure for which it provides access, or as approved per geotechnical recommendations by the County Manager or the engineering coordinator for H-2O loading, whichever is greater. Alley approaches with a standard curb return shall not be used without approval of the County Manager or engineering coordinator.

~~6.7. (e)~~ Length: Alleys shall be continuous from street to street wherever possible. If an alley is not through and longer than 150 feet then a turnaround must be provided to accommodate a fire truck as per code.

~~7.8. (f)~~ Parking: No person shall park a vehicle within an "alley" except during the necessary and expeditious loading and unloading of merchandise. No parking signs are required at 100 foot intervals. The alley must remain open at all times.

~~8.9. (g)~~ Setbacks: Alley garage setbacks in residential uses shall be 20 feet or greater as measured from the edge of the alley paving. Alley's leading to parking structures or to commercial/hospitality uses such as hotels or retail shall have a minimum setback of 4 feet as measured from the edge of the alley paving. The four foot setback shall remain open and unobstructed. If an alley exceeds 150 feet and is adjacent to buildings exceeding 30 feet, then the alley must have 26 feet of hard surface for fire truck downriggers. Parking garage structures shall have a side yard setback of no less than 15 ft.

~~9.10. (h)~~ Snow Storage: An additional area of 15% of the alley paved area must be set aside for snow storage. A snow storage plan exhibit must be submitted as part of the alley plan to show that the required amount of snow storage has been provided.

~~10.11. (i)~~ The alley must be allowed under the Land Use and Development Code.

518 ... ~~All Wasatch County roads shall be classified by the county master transportation plan.~~

519 ~~L.~~

520 M. Wasatch County roadway design standards:

521

Roadway Functional Classification									
	Arterial	Major Collector	Minor Collector	Major Local	Major Local with Swale	Agricultural Seasonal Road	Fire Emergency	Mountain Road	Shared Driveway
ROW Width	106'	75'	66'	60'	60'	60'	60'	60'	60'
Average Daily Trips	>8000	>8000	8000-2001	2,000-0	2,000-0	<50	Emergency Only	<200	<200
Single Family Units	<800	<800	<500	<500	<200	150-0	0	0	1-3
Pavement Width	46'	44'	34'	30'	30'	24'	20'	24'	20'
Side cut/fill slopes	3:1 up to 5 feet high and 2:1 above 5 feet						2:1	2:1	2:1
Horizontal Design Elements									
	Arterial	Major Collector	Minor Collector	Major Local	Major Local with Swale	Agricultural Seasonal Road	Fire Emergency	Mountain Road	Shared Driveway
Minimum mid block centerline curve	Varies with V and Superelevation			100'	100'	100'	60'	75'	60'
Minimum tangent distance between reverse centerline curves	Varies with V and Superelevation			50'	50'	50'	40'	50'	40'

Cul-de-sac travelway turnaround diameter	Not Allowed			80'	80'	80'	80'	80'	80'
Maximum superelevation	6%	6%	6%	N/A					N/A
Vertical Design Elements									
	Arterial	Major Collector	Minor Collector	Major Local	Major Local with Swale	Agricultural Seasonal Road	Fire Emergency	Mountain Road	Shared Driveway
Minimum crest vertical curve K value ⁵	Varies with speed limit					19	19	19	19
Minimum sag vertical curve K value ⁵	Varies with speed limit					37	37	37	37
Minimum length of vertical curve	Per traffic engineer	3*V	120'	80'	80'	60'	50'	60'	60'
Minimum centerline grade ⁴	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Maximum centerline grade	10 8%	8%	10%	10%	10%	10%	10%	10%	10%
Maximum grade in cul-de-sac	Not Allowed			5%	5%	5%	5%	5%	5%

Maximum centerline grade across designated crosswalks	4%	4%	4%	5%	5%	5%	5%	5%	5%
Maximum grade break without vertical curve	0.50%	0.50%	0.50%	1%	1%	2%	2%	2%	2%
Intersections									
	Arterial	Major Collector	Minor Collector	Major Local	Major Local with Swale	Agricultural Seasonal Road	Fire Emergency	Mountain Road	Shared Driveway
Minimum angle of intersection	80°	80°	70°	60°	60°	60°	50°	50°	50°
Minimum offset between intersections	Study required	Study required	150'	125'	125'	125'	125'	125'	125'
Maximum centerline offset	0'	5'	5'	5'	5'	5'	5'	5'	5'
Maximum centerline grade across intersections ⁶⁷	4%	4%	4%	5%	5%	5%	5%	5%	5%

Minimum corner radius (edge of travelway)	30'	30'	30'	25'	25'	25'	25'	25'	25'
Pavement Component Minimum Thickness⁷									
	Arterial	Major Collector	Minor Collector	Major Local	Major Local with Swale	Agricultural Seasonal Road	Fire Emergency	Mountain Road	Shared Driveway
Asphalt Concrete	Per geotechnical report, 4" minimum			3"	3"	3" if required	3" if required	3"	3"
Road Base	<u>Per geotechnical report, 9" minimum</u>			8"	8"	9"	8"	8"	8"
Subbase	PER SECTION 14.02.07, SECTION L.								
Subgrade	PER SECTION 14.02.07, SECTION L.								

General Road Design Notes:

1. Sub Grade preparation and road section to be per 14.02.01 (L).

~~2. Road to have a minimum of 3 inches of asphalt.~~

~~32. Permanent erosion control mat* or minimum six inches (6") thick rip rap required for ditch drainage swale/ditch slopes greater than 5 percent.~~

~~43. Check dams required for ditch slopes greater than 5 percent as shown for each cross section.~~

~~54. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.~~

~~65. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8')-feet.~~

~~76. All disturbed surfaces shall be covered with 6-inches six inches (6") of topsoil and seeded.~~

~~7. The primary street of the intersection shall not exceed the maximum centerline grades as allowed for each of the roadway functional classifications. Stop controlled secondary intersection grades must not exceed the reduced approach values as given in this table. The intersection centerline approach grades of the secondary or intersecting street must extend at least one hundred feet (100') beyond the edge of the paved traveled way of the outside lane of the primary through street before exceeding these values.~~

N. Exceptions. Exceptions to the requirements of Sections 14.02.04 - 14.02.13 may be approved, denied, and appealed as follows:

1. Engineering Coordinator: The engineering coordinator shall approve or deny exceptions to sections 14.02.04 - 14.02.13 as follows:

...

e. Requirements For Granting Exception: For Sections 14.02.04 - 14.02.13, but excepting 14.02.05 and 14.02.06 which requirements are listed therein, the

engineering coordinator may grant an exception only if all of the following conditions are proven by the applicant:

...

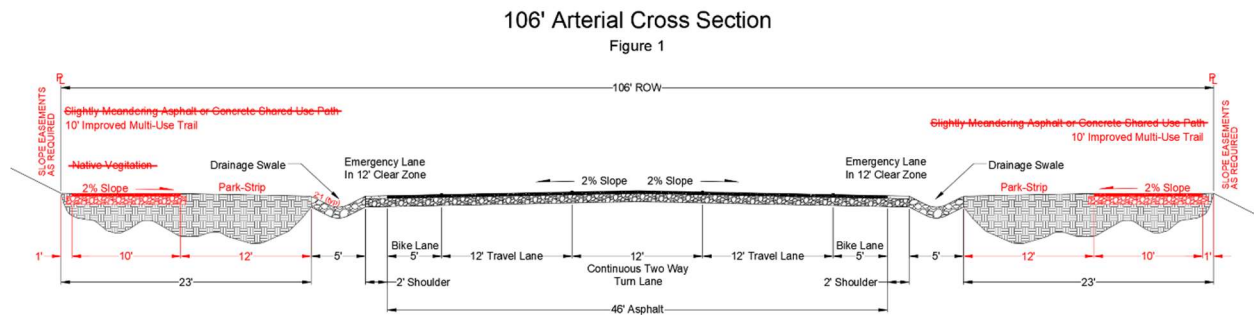
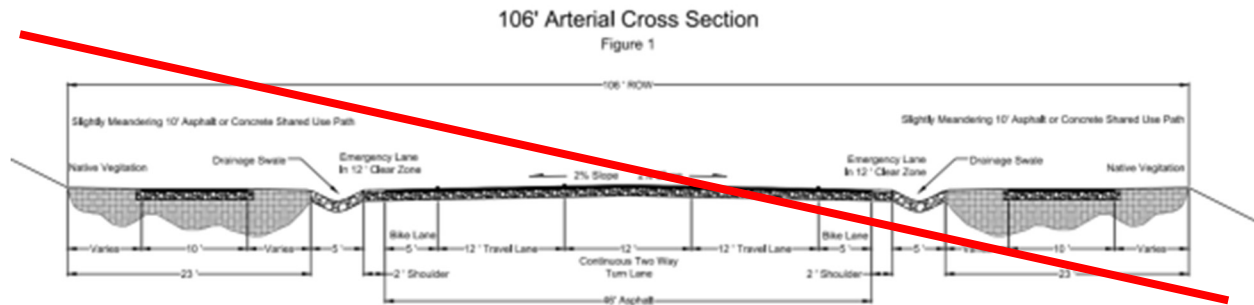
(6) Unreasonable Hardship: In determining whether or not enforcement of sections 14.02.04 - 14.02.05 & 14.02.07 - 14.02.13 would cause unreasonable hardship under (N) (1)(e)(1) of this section, the ~~Wasatch County Council~~ Engineering Coordinator may not find an unreasonable hardship unless the alleged hardship:

...

2. Appeals to the Appeals Hearing Officer. The applicant or adversely affected party may appeal the approval or denial of the exception application by alleging that there is an error in any order, requirement, decision or determination made by the engineering coordinator. Appeals shall be filed in the office of the County Manager within ten (10) days of the date the engineering coordinator issues the administrative decision. The person or entity making the appeal has the burden of proving that an error has been made by the engineering coordinator. The application for appeal shall include an application fee as listed in the fee table. The appeal shall meet the requirements of, and shall be conducted in accordance with Section 2.02.02.
 3. Appeals to the District Court. An exception applicant or adversely affected party may file a petition for review of the decision of the ~~Board of Adjustment~~ Appeals Hearing Officer with the district court within 30 days after the decision of the ~~Board of Adjustment~~ Appeals Hearing Officer is issued.
 4. Appeals of final decisions applying the standards governed under this subsection are made pursuant to WCC 14.02.04, except for exception application.
- O. Lot Frontage: Any roads which are approved as part of a development shall have a minimum of 150' of lot frontage, or the Developer shall be required to establish a Home Owners Association which, after the maintenance is turned over to the HOA from the developer after the development successfully passes through the warranty period, shall be responsible for maintaining the road forever, including providing snow plowing services on the road. If applicable, this requirement, with appropriate enforcement mechanisms, shall be memorialized in the subdivision plat, and in the development agreement if a development agreement is entered into for the development.

14.02.08: ROAD STANDARDS

Printable images of these road standard cross sections can be found by following this link.
<https://www.wasatch.utah.gov/Departments/Engineering>



Notes:

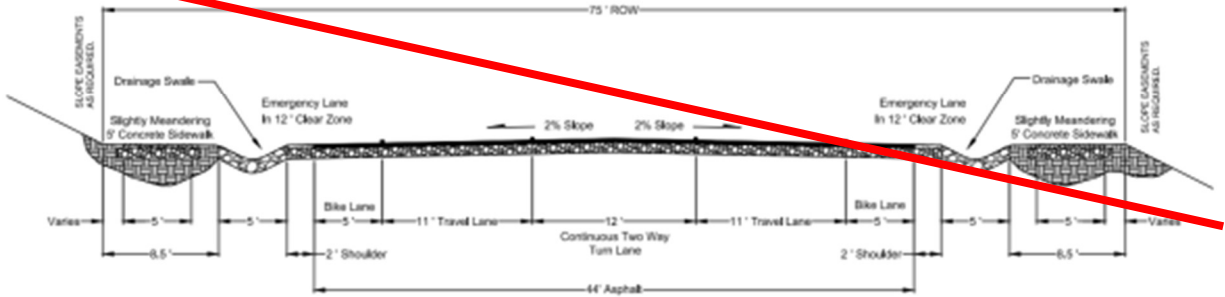
1. Sub Grade preparation and road section to be per 14.02.07 L.
2. All disturbed surfaces shall be covered with ~~6 inches~~ six inches (6") of topsoil and seeded.
3. Lane striping as per cross section.
4. Shoulder will be constructed with compacted road base. The ~~subtle meandering shared use path~~ Improved Multi-Use Trail will have ~~3 inches~~ three inches (3") of asphalt over ~~9 inches~~ six inches (6") of road base.
5. Road will have a minimum of four inches (4") of asphalt over nine inches (9") of road base.
6. Permanent erosion control mat* or minimum six inches (6") thick rip rap required in drainage swale for road slopes greater than 5% with check dams spaced no more than every two hundred feet (200').
7. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
8. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').

* PERMANENT EROSION CONTROL MAT TO CONFORM TO THE FOLLOWING:

• THICKNESS	0.4 IN
• GROUND COVER FACTOR	74%
• TENSILE STRENGTH	170 X 125 LB/FT
• TENSILE ELONGATION	50% MAX
• ULTRAVIOLET STABILIZATION 1000 HRS	80%

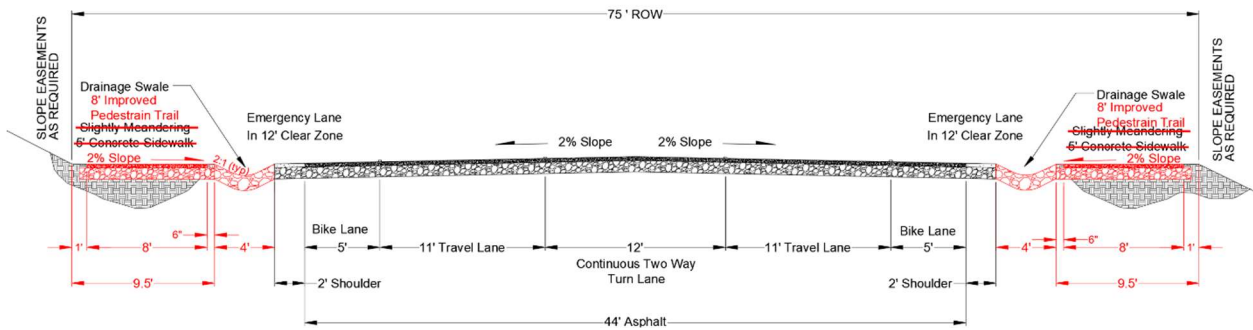
75' Major Collector Cross Section

Figure 2



75' Major Collector Cross Section

Figure 2



Notes:

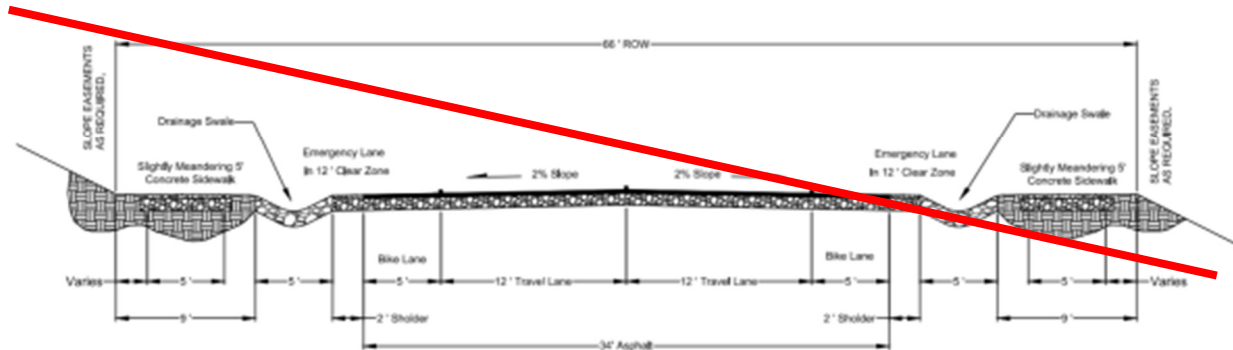
1. Sub Grade preparation and road section to be per 14.02.07 L.
2. The ~~subtle meandering shared-use path~~ Improved Pedestrian Trail will have ~~5 inches~~ three inches (3") of ~~concrete-asphalt~~ over ~~six (6")~~ inches of road base.
3. All disturbed surfaces shall be covered with ~~6 inches~~ six inches (6") of topsoil and seeded.
4. Lane striping as per cross section.
5. Shoulder will be constructed with compacted road base.
6. Road will have a minimum of four inches (4") of asphalt over ~~9-nine~~ inches (9") of road base.
7. Permanent erosion control mat* or minimum 6" thick rip rap required in drainage swale for road slopes greater than 5% with check dams spaced no more than every two hundred feet (200').
8. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
9. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').

*PERMANENT EROSION CONTROL MAT TO CONFORM TO THE FOLLOWING:

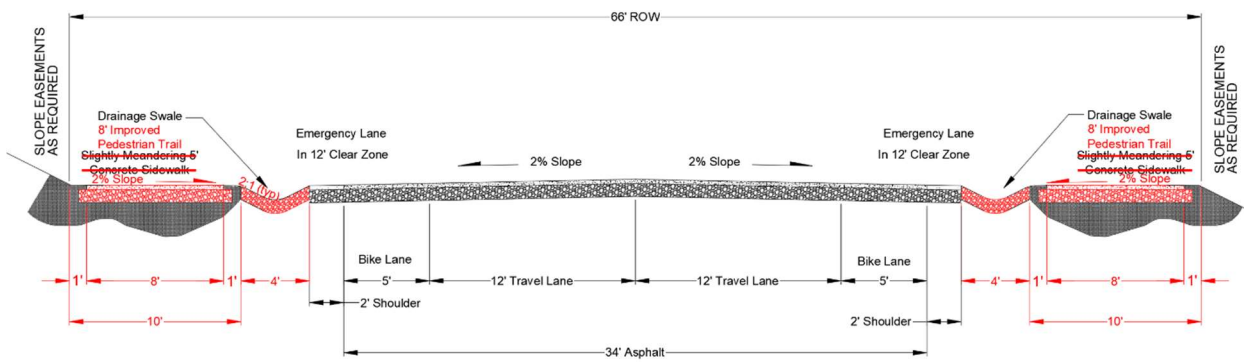
• THICKNESS	0.4 IN
• GROUND COVER FACTOR	74%
• TENSILE STRENGTH	170 X 125 LB/FT
• TENSILE ELONGATION	50% MAX

- ULTRAVIOLET STABILIZATION 1000 HRS 80%

66' Minor Collector Cross Section
Figure 3



66' Minor Collector Cross Section
Figure 3



Notes:

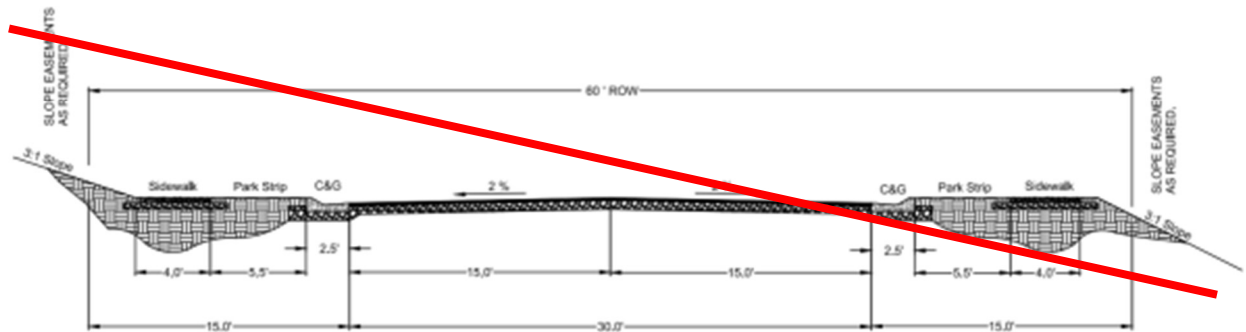
1. Sub Grade preparation and road section to be per 14.02.07 L.
2. The ~~subtle-meandering shared-use path~~ Improved Pedestrian Trail will have ~~5-inches~~ three inches (3") of ~~concrete-asphalt~~ over six inches (6") ~~6-inches~~ of road base.
3. All disturbed surfaces shall be covered with ~~6-inches~~ six inches (6") of topsoil and seeded.
4. Lane striping as per cross section.
5. Shoulder will be constructed with compacted road base.
6. Road will have a minimum of four inches (4") of asphalt over nine inches (9") of road base.
7. Permanent erosion control mat* or a minimum of six inches (6") of rip rap required for ditch drainage swale slopes greater than 5% with check dams spaced no more than every two hundred feet (200').
8. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
9. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').

*PERMANENT EROSION CONTROL MAT TO CONFORM TO THE FOLLOWING:

643	• THICKNESS	0.4 IN
644	• GROUND COVER FACTOR	74%
645	• TENSILE STRENGTH	170 X 125 LB/FT
646	• TENSILE ELONGATION	50% MAX
647	• ULTRAVIOLET STABILIZATION 1000 HRS	80%

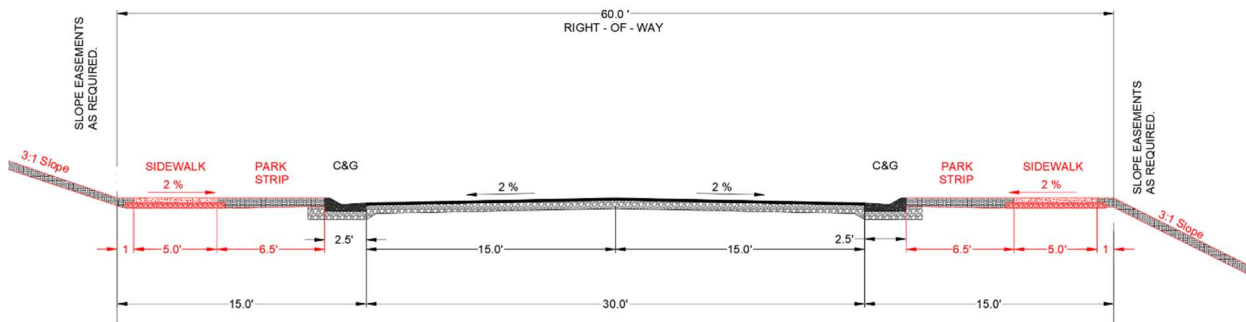
648

60' Major Local Cross Section
Figure 4



649

60' Major Local
Figure 4



650

Notes:

1. Sub Grade preparation and road section to be per 14.02.07 L.
2. The sidewalk will have five inches (5") of concrete over 6-inchesix inches (6") of road base.
3. All disturbed surfaces require 6-inchesix inches (6") of topsoil and seeded.
4. Road will have a minimum of three inches (3") of asphalt over eight inches (8") of road base.
5. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
6. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').

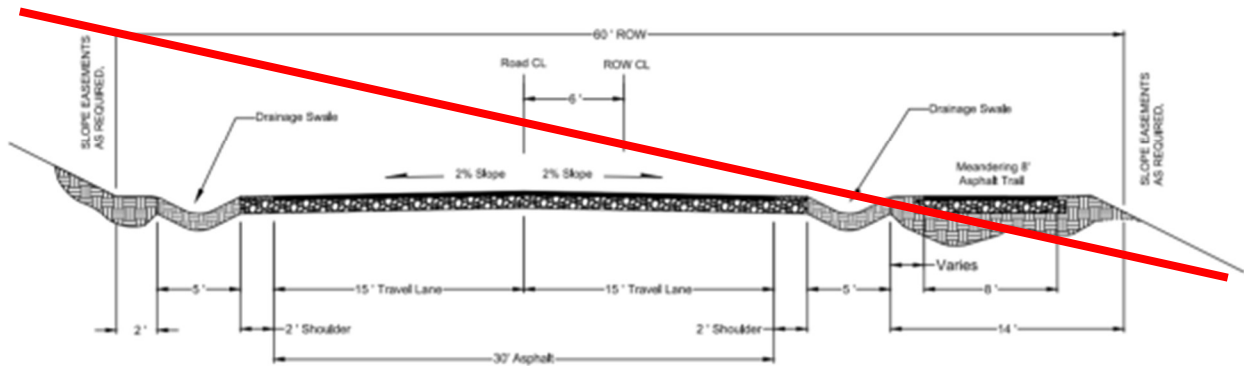
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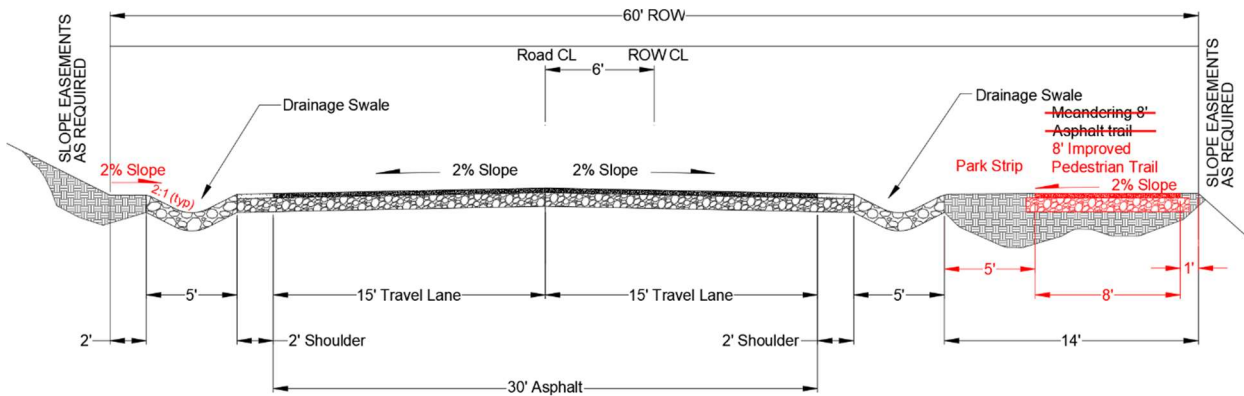
659

660

60' Major Local with Swales Cross Section
Figure 5



60' Major Local with Swales Cross Section
Figure 5



Notes:

1. Sub Grade preparation and road section to be per 14.02.07 L.
2. The ~~meandering shared-use path~~ Improved Pedestrian Trail will have ~~5 inches three inches (3")~~ of ~~concrete-asphalt~~ over ~~six inches (6")~~ 6 inches of road base.
3. All disturbed surfaces shall be covered with ~~6 inches six inches (6")~~ of topsoil and seeded.
4. Shoulder will be constructed with compacted road base.
5. Road will have a minimum of ~~3 inches three inches (3")~~ of asphalt over eight inches (8") of road base.
6. Permanent erosion control mat* required for drainage swale slopes greater than 5 percent. Drainage swales to be topsoil and seeded. ~~Rip Rap will not be allowed. No cobble lined or rip rap ditch drainage swales.~~
7. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
8. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').
9. Permanent erosion control mat* required for ditch slopes greater than 5 percent.

*Permanent erosion control mat to conform to the following minimum specifications:

- THICKNESS 0.4 IN
- GROUND COVER FACTOR 74%

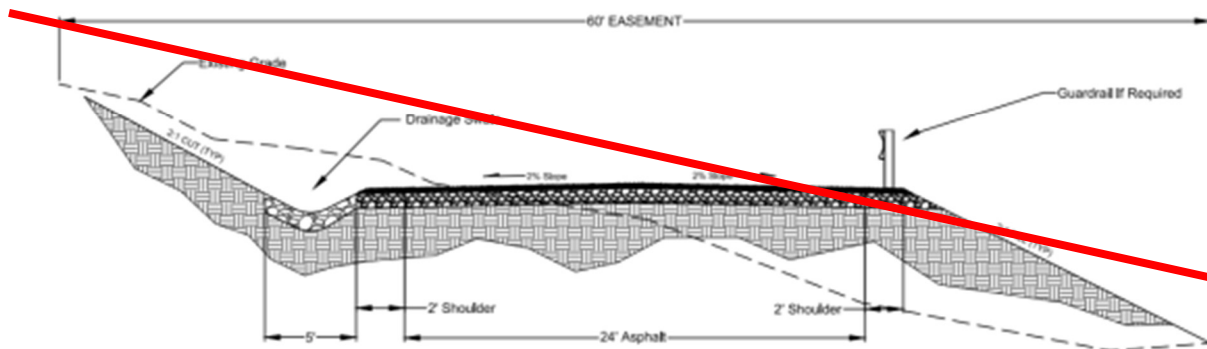
- 680 • TENSILE STRENGTH 170 X 125 LB/FT
- 681 • TENSILE ELONGATION 50% MAX
- 682 • ULTRAVIOLET STABILIZATION 1000 HRS 80%

683

684

Agricultural / Seasonal Road

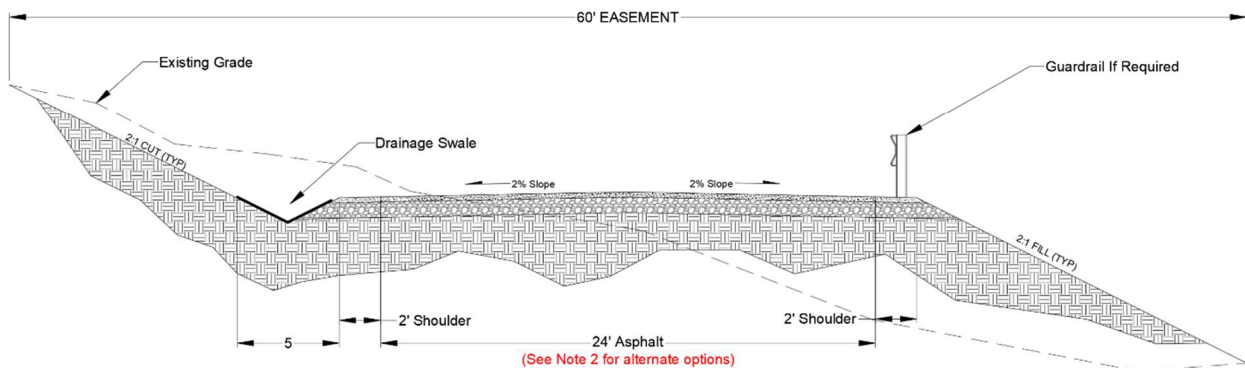
Figure 6



685

Agricultural / Seasonal Road

Figure 6



686

Notes:

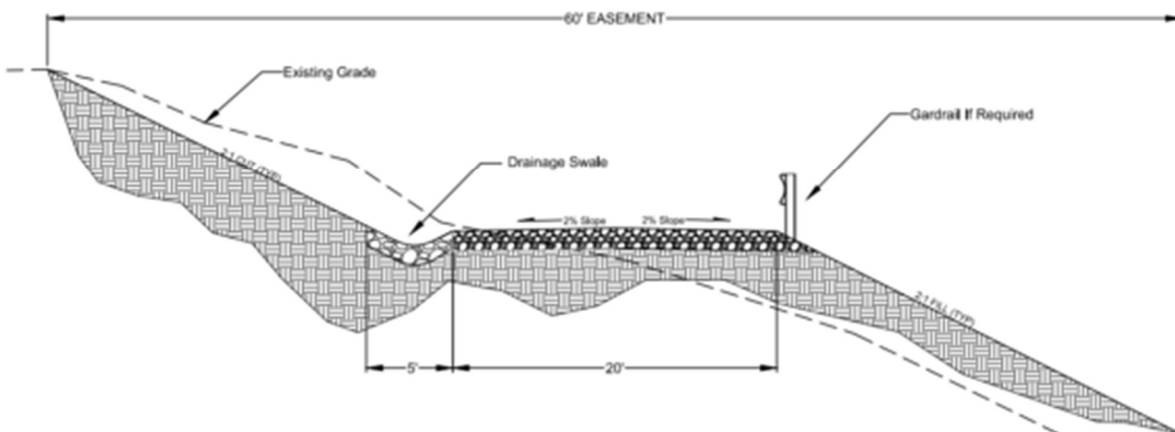
- 687 1. Sub Grade preparation and road section to be per 14.02.07 L.
- 688 2. Shoulder will be constructed with compacted nine inches (9") road base. Road will have a minimum of
689 Section width to be a minimum of the following: nine inches (9") of road base, or four inches (4") of roto-
690 mill tailings over six inches (6") of road base, or three inches (3") of asphalt over nine inches (9") of road
691 base. (The rendering above only shows asphalt, but these other surfaces are may also be allowed through
692 County Council approval as specified in this chapter, section 14.02.07.F – Agricultural/Seasonal Road)
693 3. Permanent erosion control mat* or a minimum of six inches (6") of rip rap required for ditch drainage
694 swale slopes greater than 5 percent.

4. Check dams, spaced no more than every two hundred feet (200'), required for ~~ditch~~ drainage swale slopes greater than 5 percent.
5. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
6. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8')~~8 feet~~.
7. All disturbed surfaces shall be covered with ~~6-inches~~ six inches (6") of topsoil and seeded.

* Permanent erosion control mat to conform to the following minimum specifications:

• THICKNESS	0.4 IN
• GROUND COVER FACTOR	74%
• TENSILE STRENGTH	170 X 125 LB/FT
• TENSILE ELONGATION	50% MAX
• ULTRAVIOLET STABILIZATION 1000 HRS	80%

Fire / Emergency Road
Figure 7



Notes:

1. Fire/emergency roads will have no lot frontage and will have controlled access on each end of the road, restricting any traffic using them, unless for the purpose of an emergency.
2. Sub Grade preparation and road section to be per 14.02.07 L.
3. If plowed, must have a minimum of ~~3-inches~~ three inches (3") of asphalt over eight inches (8") of road base. Other road surfaces (road base only or roto-mill tailings) may be allowed through County Council approval as specified in this chapter, section 14.02.07.G – Fire/Emergency Road. If approved, other options include: nine inches (9") of road base or four inches (4") of roto-mill tailings over six inches (6") of road base.
4. Permanent erosion control mat* or a minimum of ~~6-inches~~ six inches (6") of rip rap required for ~~ditch~~ drainage swale slopes greater than 5 percent.
5. Check dams, spaced no more than every two hundred feet (200'), required for drainage swale slopes greater than 5 percent. ~~Check dams required for ditch slopes greater than 5 percent.~~
6. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
7. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8').

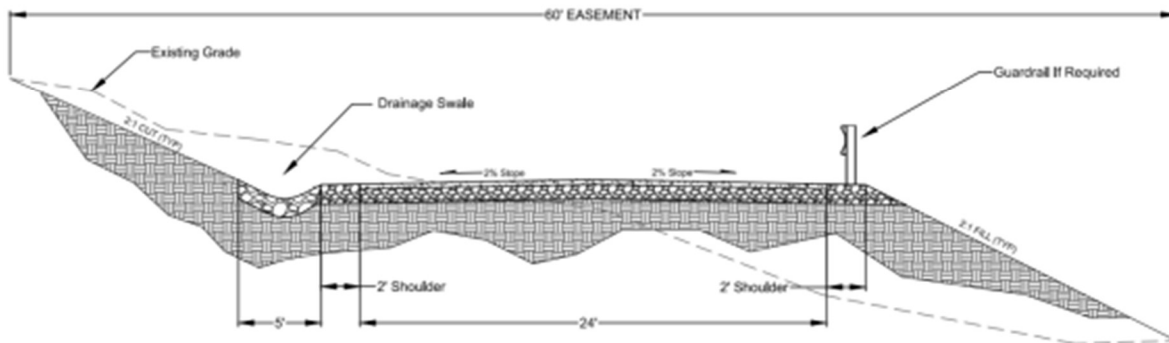
8. All disturbed surfaces shall be covered with ~~6-inches~~six inches (6") of topsoil and seeded.

* Permanent erosion control mat to conform to the following minimum specifications:

- | | |
|--------------------------------------|-----------------|
| • THICKNESS | 0.4 IN |
| • GROUND COVER FACTOR | 74% |
| • TENSILE STRENGTH | 170 X 125 LB/FT |
| • TENSILE ELONGATION | 50% MAX |
| • ULTRAVIOLET STABILIZATION 1000 HRS | 80% |

Mountain Road

Figure 8



Notes:

1. Sub Grade preparation and road section to be per 14.02.07 L.

2. Road to have a minimum of ~~3-inches~~three inches (3") of asphalt over eight inches (8") of road base.

3. Shoulder will be constructed with eight inches (8") of compacted road base.

~~34.~~ Permanent erosion control mat* or a minimum of six inches (6") of rip rap required for ~~ditch~~ditch-drainage swale slopes greater than 5 percent.

~~45.~~ Check dams, spaced no more than every two hundred feet (200'), required for drainage swale slopes greater than 5 percent.~~Check dams required for ditch slopes greater than 5 percent.~~

~~56.~~ Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.

~~67.~~ Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8')~~8-feet.~~

~~78.~~ All disturbed surfaces shall be covered with ~~6-inches~~six inches (6") of topsoil and seeded.

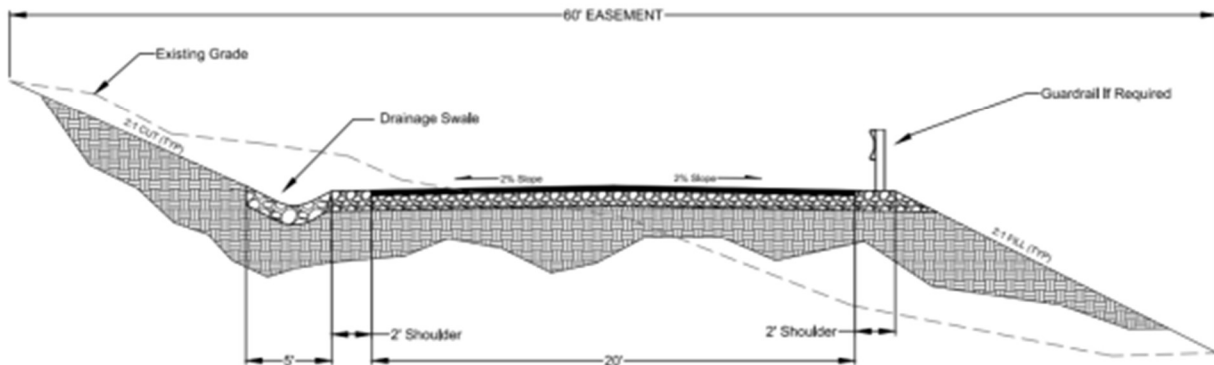
* Permanent erosion control mat to conform to the following minimum specifications:

- | | |
|--------------------------------------|-----------------|
| • THICKNESS | 0.4 IN |
| • GROUND COVER FACTOR | 74% |
| • TENSILE STRENGTH | 170 X 125 LB/FT |
| • TENSILE ELONGATION | 50% MAX |
| • ULTRAVIOLET STABILIZATION 1000 HRS | 80% |

758

Shared Driveway

Figure 9



759
760
761

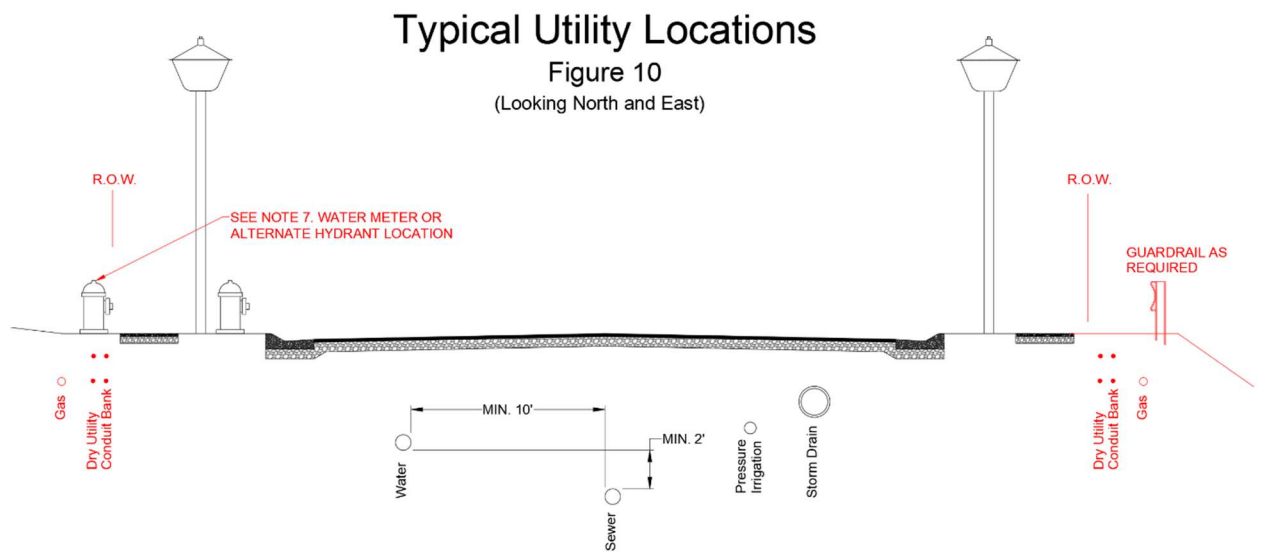
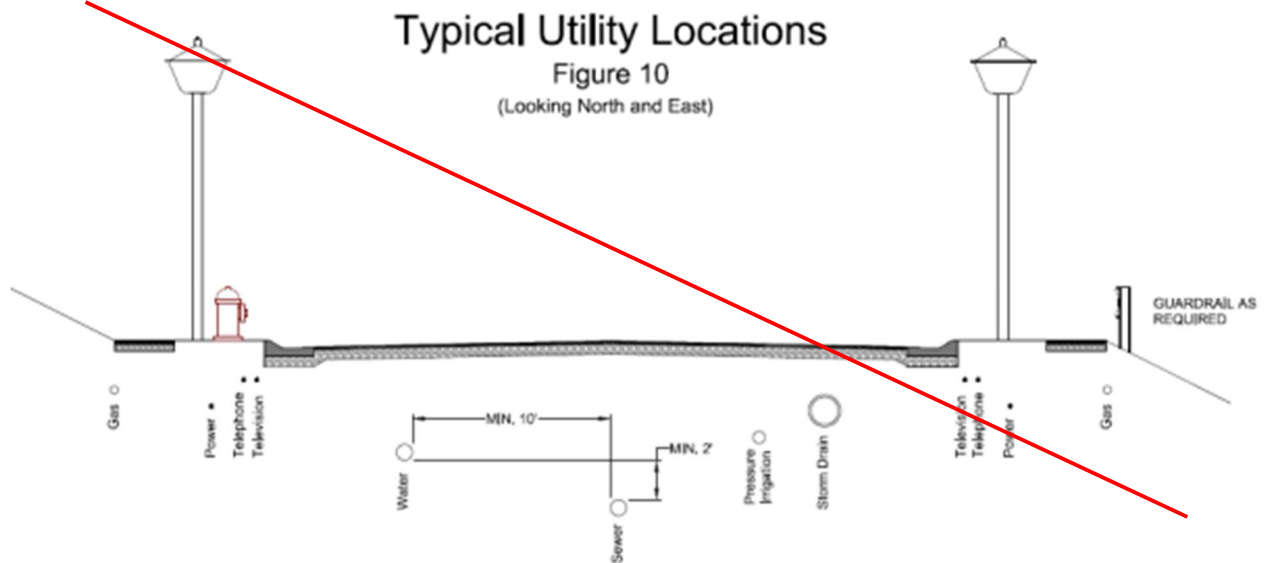
Notes:

1. Per section 16.27.31 of this code, shared driveways can only service 3 lots or less.
2. Sub Grade preparation and road section to be per 14.02.07 L.
3. Road to have a minimum of ~~3 inches~~ three inches (3") of asphalt over eight inches (8") of road base.
4. Shoulder will be constructed with eight inches (8") of compacted road base.
5. Permanent erosion control mat* or a minimum of six inches (6") of rip rap required for ~~ditch~~ drainage swale slopes greater than 5 percent.
56. Check dams, spaced no more than every two hundred feet (200'), required for drainage swale slopes greater than 5 percent. ~~Check dams required for ditch slopes greater than 5 percent.~~
67. Cut or fill slopes steeper than 3:1 to be designed and approved by a geotechnical engineer.
78. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8')-feet.
89. All disturbed surfaces shall be covered with ~~6 inches~~ six inches (6") of topsoil and seeded.

* Permanent erosion control mat to conform to the following minimum specifications:

• THICKNESS	0.4 IN
• GROUND COVER FACTOR	74%
• TENSILE STRENGTH	170 X 125 LB/FT
• TENSILE ELONGATION	50% MAX
• ULTRAVIOLET STABILIZATION 1000 HRS	80%

782



786 **Typical Cover Over Utilities**

- 787 * Sewer, 8 feet
- 788 * Water per local water agency
- 789 * Storm drain, 30 inches minimum
- 790 * ~~Gas, 30 inches~~
- 791 * ~~Power, 40 inches~~
- 792 * ~~Communication, 24 inches~~ Dry utility typical cover depths are per company specification
- 793

794 **Typical Utility Separation**

* Sewer/water - 10 feet horizontal, 2 feet vertical

* ~~Dry utility typical horizontal separation distances are per company specification~~Gas—minimum 3 feet horizontal

* ~~Power—minimum 12 inches horizontal~~

* ~~Communication—minimum 12 inches horizontal~~

Notes:

1. Streetlights required at fire hydrants and intersections.

2. Fire hydrant spacing per current international fire code.

3. Minimum vertical clearance where closer than ten feet (10') feet or at sewer/water crossing.

4. Sign locations per current MUTCD code.

5. Sewer manholes to be located in center of road, not to conflict with centerline survey monuments.

6. No dry utilities including gas, power, telephone, or cable will be allowed under the paved road section except at localized crossings. Any dry utilities under the road will be encased in conduit.

7. Hydrant location determined by speed and road grade. May be required to be on back of walk as shown. Where swales exist or it is infeasible to place hydrant in the park-strip, hydrants shall be placed in the public utility easement at the property line. Power and gas shall avoid hydrants and water meters.

8. Guardrail required on all fill slopes steeper than 3:1 where the vertical drop of the slope is greater than eight feet (8') feet.

...

14.02.10: APPENDIX B TO TITLE 14; DRIVEWAYS AND ENCROACHMENTS; REQUIREMENTS AND SPECIFICATIONS

...

C. Spacing: Access driveways or encroachments shall be spaced according to the following (graphically shown in 16.37.06):

1. Minimum distance as measured from the street right-of-way line. If the street right-of-way line is in a non-standard location, the Planning and Engineering Departments must evaluate and agree on the location to measure the spacing from intersections:

a. Street type, local:

(1) Minimum spacing: ~~Thirty five~~Thirty-five feet (35') apart;

(2) From intersections: ~~Fifty Forty~~Forty feet (~~50'~~40').

...

16.27.12: FINAL PLAT REQUIREMENTS

...

K. Front public utility easements: A fifteen-foot (15') public utility easement except where the zoning has less than a thirty-foot (30') building setback, in which case, the front public utility easement shall be ten feet (10'). If the development includes a village center or commercial use, the county planner, in coordination with the development review committee, shall identify the appropriate location for the public utility easement;

~~K-L.~~ Side and rear yard public utility easements: A ten-foot (10') public utility easement. ~~on all sides of the lot, except where~~If the development includes a village center or commercial use,

835 The county planner, in coordination with the development review committee, shall identify the
836 appropriate location for the public utility easement;

837 ~~1. Owner's dedications which shall contain the following elements, if applicable:~~

838 ~~a. The owner shall dedicate and convey to the owners of the lots in all phases of the~~
839 ~~development all open space, common areas, private trails, private roads, and any~~
840 ~~other property labeled on the plat as common;~~

842 ~~b.a. The owner shall dedicate all property labelled on the plat as public to the public,~~
843 ~~and all utility easements to the public for use of utility companies as allowed by~~
844 ~~Wasatch County;~~

846 ~~c.a. The owner shall dedicate to Wasatch County, or such other entity as has been~~
847 ~~approved by the County Council, an open easement in all open space, which shall~~
848 ~~typically contain the following elements: the owner hereby grants Wasatch~~
849 ~~County an open space easement in all property shown on this plat as open space.~~
850 ~~No structure or other development shall be permitted on the open space except as~~
851 ~~approved by the Wasatch County legislative body. Open space will be labeled as~~
852 ~~common area, though plat notes shall indicate the required open space easement,~~
853 ~~unless otherwise approved under Section 16.21.06.~~

855 ~~2.1. Lienholder's consent, if applicable;~~

857 ~~3.1. Owner's surveyor's certificate of accuracy of survey;~~

858 ~~4.1. County surveyor's approval;~~

859 ~~5.1. Planning commission approval, if applicable;~~

860 ~~6.1. Special service district approval, if applicable;~~

861 ~~7.1. County manager's approval of the plat and the acceptance of dedications of public lands,~~
862 ~~streets and easements;~~

863 ~~8.1. County fire marshal's approval;~~

864 ~~9.1. County attorney's approval as to form;~~

865 ~~10.1. Health department approval;~~

866 ~~11.1. Public works approval;~~

867 ~~12.1. County planning office approval;~~

868 ~~13.1. Wasatch County water board;~~

869 ~~14.1. Engineering department approval;~~

870 M. Owner's dedications which shall contain the following elements, if applicable:

871 1. The owner shall dedicate and convey to the owners of the lots in all phases of the
872 development all open space, common areas, private trails, private roads, and any other
873 property labeled on the plat as common;

- 875 2. The owner shall dedicate all property labelled on the plat as public to the public, and all
876 utility easements to the public for use of utility companies as allowed by Wasatch
877 County;
878
- 879 3. The owner shall dedicate to Wasatch County, or such other entity as has been approved
880 by the County Council, an open easement in all open space, which shall typically contain
881 the following elements: the owner hereby grants Wasatch County an open space
882 easement in all property shown on this plat as open space. No structure or other
883 development shall be permitted on the open space except as approved by the Wasatch
884 County legislative body. Open space will be labeled as common area, though plat notes
885 shall indicate the required open space easement, unless otherwise approved under Section
886 16.21.06.
887

888 N. Lienholder's consent, if applicable;

889 O. Owner's surveyor's certificate of accuracy of survey;

890 P. County surveyor's approval;

891 Q. Planning commission approval, if applicable;

892 R. Special service district approval, if applicable;

893 S. County manager's approval of the plat and the acceptance of dedications of public lands, streets
894 and easements;

895 T. County fire marshal's approval;

896 U. County attorney's approval as to form;

897 V. Health department approval;

898 W. Public works approval;

899 X. County planning office approval;

900 Y. Wasatch County water board;

901 ~~M.~~ Engineering department approval;

902 Z.

903 AA. Notary public's acknowledgement for each owner's dedication.

904 BB. A two-inch by three-inch (2" x 3") space at the bottom right hand corner for the Wasatch County
905 Recorder.

906

907 ~~A two-inch by three-inch (2" x 3") space at the bottom right hand corner for the Wasatch County~~
908 ~~Recorder.~~

909 ...