



NOTICE AND AGENDA BRIGHAM CITY PLANNING COMMISSION

Tuesday, October 07, 2025, 6:00 PM
City Council Chambers, 20 North Main

- 6:00 Pledge of Allegiance
- 6:02 Approval of Minutes
- 6:05 Continuation / Public Hearing ¹ / Application #25-069 / Amend Brigham City Zoning Map / Rezone properties from A-5 (Agricultural) and M-D (Manufacturing-Distribution) to P-R-M-7 (Planned – Multiple Residential) on approximately 260 acres / 400 South and 1200 West / Garth Day, Heritage Land Development
- 6:20 Continuation / Public Hearing ¹ / Application #25-070 / Amend Brigham City Code Chapter 156 Zoning / Establish a new Planned District / Avian Shores Planned District / 400 South and 1200 West / Garth Day, Heritage Land Development

¹ Each individual is limited to 3 minutes.

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids or services for this meeting should contact Destry Larsen (435-734-6604) at least 48-hours in advance of the meeting.

CERTIFICATE OF POSTING

The above notice and agenda were posted in three places within Brigham City Limits. A copy was also provided to the Box Elder News Journal and posted on the City Website and the State Public Meeting Notice website on September 18, 2025.

**BRIGHAM CITY, UTAH
PLANNING COMMISSION
STAFF EVALUATION**

APPLICANT: Garth Day, Heritage Land Development

PROPERTY OWNERS: Heritage Land Holdings LLC, Bar D D LC ETAL, Olsen Steven L TTEE, Valentine Nicholas L TTEE ETAL, Brigham City Corporation

PROPERTY SITE: 400 S and 1200 W

PARCEL NO: *03-112-0006, 03-112-0030, 03-112-0034, 03-112-0036, 03-112-0038, 03-112-0039, 03-114-0021, 03-118-0008, 03-118-0021, 03-118-0023, 03-118-0025

**Excluding portion west of 1400 West*

APPLICATION NO.: 25-069

AREA: ~260 acres

ZONING DISTRICT: A-5/M-D

DATE: October 2, 2025

PLANNING COMMISSION MEETING: October 7, 2025

APPLICATION TYPE: Legislative

PLANNING COMMISSION ROLE: Recommending Body to City Council

NATURE OF REQUEST:

Rezone – Change of zoning district from A-5 (Agricultural) and M-D (Manufacturing-Distribution) to P-R-M-7 (Planned - Multiple Residential).

OVERVIEW:

This application was continued at the September 16, 2025 meeting to provide additional time for staff and the applicant to refine the draft Planned District text and accompanying exhibits for application #25-070 (Amend City Code to establish Avian Shores Planned District).

- *The public hearing remained open.*
- *It was suggested that Pam Allen, trustee of the Bar DD property, who entered into a purchase agreement with the applicant provide a written statement clarifying ownership. This is in reference to her brother Todd Amidan's comments during the public hearing.*
- *The meeting minutes will serve as a useful overview and recap.*

The applicant initially filed a petition to rezone approximately 192 acres of properties from A-5 (Agricultural) to R-M-7 (Multiple Residential) in preparation for developing the land. During the process the applicant determined the best approach for master developing the properties would be rezoning the area to a planned (P-R-M-7) district with an underlying zone of R-M-7 and creating a specific planned zoning district section of the City Code. On August 21, 2025, the City Council tabled the initial rezone applicant and sent it back to the Planning Commission for consideration of a planned district. This is a two-step process; the rezone portion that would amend the City Zoning Map, and a City Code amendment (see application #25-070) establishing a new zoning district (P-R-M-7) that would include a general development plan and outline certain standards.

This application includes three City properties to be included in the overall master development plan. The sports complex, a planned regional storm basin, and the access road to the basin. The regional storm basin property is the sole M-D district. All other properties are currently A-5 districts. The General Plan land use designation for this area is "Medium Density Residential," which includes R-1-6 and R-M-7 zoning districts, except for an area adjacent to the railroad which is designated as High Density Residential. The

STAFF COMMENTS:**Community and Economic Development Department:**

1. Support application to rezone the properties to a planned district (P-R-M-7 Planned - Multiple Residential).
2. Recommend the rezone application (#25-069) be considered with the application (#25-070) to amend the city code to establish a new planned district and run concurrently through the legislative process.

Engineering Department:

1. Comments are included with application #25-070.

Fire Department:

1. No concerns or comments at this time.

Police Department:

1. No comments

Public Power Department:

1. No concerns currently

Public Works Department:**(Culinary Water, Street, and Wastewater Treatment/ Storm Drain Divisions)**

1. Review comments are forthcoming.

PLANNING COMMISSION RESPONSIBILITY:

1. The Planning Commission holds the required public hearing.
2. The Planning Commission determines whether the request is in harmony with the General Plan.
3. The Planning Commission recommends approval, disapproval, or request additional information in order to make a recommendation to the City Council.

STAFF RECOMMENDATIONS:

1. Support rezoning the properties to a planned district (P-R-M-7).
2. Recommend the rezone application (#25-069) be considered with the application (#25-070) to amend the city code to establish a new planned district and run concurrently through the legislative process.

STIPULATIONS:

1. The rezone application to a planned district is to be considered with application #25-070 Amending Brigham City Code Chapter 156 Zoning to establish a new Planned District – Avian Shores Planned District.

FINDINGS OF FACT:

1. The Planned District rezone request with an underlining R-M-7 district is consistent with the General Plan land use designation “Medium Density Residential” for this area, except for an area adjacent to the railroad which is designated as High Density Residential.
2. Notice procedures followed Utah Code and City Policy.
3. The City Council is the only body who may amend the zoning map (Utah Code, Section 10-9a-503(1)).

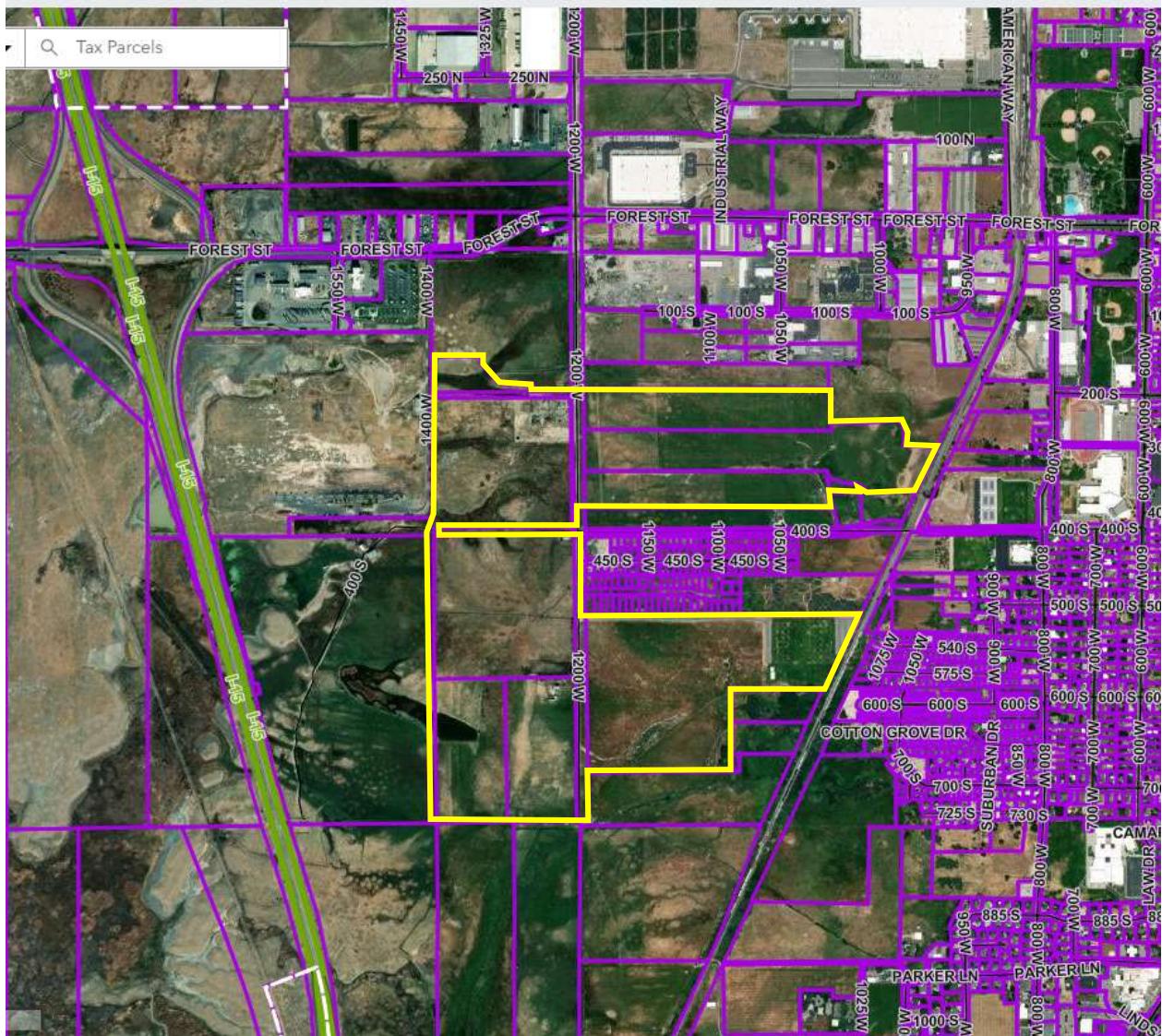
4. The City Council may not make any zoning map amendment without first receiving a recommendation from the Planning Commission (Utah Code, Section 10-9a-503(2)).

ATTACHMENTS:

1. Locator and Parcel Map
2. Submitted Planned District Boundary
3. General Plan Map
4. Zoning Map

LOCATOR AND PARCEL MAP

Box Elder County Web Map





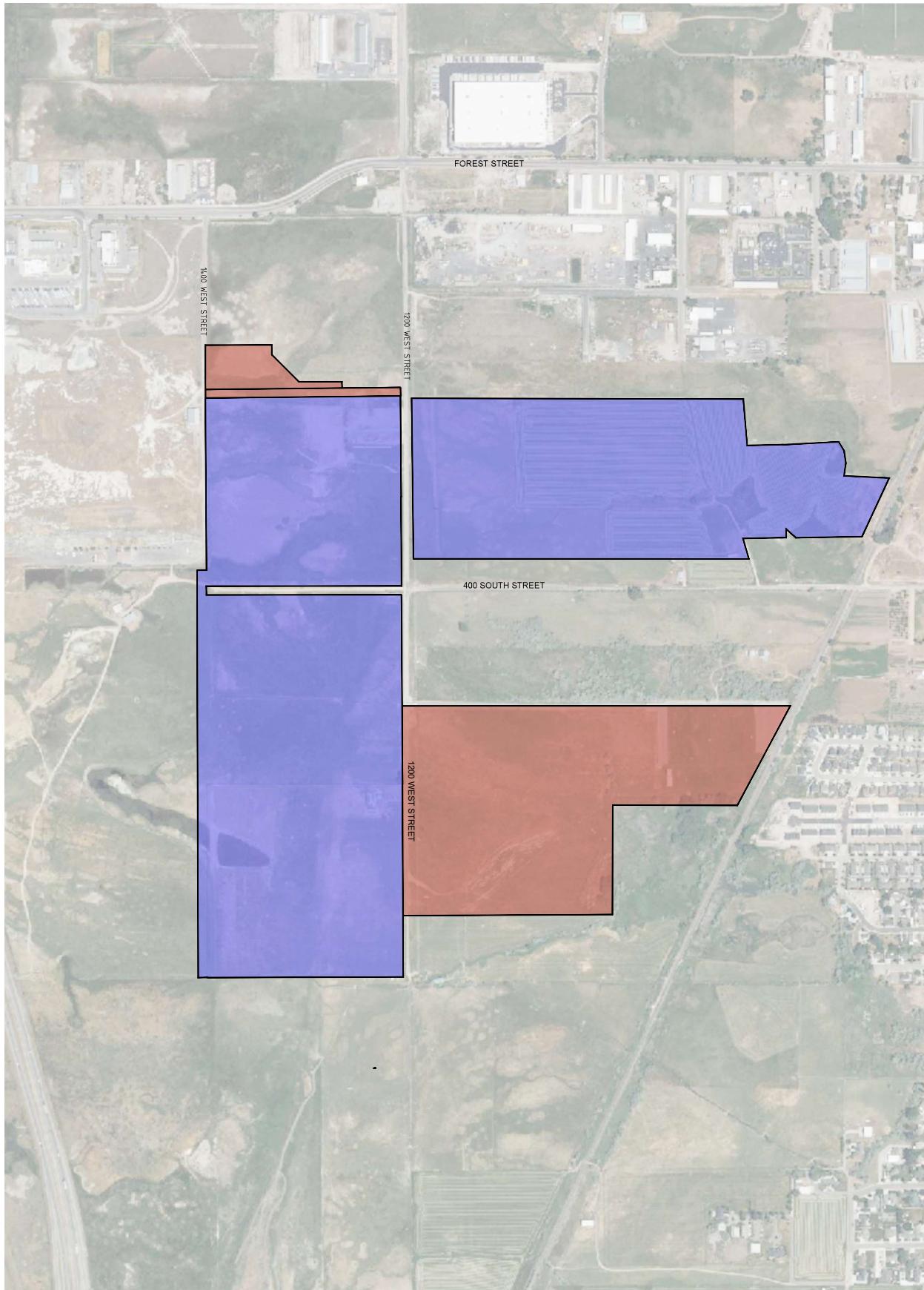
HUNT • DAY

3455 Antelope Drive, Ste 200
Spokane, WA 99207
Ph: 800.684.4724

AVIAN SHORES P-DISTRICT BOUNDARY

EXHIBIT 1

CITY OF BRIGHAM, BOX ELDER COUNTY



Drawn:
Permit No:
Date:
FMS, Compt
Ph: 205-2025

LEGEND

— BOUNDARY

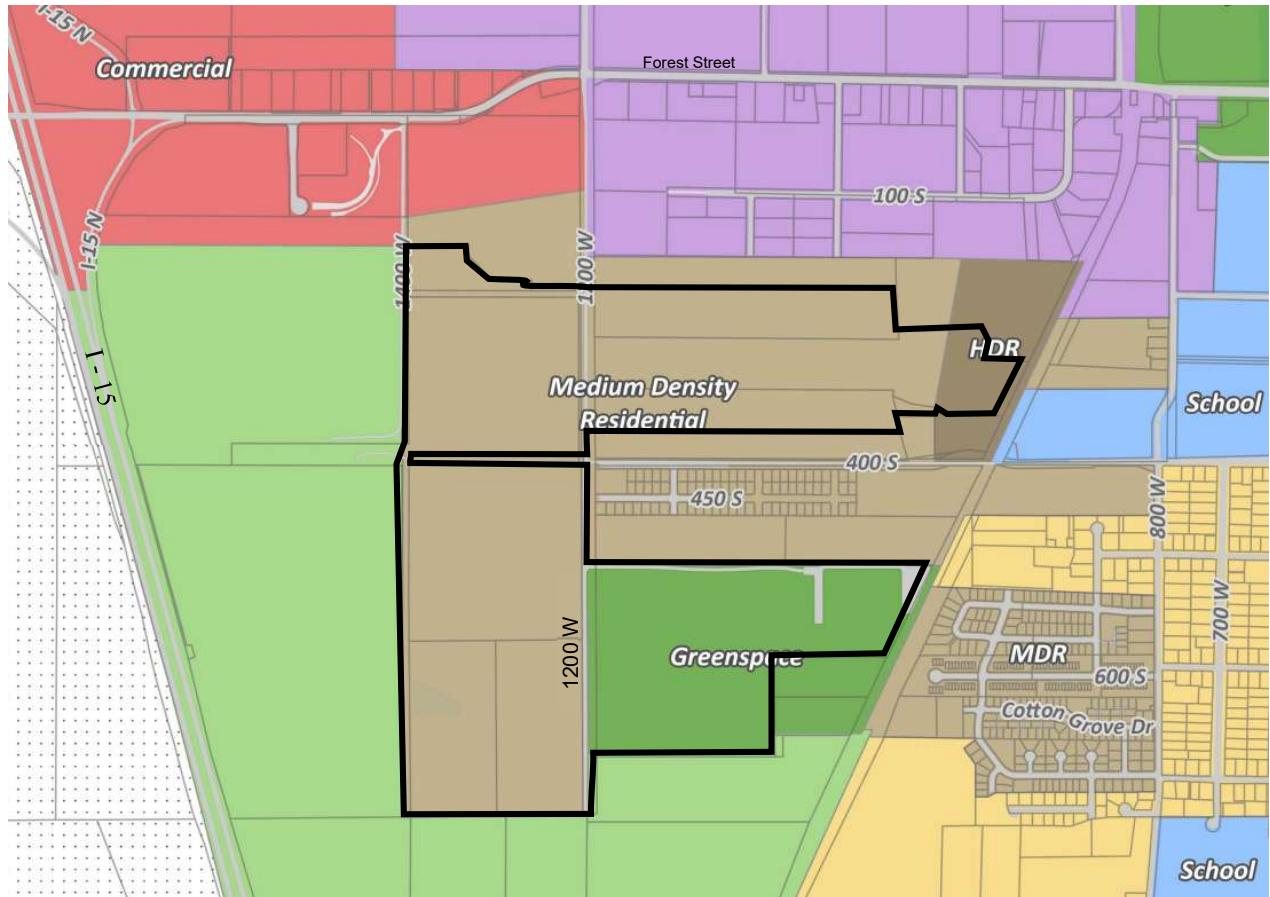
BLUE - PRIVATE PROPERTIES

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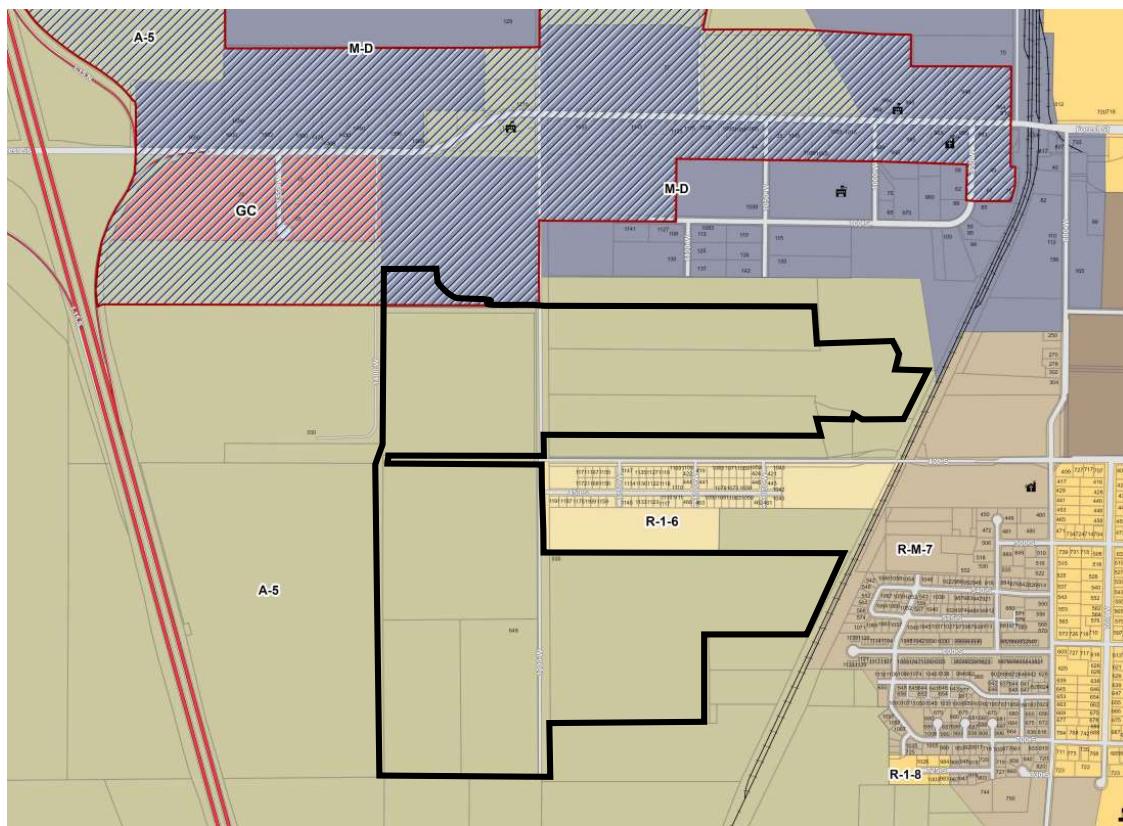
AVIAN SHORES
MASTER PLANNED COMMUNITY



GENERAL PLAN MAP



ZONING MAP



**BRIGHAM CITY, UTAH
PLANNING COMMISSION
STAFF EVALUATION**

APPLICANT: Garth Day, Heritage Land Development

PROPERTY OWNERS: Heritage Land Holdings LLC, Bar D D LC ETAL, Olsen Steven L TTEE, Valentine Nicholas L TTEE ETAL, Brigham City Corporation

PROPERTY SITE: 400 South and 1200 West

PARCEL NO: *03-112-0006, 03-112-0030, 03-112-0034, 03-112-0036, 03-112-0038, 03-112-0039, 03-114-0021, 03-118-0008, 03-118-0021, 03-118-0023, 03-118-0025

**Excluding portion west of 1400 West*

APPLICATION NO.: 25-070

AREA: ~260 acres

CODE CHPT: 156 Zoning

DATE: October 2, 2025

PLANNING COMMISSION MEETING: October 7, 2025

APPLICATION TYPE: Legislative

PLANNING COMMISSION ROLE: Recommending Body to City Council

NATURE OF REQUEST:

Amend Brigham City Code Chapter 156 Zoning to establish a new Planned District – Avian Shores Planned District

OVERVIEW:

This application was continued at the September 16, 2025 meeting to allow staff and the applicant to refine the draft Planned District text and accompanying exhibits. The public hearing remained open. The meeting minutes provide a great overview of that meeting.

Key items:

- Clean up of additional permitted uses and definitions.
- Would like additional discussion on the Neighborhood Commercial definition.
- Consideration of whether Live-Work Units are exempt from being platted and recorded. It seems like these units should be platted and recorded.
- Clarification on Bar DD property ownership. Todd Amidan, Pam Allen.
- Wording of subsection (D) Limitations
- City Administration would like to see some adjustments make with some of the greenspace/parks. There is preference of pocket parks along the trail with focus of larger parks for overall maintenance.
- Updates to the General Development Plan (Master Plan Map) and Open Space and Trail Master Plan.

New attachments:

- Draft Version 2 with redlines, showing combined edits to the existing draft text and proposed revisions. Strike through text is proposed draft language to be deleted. Underlined text is proposed new or revised language.
- A clean Draft Version 2 provided for ease of review.
- Updated map exhibits

The applicant is seeking to establish a planned (P-R-M-7) district zone for this area which would include certain city properties (sports complex, regional storm basin). A planned district allows for site specific standards with an overall general development plan and is adopted into city code as its own zoning district. Application #25-069 is the rezone

petition from A-5 (Agricultural) and M-D (Manufacturing-Distribution) to the P-R-M-7 (Planned - Multiple Residential) district. General standards are subject to the underlying zoning district, which would be the R-M-7 (Multiple Residential) district. See attached project summary and proposed planned district text for more detail.

The purpose of establishing a planned district zone is to know what is being proposed and planned for the properties. Certain design standards are applied to the established district rather than a blanket rezone and allow for the inclusion and exclusion of certain uses that may not typically be permitted in the standard district. The proposed planned district would include mixed-use/housing, open space, trails, and parks.

STAFF COMMENTS:

Community and Economic Development Department:

1. Our department has incorporated the submitted summary information into the draft city code format (see attachment).
2. There are items that require additional discussion and clarification. Recommend the Planning Commission hold the public hearing and have a detailed discussion on this project and then continue the application to another meeting to allow staff and the application to further refine the proposed Planned District text and plans. This is a large project that merits proper planning and coordination between the applicant and the city staff, Planning Commission, and City Council.
3. Recommend 1200 West Street landscape and fencing/wall details and standards be drafted prior to a recommendation to the City Council.
4. Recommend the Open Space and Trails Master Plan be further discussed regarding trail types, installation, and maintenance responsibilities. Also, proposed City property improvements.
5. Recommend a neighborhood commercial node be placed at the intersection of 400 South and 1200 West.
6. Roadways and street connections.
 - A. Evaluate the north stub streets west of 1200 West Street. The two shown stub street appear to dead end at the City property. What are the plans for the City property that accesses the regional storm water basin from 1200 West? become a
 - B. The northerly east/west road west of 1200 West should extend to 1400 West.
 - C. The east/west road west of 1200 West that ties into 1200 West at the northwest corner of the City Park alignment may need to shift south. The same roadway should extend to 1400 West depending on the distance of that block.
 - D. There may need to be one more west access from 1200 West where the proposed townhomes are located. It seems like a long stretch (block) between access points.
7. Open Space/Parks. Additional discussion needs to take place to determine which areas will be public parks versus private parks.
8. The General Development Plan should include some land use reference for the portion of property by the railroad, even if it is merely labeling for future and would be updated with future amendment.

Engineering Department:

1. Please provide a drawing similar to EXHIBIT 2 from Hunt Day with an approximate number of units shown in each block / development area so that our office can analyze global infrastructure needs.

2. We recommend the developer clearly identify proposed ownership and maintenance responsibilities for all landscaping, trails, roads, and utilities for the entire development area.
3. An updated 1200 W corridor plan should be submitted for review with City administration and Public Works showing proposed fencing and landscaping and roadway access improvements.
4. If supported by administration, we support the rear-loaded units along 1200 W to create a more open feel for the development.
5. Assuming 8" mains are installed in each roadway per the Public Works standards, our water modeling in this area suggests adequate culinary water capacity.
6. If possible, we recommend this area consider a stand-alone secondary water system with ponds and piping to irrigate landscaping with existing water shares and rights.
7. The 30" and 36" storm drain mains proposed to be installed on 1200 W with the regional detention basin at the northwest end of the development will address storm water needs east and south of the sports complex. All other drainage west and south will need to be addressed with ponds and piping in the development.
8. We recommend that the proposed parks not be solely detention basins since usable grass space will be difficult to maintain in excavations with high groundwater.
9. We understand this development will need to construct a new sewer lift station. This should follow Public Work Standards or be approved by Public Works.
10. Our office will need to review the City's SECAP and sewer Capital Facilities Plan to verify the proposed density still maintains adequate capacity in the 1200 W sewer main.

Fire Department:

1. No concerns or comments at this time.

Police Department:

1. No comments

Public Power Department:

1. Requesting a 15-foot easement on west side of 1200 West for power.
2. Requesting a new circuit back to West Forest substation to bring needed power to subdivision area.

Public Works Department:

(Culinary Water, Street, and Wastewater Treatment/ Storm Drain Divisions)

1. Review comments are forthcoming.

PLANNING COMMISSION RESPONSIBILITY:

1. The Planning Commission holds the required public hearing.
2. The Planning Commission determines whether the city code amendment to create a new planned district is in harmony with carrying out the objectives and direction of the General Plan.
3. The Planning Commission recommends approval, approval with modification, disapproval, or request additional information in order to make a recommendation to the City Council.

STAFF RECOMMENDATIONS:

1. Support the application in general.

2. Recommend the Planning Commission hold the public hearing and have a detailed discussion on this project and then continue the application to another meeting to allow staff and the application to further refine the proposed Planned District text and plans.
3. This is a large project that merits proper planning and coordination between the applicant and the city staff, Planning Commission, and City Council.
4. Subject to noted stipulations below.

STIPULATIONS:

1. Subject to successful rezoning of properties for the Planned District, Application #25-069.
2. Subject to addressing staff review comments.
3. The specifics of the site improvements and construction plans to be approved with applicable land use applications.

FINDINGS OF FACT:

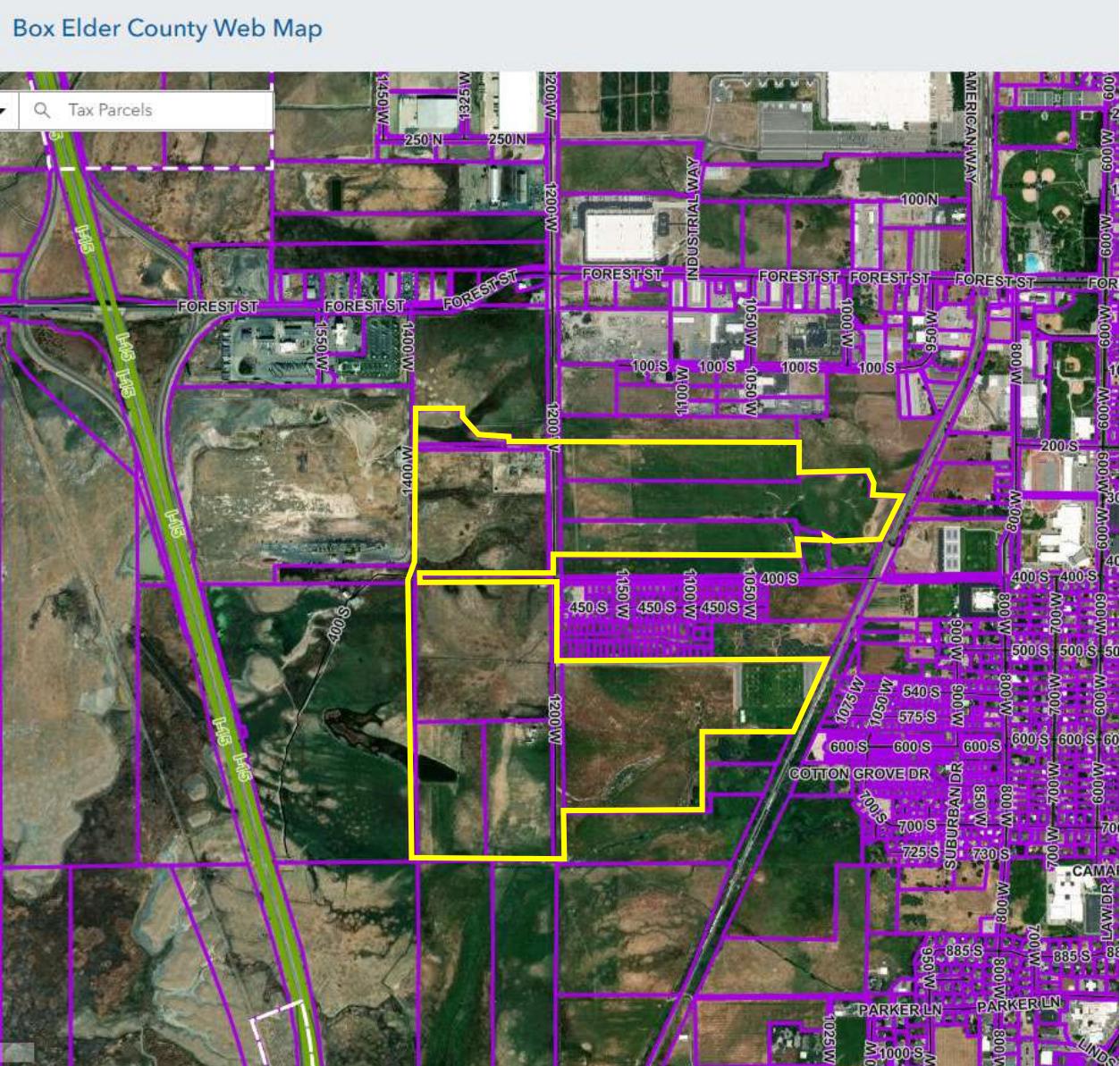
1. A Planned District is a zoning tool that allows site specific zoning associated with an underlying zoning district. This is allowed through the provisions of City Code Chapter 156 Zoning, Sections 156.175 through 156.181.
2. The Planned District is also subject to other provisions of the Zoning Ordinance, except that where conflict in regulations occurs, the regulations specified in Chapter 156 Zoning, Sections 156.175 through 156.181, or on a development plan approved pursuant to the said Sections, shall apply (Section 156.176).
3. Planned Districts may be established on one or more contiguous parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of Sections 156.175 through 156.181 as determined by the Planning Commission (Section 156.176).
4. Purposes of the Planned District are (Section 156.175):
 - A. To encourage and provide a means for effectuating desirable development through the use of variations in siting, mixed land uses, and/or varied dwelling or other buildings.
 - B. To preserve the amenities and compatibility of P Districts by adoption of a general development plan, showing proper orientation, desirable design character, and compatible land uses.
 - C. To provide for the orderly pre-planning and long-term development for a variety of uses of large tracts of land which are under unified ownership or development control, so as to ensure that the entire tract will provide an environment of stable and desirable character.
 - D. To give the developer reasonable assurance that sectional development plans prepared in accordance with an approved general development plan will be acceptable to the local jurisdiction. Sectional development plans shall include subdivision plans and/or planned unit development plans as provided for in this Chapter.
 - E. To enable the adoption of measures providing for development of the surrounding area in character compatible with the Planned District
5. The Public Hearing was noticed per Utah Code and City Code.
6. The legislative body may not make any amendment authorized by this subsection (Utah Code, Section 10-9a-503) unless the amendment was proposed by the planning commission or was first submitted to the planning commission for its recommendation.

ATTACHMENTS:

1. Locator and Parcel Map

2. Planned District Boundary
3. Draft Version 2 - Redlines
4. Draft Version 2 – Clean Version
5. Updated General Development Plan
6. Updated Open Space and Trails Master Plan
7. Trail Types and Description
8. Elevations

LOCATOR AND PARCEL MAP





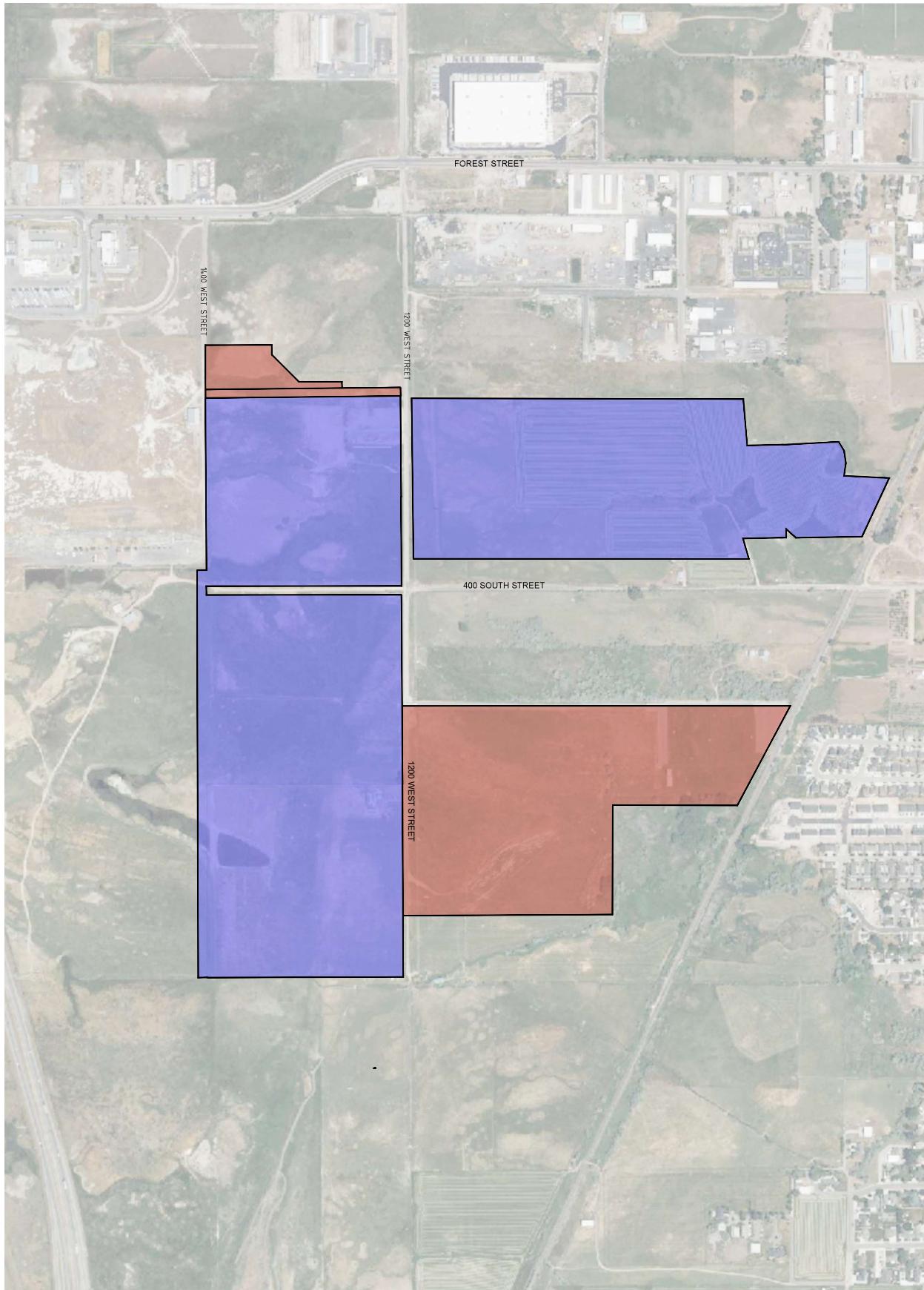
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AVIAN SHORES P-DISTRICT BOUNDARY

EXHIBIT 1

CITY OF BRIGHAM, BOX ELDER COUNTY



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LEGEND

— BOUNDARY

BLUE - PRIVATE PROPERTIES

RED - CITY PROPERTIES

AVIAN SHORES
MASTER PLANNED COMMUNITY



AVIAN SHORE PLANNED DISTRICT

§ 156.285 PURPOSE AND INTENT.

The purpose and intent of establishing the Avian Shore Planned District along 1200 West Street and 400 South Street is to create a dynamic and vibrant area that fosters the orderly development of residential uses ~~along with some potential~~ neighborhood commercial uses that ~~would~~ service the residential area. This district is intended to support Brigham City and Box Elder County's economic growth by promoting residential density and job creation. The district's development plan provides general guidance on the location and density of residential units and land uses compatible with adjacent properties, ensuring adequate infrastructure and services.

§ 156.286 PLANNED DISTRICT.

The Avian Shore Planned District shall apply to specific properties within Brigham City, located in the general area of 1200 West Street and 400 South Street as shown in Exhibit "A."

(A) Zoning district established. P-R-M-7 (Planned – Multiple Residential).

(B) Uses. The following uses are allowed within the P-R-M-7 District, which otherwise may not be listed in the underlying R-M-7 zoning district:

(1) The underlying zone is Multiple Residential District R-M-7. All uses allowed under the same permitted or conditional use designation as in other Multiple Residential District R-M-7 districts are hereby allowed in this Planned District, except for limitations in subsection (D).

(2) Additional permitted uses allowed and incorporated in the P-R-M-7 District, as defined, as applicable, in subsection (C) of this section.

(a) Accessory Dwelling Units (ADUs), ~~a maximum of one ADU for each single family dwelling~~ subject to City Code Section 156.360 Accessory Dwelling Units;

(b) Assisted Living Facility;

(c) Day Care Center (Non-Residential);

(d) Church; Religious Institution;

(e) Condominiums;

(f) Community Recreation Facility;

(g) Educational Institution;

(h) **Family Day Care;**

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Commented [PL1]: Should just reference the zoning ordinance standards for ADU's so that Avian Shores is consistent with the rest of the city with regard to ADU's, and in the event that changes are mandated by the legislature.

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(i) Group Care Facility

(j) Home Occupations;

(k) Live/Work Live-Work Units;

(l) Public or Private Parks and Open Space;

(m) Multiple-Family Dwellings (excluding apartments);

(n) Neighborhood Commercial;

(o) Residential Mixed-Use Developments;

(p) Townhomes.

(C) Definitions. The following terms used in subsection (B) and (D) of this section, and not defined in Brigham City Code Chapter 156 Zoning, have these specific meanings within the Avian Shores Planned District area:

(1) APARTMENT(S). Attached dwellings of four or more units. Any dwelling(s) not platted and recorded with the Box Elder County Recorder's office creating the ability for home ownership.

(2) COMMUNITY RECREATION FACILITY. A public or semi-private space designed to support recreational, social, educational, and physical activities for residents within the community. The facility is operated either by the City or an established Homeowner's Association (HOA), aimed to improve the well-being, health, and social connection of residents, and typically accessible to residents of all ages and abilities, promoting inclusion, healthy lifestyles, and community engagement.

(3) FAMILY DAY CARE.

(4) GROUP CARE FACILITY.

(4) LIVE/WORK LIVE-WORK UNITS. A type of building or space designed to combine residential and commercial uses within the same unit. These spaces allow individuals to live and work in the same location, typically with a layout that accommodates both living quarters and workspace, such as an office, studio, or retail area. A live-work unit enables an owner to use the commercial space as an office, studio, or retail, or rent it to another business. The commercial space must be designed on ground floor with the residential space above. Live-work units can play an integral role in creating vibrant, diverse, walkable neighborhoods.

(5) PUBLIC OR PRIVATE PARKS AND OPEN SPACE. Land set aside for recreation, relaxation, conservation, or visual enjoyment, which may be accessible to the general public or restricted to specific individuals or groups, depending on ownership and management.

(6) MULITPLE-FAMILY DWELLINGS.

Commented [PL2]: By state law, residential facilities for persons with a disability and residential facilities for elderly persons are allowed in all residential zones. Not sure we need to call out a category of use that may give rise to arguments about what constitutes a "Group Care Facility".

Commented [MB3]: Allowed in R-M-7

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Commented [PL4]: Need to amend the zoning ordinance to include this definition so there is consistency in the code. Also, limiting anything of four or more units in an attached structure would prohibit the units we saw in the Green Farms project.

Commented [PL5]: Here are links to several online resources that might help with creating a definition:
<https://missingmiddlehousing.com/types/live-work/#overview>
<https://online.encodeplus.com/regs/winterpark-co/doc-view.aspx?pn=0&ajax=0&secid=744>
https://crocogt.gov/wp-content/uploads/2016/07/CRCOG_Live-Work_Units_Final_9-30-13.pdf
<https://cms.cityoftacoma.org/planning/LiveWork/L-104%20Live-Work%20and%20Work-Live%20Uses.pdf>
<https://services.austintexas.gov/edims/document.cfm?id=177639>

Commented [PL6]: Is this redundant with the apartment definition?

(7) NEIGHBORHOOD **COMMERCIAL**. Small scale retail and service businesses designed to serve the day-to-day needs of the local community. Key characteristics:

(a) Convenient access. Intended to be easily accessible by walking, biking, or short drives from near by homes.

(b) Small Scale. Smaller in size and intensity than regional or downtown commercial centers.

(c) Business Types. Examples include grocery stores, cafes, bakeries, small restaurants, convenience stores (no gas station), beauty care and personal services, bicycle shop, art studio, and day care center.

(d) Community-Focused. Serves the immediate neighborhood rather than a broader region.

(e) Rules. Limited hours of operation (24/7 not allowed), signage lights dim after business hours, and building size to ensure compatibility with surrounding residential uses.

(8) RESIDENTIAL MIXED-USE DEVELOPMENTS

(D) Limitations (uses not allowed within the Planned District).

(1) Apartment(s), except that Accessory Dwelling Units are allowed subject to Brigham City Code standards and regulations.

(2) Any type of residential dwelling not platted and recorded with the Box Elder County Recorder's office for home ownership, **excluding except for Accessory Dwelling Units and Live-Work Units.**

(3) Other uses???

(E) General Development Plan. The submitted site master plan and open space and trail master plan incorporated as Exhibits "A" and "B" respectively, shall serve as the general development plan for the Avian Shores Planned District. The development shall include a variety of housing types, including single-family lots, townhomes, and condominiums. A balanced housing mix shall be maintained to ensure compatibility with adjacent land uses and to support a diverse neighborhood. Minor modifications of the housing mix (excluding apartments outside the General Plan) based on market demand are permissible provided all changes remain consistent with the Planned District standards and regulations.

Significant revision to the development plan requires an amendment to this Planned District. The applicable land use application for final design and construction plans shall be submitted for Planning Commission review and approval. The exact layout and number of units may differ from the submitted site plan based upon site design adjustments, parking requirements, open space and trails. Any school (educational institution) or church (religious institution) sites, which are encouraged to be located in residential neighborhoods, does not constitute an amendment to the Planned District, but does require the plans to be submitted for Planning Commission review and approval as outlined in the Brigham City land use code.

Commented [PL7]: Here are links to several online resources that might help with creating a definition:
<https://www.lawinsider.com/dictionary/neighborhood-commercial>
https://codelibrary.amlegal.com/codes/westjordanut/last/westjordan_genplan/0-0-0-454
<https://www.engagelehi.org/neighborhood-commercial>
<https://www.planning.org/pas/reports/report77.htm>

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Commented [PL8]: Here are links to several online resources that might help with creating a definition:
www.utah.gov/pmn/files/1018637.pdf
<https://www.completecommunitiesde.org/mixed-use-development/>
<https://www.cityoffampa.us/1739/Mixed-Uses>
<https://www.planetizen.com/definition/mixed-use-development>

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Commented [PL9]: Not sure what this means

§ 156.286 STANDARDS AND REGULATIONS.

~~The following provisions shall apply in this Planned District, which district shall also be subject to other provisions of the Brigham City Code, except where conflict in regulations occurs, the regulations specified in these sections, or on the development plan approved pursuant to these sections shall apply.~~

~~The following provisions apply specifically to this Planned District. While the district is also subject to the standards and regulations outlined in the Brigham City Code, if there is any conflict between those standards and regulations the provisions stated within this section or on the general development plan, the Planned District standards and regulations or the approved general development plan shall apply.~~

(A) Standards for density, height regulations, and parking, shall be governed by (i) for all residential parcels as depicted in the development plan the standards of the R-M-7 District, and (ii) for all neighborhood commercial parcels as depicted in the general development plan, the standards of the GC District ~~except the height and scale must be in harmony with the Neighborhood Commercial definition, City Code sections on sign regulations and off-street parking requirements.~~ The Planned District provides flexibility for lot sizes and yard requirements (setbacks) to allow a variety of lot sizes and housing type, and for compatible design with mixed-uses, and street scale. Design flexibility must provide a variation of lot sizes. The overall density of the Planned District area, excluding the City properties, is limited to a maximum of 7 dwelling units per acre.

(B) Standards for public improvements shall be governed by applicable adopted city ordinances and laws, including the current adopted edition of the Brigham City Public Work Standards.

(C) Landscaping and screening.

(1) Landscaping standards shall be governed by (i) for all residential parcels and uses, the R-M-7 District, and (ii) for all neighborhood commercial and ~~live/work~~ live-work properties and uses, as defined in the GC District.

(2) Plantings shall include drought tolerant designs where appropriate.

(3) The landscape and screening plan shall be submitted with the final design and construction plans for Planning Commission review and approval.

(4) Trees adequately spaced and separated throughout the residential areas of the Planned District, according to a final landscaping plan approved by the City Forester.

(D) Architectural controls. New building construction is intentionally allowed to be flexible, creative, and evolve with modern architectural designs. The architecture shall substantially follow the thematic elevations in Exhibit "C". Modifications, especially with residential industrial building standards, can change over time. In that event, a variation to the thematic elevations provided in Exhibit "C" is allowed. Where there are significant and uncharacteristic changes, new elevations are to be submitted for Planning Commission consideration for approval.

Commented [PL10]: Needs work. There is probably clearer language we can find.

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Commented [PL11]: We need to develop some specific standards for the neighborhood commercial. GC is much more intensive than what would be the intent here.

(E) Fencing plan. The fencing plan shall be submitted with the final design and construction plans for Planning Commission review and approval. See 1200 West Street Corridor subsection (H), for specific fence and/or wall requirements.

(F) Phasing plan. Phasing shall be permitted. Phasing plans shall be submitted with the final design and construction plans for Planning Commission review and approval.

(G) Subdivision Platting. All phases of the development shall be processed and recorded as standard subdivisions. Townhome and condominium phases shall be platted and recorded to support individual ownership and utility service.

(H) 1200 West Street Corridor.

(1) Direct access onto or from 1200 West Street is not allow, except for public streets and utility parcels as approved by City Public Works Director and City Engineer. 1200 West Street is designated as a limited access corridor;

(2) Developer shall install a low maintenance-free safety barrier fence or wall to ensure privacy and safety. Said fence or wall design is to be coordinated and approved by the Brigham City Staff DRT prior to installation;

(3) Landscaping along 1200 West shall meet Brigham City's 1200 West Street corridor standards. Developer is responsible for installing the landscape and City is responsible to maintain the landscape.

(I) Trail Master Plan. All alignments of trails within the development will be substantially as depicted in the site plan attached as Exhibit "B". The goal is to create a public trail system with opportunities to expand outside of the Planned District connecting to other trail networks.

(1) Developer to install trails.

(2) City to maintain trails that are dedicated to the City, except for certain secondary private trails owned and maintained by the established Homeowners Association (HOA), to maintain private trails.

(3) For trails dedicated to the City, the surface shall be concrete for trails less than 8 feet in width, asphalt for trails 8 feet and greater, unless otherwise approved by the Brigham City DRT, and except for the Historic Orchard Path which is a 10-foot-wide concrete surface pathway.

(3)(4) Trails labeled as "Potential Trail Alignment" identifies a potential trail location connecting to the proposed trails in the Planned District at a future time and requires property owner approval and coordination.

(J) Recreation and playground areas. Usable recreation area standards for the residential parcels will be as required under the R-M-7 District, subject to the following superseding clarifications: (i) any on-site, above grade storm drainage detention basin may count toward a portion of the recreation area if the applicant provides sufficient evidence that the basin is safe for recreational purposes and usable pertaining to the area, slope and

landscape, (ii) indoor recreational facilities shall count toward the required square footage and may include club rooms, fitness areas, spas, game rooms and other similar facilities, (iii) pathways or trails within the designated areas may be included in the calculation (although portions of sidewalks which border a parking lot and/or building are not considered recreation area).

(K) Street Connectivity.

- (1) Streets shall connect throughout the neighborhoods within the Planned District.
- (2) Cul-de-sacs are not allowed unless there is no feasible way to connect to another street due to a physical natural barrier.
- (3) Stub streets shall be extended to the end of the Planned District boundary.

(L) Signage.

(1) A master sign plan, which may include neighborhood identification signs, trail signs, and wayfinding signs shall be submitted for Planning Commission Brigham City Staff DRT review and approval. All other signage, including neighborhood commercial and live-work units, shall comply with City Code sign regulations.

(2) Traffic control signs and street signs shall comply with adopted City standards and policy.

(M) Outdoor Lighting. Subject to Brigham City Code Section 156.361 Outdoor Lighting Standards.

§ 156.287 EXPANSION OR ANNEXATION OF ADDITIONAL PROPERTY.

(A) The Developer shall have the option to expand the boundaries of the Avian Shore Planned District or annex additional property into the District as the Developer acquires more property adjacent to the current district boundaries. Any expansion or annexation shall be subject to approval by the Brigham City Council. The inclusion of additional property shall be incorporated into the terms of this District and shall adhere to the provisions outlined herein, as applicable.

(B) City-Owned Property Inclusion. If the City identifies adjacent or internal City-owned property as advantageous for development or community benefit, such property may be incorporated into the Avian Shores Planned District, subject to Brigham City Council approval, and may include park or recreational amenities, fee-in-lieu contributions, or open-space improvements.

§ 156.288 CONFLICTS AND SEVERABILITY.

(A) Conflict. Whenever regulations in these sections conflict with other provisions of the Brigham City Code, the provisions of these sections shall govern. If there is a conflict in these sections with the development plan, the development plan shall prevail. Whenever regulations of these sections conflict with address matters that are not addressed by the development plan, then said provisions of these sections shall govern. Whenever

regulations of other provisions of the Brigham City Code address matters that are not addressed by these sections, then said other provisions of Brigham City Code shall govern.

(B) **Severability.** These sections and the various parts, subsections, and clauses are hereby declared to be severable. If any part, section, paragraph, sentence, clause or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the sections shall not be affected thereby. The City Council of Brigham City, Utah, hereby declares that it would have passed these sections on each part, subsection, paragraphs, sentence, clause or phrase hereof, irrespective of the fact that any one or more portions thereof be declared invalid.

§ 156.289 EXHIBITS.

Exhibit "A" Legal Description and General Development Plan

Exhibit "B" Open Space and Trail Master Plan

Exhibit "C" Elevations

AVIAN SHORES PLANNED DISTRICT

§ 156.285 PURPOSE AND INTENT.

The purpose and intent of establishing the Avian Shores Planned District along 1200 West Street and 400 South Street is to create a dynamic and vibrant area that fosters the orderly development of residential uses along with potential neighborhood commercial uses that would service the residential area. This district is intended to support Brigham City and Box Elder County's economic growth by promoting residential density and job creation. The district's development plan provides general guidance on the location and density of residential units and land uses compatible with adjacent properties, ensuring adequate infrastructure and services.

§ 156.286 PLANNED DISTRICT.

The Avian Shores Planned District shall apply to specific properties within Brigham City, located in the general area of 1200 West Street and 400 South Street as shown in Exhibit "A."

- (A) Zoning district established. P-R-M-7 (Planned – Multiple Residential).
- (B) Uses. The following uses are allowed within the P-R-M-7 District, which otherwise may not be listed in the underlying R-M-7 zoning district:
 - (1) The underlying zone is Multiple Residential District R-M-7. All uses allowed under the same permitted or conditional use designation as in other Multiple Residential District R-M-7 districts are hereby allowed in this Planned District, except for limitations in subsection (D).
 - (2) Additional permitted uses allowed and incorporated in the P-R-M-7 District, as defined, as applicable, in subsection (C) of this section.
 - (a) Accessory Dwelling Units (ADUs), subject to City Code Section 156.360 Accessory Dwelling Units;
 - (b) Assisted Living Facility;
 - (c) Day Care Center (Non-Residential);
 - (d) Church; Religious Institution;
 - (e) Condominiums;
 - (f) Community Recreation Facility;
 - (g) Educational Institution;
 - (h) Live-Work Units;

- (i) Public or Private Parks and Open Space;
- (j) Neighborhood Commercial;
- (k) Townhomes.

(C) Definitions. The following terms used in subsection (B) and (D) of this section, and not defined in Brigham City Code Chapter 156 Zoning, have these specific meanings within the Avian Shores Planned District area:

- (1) APARTMENT(S). Any dwelling(s) not platted and recorded with the Box Elder County Recorder's office creating the ability for home ownership.
- (2) COMMUNITY RECREATION FACILITY. A public or semi-private space designed to support recreational, social, educational, and physical activities for residents within the community. The facility is operated either by the City or an established Homeowner's Association (HOA), aimed to improve the well-being, health, and social connection of residents, and typically accessible to residents of all ages and abilities, promoting inclusion, healthy lifestyles, and community engagement.
- (3) LIVE-WORK UNITS. A type of building or space designed to combine residential and commercial uses within the same unit. These spaces allow individuals to live and work in the same location, typically with a layout that accommodates both living quarters and workspace, such as an office, studio, or retail area. A live-work unit enables an owner to use the commercial space as an office, studio, or retail, or rent it to another business. The commercial space must be designed on ground floor with the residential space above. Live-work units can play an integral role in creating vibrant, diverse, walkable neighborhoods.
- (4) PUBLIC OR PRIVATE PARKS AND OPEN SPACE. Land set aside for recreation, relaxation, conservation, or visual enjoyment, which may be accessible to the general public or restricted to specific individuals or groups, depending on ownership and management.
- (5) NEIGHBORHOOD COMMERCIAL. Small scale retail and service businesses designed to serve the day-to-day needs of the local community. Key characteristics:
 - (a) Convenient access. Intended to be easily accessible by walking, biking, or short drives from near by homes.
 - (b) Small Scale. Smaller in size and intensity than regional or downtown commercial centers.
 - (c) Business Types. Examples include grocery stores, cafes, bakeries, small restaurants, convenience stores (no gas station), beauty care and personal services, bicycle shop, art studio, and day care center.
 - (d) Community-Focused. Serves the immediate neighborhood rather than a broader region.

(e) Rules. Limited hours of operation (24/7 not allowed), signage lights dim after business hours, and building size to ensure compatibility with surrounding residential uses.

(D) Limitations (uses not allowed within the Planned District).

(1) Apartment(s), except that Accessory Dwelling Units are allowed subject to Brigham City Code standards and regulations.

(2) Any type of dwelling not platted and recorded with the Box Elder County Recorder's office for home ownership, except for Accessory Dwelling Units and Live-Work Units.

(E) General Development Plan. The submitted site master plan and open space and trail master plan incorporated as Exhibits "A" and "B" respectively, shall serve as the general development plan for the Avian Shores Planned District. The development shall include a variety of housing types, including single-family lots, townhomes, and condominiums. A balanced housing mix shall be maintained to ensure compatibility with adjacent land uses and to support a diverse neighborhood. Minor modifications of the housing mix (excluding apartments) based on market demand are permissible provided all changes remain consistent with the Planned District standards and regulations. Significant revision to the development plan requires an amendment to this Planned District. The applicable land use application for final design and construction plans shall be submitted for Planning Commission review and approval. The exact layout and number of units may differ from the submitted site plan based upon site design adjustments, parking requirements, open space and trails. Any school (educational institution) or church (religious institution) sites, which are encouraged to be located in residential neighborhoods, does not constitute an amendment to the Planned District, but does require the plans to be submitted for Planning Commission review and approval.

§ 156.286 STANDARDS AND REGULATIONS.

The following provisions apply specifically to this Planned District. While the district is also subject to the standards and regulations outlined in the Brigham City Code, if there is any conflict between those standards and regulations the provisions stated within this section or on the general development plan, the Planned District standards and regulations or the approved general development plan shall apply.

(A) Standards for density, height regulations, and parking, shall be governed by (i) for all residential parcels as depicted in the development plan the standards of the R-M-7 District, and (ii) for all neighborhood commercial parcels as depicted in the general development plan, the standards of the GC District except the height and scale must be in harmony with the Neighborhood Commercial definition. The Planned District provides flexibility for lot sizes and yard requirements (setbacks) to allow a variety of lot sizes and housing type, and for compatible design with mixed-uses, and street scale. Design flexibility must provide a variation of lot sizes. The overall density of the Planned District area, excluding the City properties, is limited to a maximum of 7 dwelling units per acre.

(B) Standards for public improvements shall be governed by applicable adopted city ordinances and laws, including the current adopted edition of the Brigham City Public Work Standards.

(C) Landscaping and screening.

(1) Landscaping standards shall be governed by (i) for all residential parcels and uses, the R-M-7 District, and (ii) for all neighborhood commercial and live-work properties and uses, as defined in the GC District.

(2) Plantings shall include drought tolerant designs where appropriate.

(3) The landscape and screening plan shall be submitted with the final design and construction plans for Planning Commission review and approval.

(4) Trees adequately spaced and separated throughout the residential areas of the Planned District, according to a final landscaping plan approved by the City Forester.

(D) Architectural controls. New building construction is intentionally allowed to be flexible, creative, and evolve with modern architectural designs. The architecture shall substantially follow the thematic elevations in Exhibit "C". Modifications, especially with residential industrial building standards, can change over time. In that event, a variation to the thematic elevations provided in Exhibit "C" is allowed. Where there are significant and uncharacteristic changes, new elevations are to be submitted for Planning Commission consideration for approval.

(E) Fencing plan. The fencing plan shall be submitted with the final design and construction plans for Planning Commission review and approval. See 1200 West Street Corridor subsection (H), for specific fence and/or wall requirements.

(F) Phasing plan. Phasing shall be permitted. Phasing plans shall be submitted with the final design and construction plans for Planning Commission review and approval.

(G) Subdivision Platting. All phases of the development shall be processed and recorded as standard subdivisions. Townhome and condominium phases shall be platted and recorded to support individual ownership and utility service.

(H) 1200 West Street Corridor.

(1) Direct access onto or from 1200 West Street is not allow, except for public streets and utility parcels as approved by City Public Works Director and City Engineer. 1200 West Street is designated as a limited access corridor;

(2) Developer shall install a low maintenance safety barrier fence or wall to ensure privacy and safety. Said fence or wall design is to be coordinated and approved by the Brigham City Staff DRT prior to installation;

(3) Landscaping along 1200 West shall meet Brigham City's 1200 West Street corridor standards. Developer is responsible for installing the landscape and City is responsible to maintain the landscape.

(I) Trail Master Plan. All alignments of trails within the development will be substantially as depicted in the site plan attached as Exhibit "B". The goal is to create a public trail system with opportunities to expand outside of the Planned District connecting to other trail networks.

(1) Developer to install trails.

(2) City to maintain trails that are dedicated to the City. Homeowners Association (HOA) to maintain private trails.

(3) For trails dedicated to the City, the surface shall be concrete for trails less than 8 feet in width, asphalt for trails 8 feet and greater, unless otherwise approved by the Brigham City DRT, and except for the Historic Orchard Path which is a 10-foot-wide concrete surface pathway.

(4) Trails labeled as "Potential Trail Alignment" identifies a potential trail location connecting to the trails in the Planned District at a future time and requires property owner approval and coordination.

(J) Recreation and playground areas. Usable recreation area standards for the residential parcels will be as required under the R-M-7 District, subject to the following superseding clarifications: (i) any on-site, above grade storm drainage detention basin may count toward a portion of the recreation area if the applicant provides sufficient evidence that the basin is safe for recreational purposes and usable pertaining to the area, slope and landscape, (ii) indoor recreational facilities shall count toward the required square footage and may include club rooms, fitness areas, spas, game rooms and other similar facilities, (iii) pathways or trails within the designated areas may be included in the calculation (although portions of sidewalks which border a parking lot and/or building are not considered recreation area).

(K) Street Connectivity.

(1) Streets shall connect throughout the neighborhoods within the Planned District.

(2) Cul-de-sacs are not allowed unless there is no feasible way to connect to another street due to a physical natural barrier.

(3) Stub streets shall be extended to the end of the Planned District boundary.

(L) Signage.

(1) A master sign plan, which may include neighborhood identification signs, trail signs, and wayfinding signs shall be submitted for Brigham City Staff DRT review and approval. All other signage, including neighborhood commercial and live-work units, shall comply with City Code sign regulations.

(2) Traffic control signs and street signs shall comply with adopted City standards and policy.

(M) Outdoor Lighting. Subject to Brigham City Code Section 156.361 Outdoor Lighting Standards.

§ 156.287 EXPANSION OR ANNEXATION OF ADDITIONAL PROPERTY.

(A) The Developer shall have the option to expand the boundaries of the Avian Shore Planned District or annex additional property into the District as the Developer acquires more property adjacent to the current district boundaries. Any expansion or annexation shall be subject to approval by the Brigham City Council. The inclusion of additional property shall be incorporated into the terms of this District and shall adhere to the provisions outlined herein, as applicable.

(B) City-Owned Property Inclusion. If the City identifies adjacent or internal City-owned property as advantageous for development or community benefit, such property may be incorporated into the Avian Shores Planned District, subject to Brigham City Council approval, and may include park or recreational amenities, fee-in-lieu contributions, or open-space improvements.

§ 156.288 CONFLICTS AND SEVERABILITY.

(A) Conflict. Whenever regulations in these sections conflict with other provisions of the Brigham City Code, the provisions of these sections shall govern. If there is a conflict in these sections with the development plan, the development plan shall prevail. Whenever regulations of these sections conflict with address matters that are not addressed by the development plan, then said provisions of these sections shall govern. Whenever regulations of other provisions of the Brigham City Code address matters that are not addressed by these sections, then said other provisions of Brigham City Code shall govern.

(B) Severability. These sections and the various parts, subsections, and clauses are hereby declared to be severable. If any part, section, paragraph, sentence, clause or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the sections shall not be affected thereby. The City Council of Brigham City, Utah, hereby declares that it would have passed these sections on each part, subsection, paragraphs, sentence, clause or phrase hereof, irrespective of the fact that any one or more portions thereof be declared invalid.

§ 156.289 EXHIBITS.

Exhibit "A" Legal Description and General Development Plan

Exhibit "B" Open Space and Trail Master Plan

Exhibit "C" Elevations

Exhibit "A"

Legal Description

03-112-0006

SE/4 OF NE/4 SEC 22, T 09N, R 02W, SLM.

ALSO: THE EAST 2.0 RDS OF W/2 OF SE/4 SEC 22, T 09N, R 02W, SLBM.

~~ALSO: THE SOUTH 10 RDS OF W/2 OF NE/4 SEC 22, T 09N, R 02W, SLBM.~~

LESS: THE SOUTH 4.0 RDS AND NORTH 3.0 RDS OF THE SE/4 OF NE/4 SEC 22, T 09N, R 02W, SLM.

Note: The strike through is the portion of property west of 1400 West to remain as A-5

03-112-0030

NE/4 OF SE/4 OF SEC 22, T 09N, R 02W, SLBM.

LESS: [03-112-0029] TRACT DEEDED TO BRIGHAM CITY CORPORATION. PART OF THE NE/4 OF THE SE/4 OF SECTION 22, T 09N, R 02W, SLBM. BEGINNING AT THE NE CORNER OF SAID SE/4 BEING A POINT LOCATED 2649.30 FT S 00°14'42" E ALONG THE EAST LINE OF SAID SEC FROM THE NE CORNER OF SAID SEC 22; THENCE S 00°14'42" E 1328.23 FT TO THE SE CORNER OF THE NE/4 OF SAID SE/4; THENCE S 90°00'00" W 32.09 FT ALONG THE SOUTH LINE OF THE NE/4 OF SAID SE/4 TO THE NEW WEST R/W LINE OF 1200 WEST ST; N 00°15'29" W 1328.23 FT ALONG SAID NEW WEST R/W LINE TO THE NORTH LINE OF THE NE/4 OF SAID SE/4; N 90°00'00" E 32.39 FT TO THE POINT OF BEGINNING.

03-112-0034

A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT ON THE BOUNDARY OF BOX ELDER COUNTY REDEVELOPMENT AGENCY PROPERTY, TAX ID NO. 03-112-0024 LOCATED 33.00 FEET NORTH 89°54'27" WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND 1324.86 FEET SOUTH 00°15'29" EAST AND 369.41 FEET NORTH 89°54'02" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 22; RUNNING THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°54'02" WEST 937.77 FEET; AND (2) NORTH 00°12'20" WEST 336.24 FEET; THENCE SOUTH 89°54'02" EAST 462.04 FEET; THENCE SOUTH 00°05'58" WEST 75.90 FEET; THENCE SOUTH 44°40'54" EAST 255.51 FEET; THENCE SOUTH 89°54'02" EAST 297.54 FEET; THENCE SOUTH 00°05'58" WEST 78.98 FEET TO THE POINT OF BEGINNING

03-112-0036

A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEING THE NORTH 3 RODS OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER BEING A POINT LOCATED 1324.65 FEET SOUTH 00°14'42" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FROM THE NORTHEAST CORNER OF SAID SECTION 22; RUNNING THENCE SOUTH 00°14'42" EAST 49.50 FEET ALONG SAID WEST LINE TO GRANTORS SOUTH BOUNDARY LINE; THENCE SOUTH 89°59'37" WEST 32.69 FEET ALONG SAID SOUTH BOUNDARY LINE TO THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 49.50 FEET ALONG SAID NEW WEST RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER BEING

GRANTORS NORTH BOUNDARY LINE; THENCE NORTH 89°59'27" EAST 32.70 FEET ALONG SAID NORTH BOUNDARY LINE TO THE POINT OF BEGINNING.

03-112-0038

EAST HALF OF THE FOLLOWING DESCRIBED PARCEL:

SE/4 OF THE SE/4 OF SEC 22, T 09N, R 02W, SLBM.

LESS: [03-112-0025] PART OF THE SE/4 OF THE SE/4 OF SEC 22, T 09N, R 02W, SLBM. BEGINNING AT THE SE CORNER OF SAID SEC 22 AND RUNNING THENCE N 90°00'00" W 31.78 FT ALONG THE SOUTH LINE OF SAID SE/4 TO NEW WEST R/W LINE OF 1200 WEST ST; N 00°15'29" W 1325.84 FT ALONG SAID NEW WEST R/W LINE TO THE NORTH LINE OF THE SE/4 OF SAID SE/4; N 90°00'00" E 32.09 FT ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SEC 22; S 00°14'42" E 1325.84 FT ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

03-112-0039

WEST HALF OF THE FOLLOWING DESCRIBED PARCEL:

SE/4 OF THE SE/4 OF SEC 22, T 09N, R 02W, SLBM.

LESS: [03-112-0025] PART OF THE SE/4 OF THE SE/4 OF SEC 22, T 09N, R 02W, SLBM. BEGINNING AT THE SE CORNER OF SAID SEC 22 AND RUNNING THENCE N 90°00'00" W 31.78 FT ALONG THE SOUTH LINE OF SAID SE/4 TO NEW WEST R/W LINE OF 1200 WEST ST; N 00°15'29" W 1325.84 FT ALONG SAID NEW WEST R/W LINE TO THE NORTH LINE OF THE SE/4 OF SAID SE/4; N 90°00'00" E 32.09 FT ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SEC 22; S 00°14'42" E 1325.84 FT ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

03-114-0021

BEGINNING AT POINT LOCATED SOUTH 3391.2 FT FROM NW CORNER SEC 23, T 09N, R 02W, SLM. THENCE SOUTH 1466.5 FT ALONG WEST LINE SAID SEC; SOUTH 89°42'46" EAST 1425.9 FT; NORTH 01°03'14" WEST 763.8 FT; NORTH 85°58'19" EAST 897.6 FT TO WESTERLY LINE OF OSLRR R/W; NORTH 27°03'38" EAST 772.6 FT ALONG SAID R/W; NORTH 89°32'16" WEST 2664.1 FT TO POB. ALL COURSES BEING ALONG EXIST FENCE LINES.

LESS [03-108-0116]: A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 10 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 14 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 15 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 22 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE INTERSECTION OF THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET AND THE SOUTH RIGHT-OF-WAY OF THE OREGON SHORT LINE RAIL ROAD LOCATED 2435.02 FEET SOUTH 00°23'59" WEST ALONG THE WEST LINE OF SAID SECTION 10 AND 3093.22 FEET NORTH 90°00'00" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 10, SAID POINT BEING LOCATED NORTH 74°31'13" WEST FEET FROM THE NORTHEAST CORNER OF LOT 1, AMEND AND EXTENDED JACK FRANCIS TRUCKING SUBDIVISION - ADDITION NO 1; RUNNING THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 15°29'43" WEST 163.10 FEET; THENCE SOUTHERLY TO THE LEFT ALONG THE ARC OF A 876.21 FOOT RADIUS CURVE, A DISTANCE OF 748.00 FEET, CHORD BEARS SOUTH 08°57'37" EAST 725.49 FEET, HAVING A CENTRAL ANGLE OF 48°54'47"; THENCE SOUTH 33°25'00" EAST 467.00 FEET; THENCE SOUTH 33°31'33" EAST 1235.15 FEET; THENCE SOUTH 33°21'38" EAST 553.43 FEET; THENCE SOUTHEASTERLY TO THE RIGHT ALONG THE ARC OF A 19619.00 FOOT RADIUS CURVE, A DISTANCE OF 284.02 FEET, CHORD BEARS SOUTH 32°56'45" EAST 284.01 FEET, HAVING A CENTRAL ANGLE OF 00°49'46"; THENCE SOUTH 32°31'52" EAST 25.04 FEET, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 13189.33 RADIUS CURVE, A DISTANCE OF 273.10 FEET, CHORD BEARS SOUTH

33°07'28" EAST 273.10 FEET, HAVING A CENTRAL ANGLE OF 01°11'11"; THENCE SOUTH 33°43'03" EAST 163.36 FEET, THENCE IN A SOUTHEASTERLY DIRECTION WITH A REVERSE TANGENT CURVE TO THE RIGHT OF A 864.44 FOOT RADIUS CURVE, A DISTANCE OF 310.81 FEET, CHORD BEARS SOUTH 24°22'16" EAST 309.14 FEET, HAVING A CENTRAL ANGLE OF 20°36'03"; THENCE SOUTH 14°04'14" EAST 519.26 FEET; THENCE SOUTHERLY TO THE RIGHT ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE, A DISTANCE OF 501.02 FEET, CHORD BEARS SOUTH 06°53'38" EAST 499.71 FEET, HAVING A CENTRAL ANGLE OF 14°21'12"; THENCE SOUTH 00°16'58" WEST 2966.35 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE FOREST STREET; THENCE SOUTH 00°34'57" WEST 103.97 FEET TO THE SOUTH RIGHT-OF-WAY LINE TO FOREST STREET; THENCE SOUTH 00°15'29" EAST 2853.03 FEET TO THE NORTH BOUNDARY LINE OF THE PETER MORRIS CLAWSON PROPERTY, TAX ID. NO. 03-112-0009; THENCE NORTH 90°00'00" EAST 14.50 FEET ALONG SAID NORTH BOUNDARY LINE TO AN EXISTING FENCE LINE LONG ESTABLISHED AS BEING THE ACCEPTED WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID FENCE LINE SOUTH 00°07'18" WEST 66.00 FEET TO THE SOUTH BOUNDARY LINE OF SAID CLAWSON PROPERTY; THENCE NORTH 90°00'00" WEST 14.07 FEET ALONG SOUTH BOUNDARY LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 00°15'29" EAST 2654.07 FEET TO THE SOUTH LINE OF SAID SECTION 22; THENCE SOUTH 90°00'00" EAST 31.77 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89°54'43" EAST 19.86 FEET ALONG THE SOUTH LINE OF SAID SECTION 23 TO AND EXISTING FENCE LINE; THENCE NORTH 75°22'58" EAST 56.11 FEET ALONG SAID FENCE LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW EAST RIGHT-OF-WAY LINE NORTH 00°15'29" WEST 5517.35 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00°20'43" EAST 136.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00°16'58" EAST 2975.21 FEET; THENCE NORtherly TO THE LEFT ALONG THE ARC OF A 2106.00 FOOT RADIUS CURVE, A DISTANCE OF 527.58 FEET; CHORD BEARS NORTH 06°53'38" WEST 526.20 FEET, HAVING A CENTRAL ANGLE OF 14°21'12"; THENCE NORTHWESTERLY TO THE LEFT ALONG THE ARC OF A 19725.00 FOOT RADIUS CURVE, A DISTANCE OF 285.55 FEET, CHORD BEARS NORTH 32°56'45" WEST 285.55 FEET, HAVING A CENTRAL ANGLE OF 0°49'46"; THENCE NORTH 33°21'38" WEST 448.06 FEET (448.63' BY RECORD) TO THE NORTH BOUNDARY LINE OF THE BRIGHAM CITY CORPORATION PROPERTY TAX ID. NO. 03-075-0041, SAID POINT BEING THE SOUTHWEST CORNER OF THE NUCOR SUBDIVISION; THENCE NORTH 90°00'00" EAST 3.59 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION TO THE SOUTHWEST CORNER OF LOT 1 OF SAID NUCOR SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 1 AND THEN LOT 2 OF SAID NUCOR SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33°21'38" WEST 106.93 FEET; (2) NORTH 33°31'33" WEST 1235.20 FEET; AND (3) NORTH 33°25'00" 357.49 FEET TO THE NORTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION, SAID POINT BEING ON THE SOUTH BOUNDARY LINE OF THE JACK FRANCIS TRUCKING SUBDIVISION; THENCE NORTH 87°54'17" WEST 3.69 FEET ALONG THE SAID SOUTH BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID JACK FRANCIS TRUCKING SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID JACK FRANCIS TRUCKING SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33°25'00" WEST 107.84 FEET; (2) NORtherly TO THE RIGHT ALONG THE ARC OF A 770.21 FOOT RADIUS CURVE, A DISTANCE OF 657.51 FEET, CHORD BEARS NORTH 08°57'37" WEST 637.73 FEET, HAVING A CENTRAL ANGLE OF 48°54'43"; AND (3) NORTH 15°29'43" EAST 163.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE OREGON SHORT LINE RAIL ROAD; THENCE NORTH 74°31'13" WEST 106.00 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

03-118-0008

BEG AT A POINT 388 FT M/L NORTH FROM SE CORNER OF NW/4 OF SEC 23, T 09N, R 02W, SLM; TO NORTH BANK OF DITCH. THENCE WESTERLY ALONG NORTH BANK OF DITCH 270 FT TO A LANE, N 15°00'00" W 150 FT, S 67°45'00" E 150 FT, SOUTHEASTERLY 170 FT M/L TO 1/4 SEC LINE, SOUTH 63 FT M/L TO BEG.

03-118-0021

BEG AT A POINT 25.39 CHS SOUTH & 53 LKS EAST OF NW CORNER OF SEC 23, T 09N, R 02W, SLM. THENCE S 89°47'00" E 35.26 CHS, N 03°30'00" W 91 LKS, N 88°15'00" E 9.61 CHS, S 44°45'00" E 1.0 CH, S 04°00'00" W 2.68 CHS, S 87°00'00" E 7.24 CHS, S 25°00'00" W 3.14 CHS, EAST 14.92 CHS, SOUTH 8.80 CHS, WEST 19.60 CHS TO OSLRR, N 24°30'00" E 6.42 CHS, WEST 8.81 CHS, N 47°15'00" W 1.36 CHS, N 67°45'00" W 2.25 CHS, N 13°45'00" E 70 LKS, N 89°47'00" W 34.90 CHS, NORTH 5.93 CHS TO BEG.

LESS: THAT PORTION LYING EASTERLY OF THE RR R/W.

LESS: [03-118-0020] THAT DEEDED TO BRIGHAM CITY CORPORATION (ENT# 380806). PART OF THE NW/4 OF SEC 23, T 09N, R 02W, SLM. BEGINNING AT GRANTORS NW PROPERTY CORNER, BEING A POINT ON THE EXISTING EAST R/W LINE OF 1200 WEST ST, LOCATED 1680.43 FT S 00°14'42" E ALONG THE WEST LINE OF SAID SEC AND 34.98 FT N 89°43'55" E FROM THE NW CORNER OF SAID SEC 23, SAID POINT DESCRIBED OF RECORD AS BEING LOCATED 25.39 CHAINS SOUTH AND 53 LINKS EAST OF THE NW CORNER OF SAID NW/4; THENCE S 89°31'35" E (S 89°47'00" E BY RECORD) 38.41 FT ALONG GRANTORS NORTH BOUNDARY LINE TO THE NEW EAST R/W LINE OF 1200 WEST ST; S 00°15'29" E 391.23 FT ALONG SAID NEW EAST R/W LINE TO GRANTORS SOUTH BOUNDARY; N 89°44'27" W (N 89°47'00" W BY RECORD) 38.50 FT ALONG SAID NORTH R/W LINE TO GRANTORS SW PROPERTY CORNER, BEING ON SAID EXISTING EAST R/W LINE; N 00°14'42" W (NORTH BY RECORD) 391.38 FT ALONG SAID EXISTING EAST R/W LINE TO THE POINT OF BEGINNING.

03-118-0023

BEG 3.79 CHS NORTH & 50 LKS EAST OF SW CORNER OF NW/4 OF SEC 23, T 09N, R 02W, SLM. THENCE NORTH 1.43 CHS, S 89°47'00" E 35.24 CHS, S 15°30'00" E 1.43 CHS, N 89°47'00" W 35.93 CHS TO BEG.

ALSO: BEG 5.22 CHS NORTH & 50 LKS EAST OF SW CORNER OF NW/4 OF SD SEC. THENCE NORTH 1.43 CHS, S 89°47'00" E 35.24 CHS, S 15°30'00" E 1.43 CHS, N 89°47'00" W 35.93 CHS TO BEG.

ALSO: BEG 6.45 CHS NORTH & 50 LKS EAST OF SW CORNER OF NW/4 OF SEC 23, NORTH 2.23 CHS, S 89°47'00" E 34.90 CHS, S 13°45'00" W 70 LKS, S 15°30'00" E 1.53 CHS, N 89°47'00" W 35.24 CHS TO BEG.

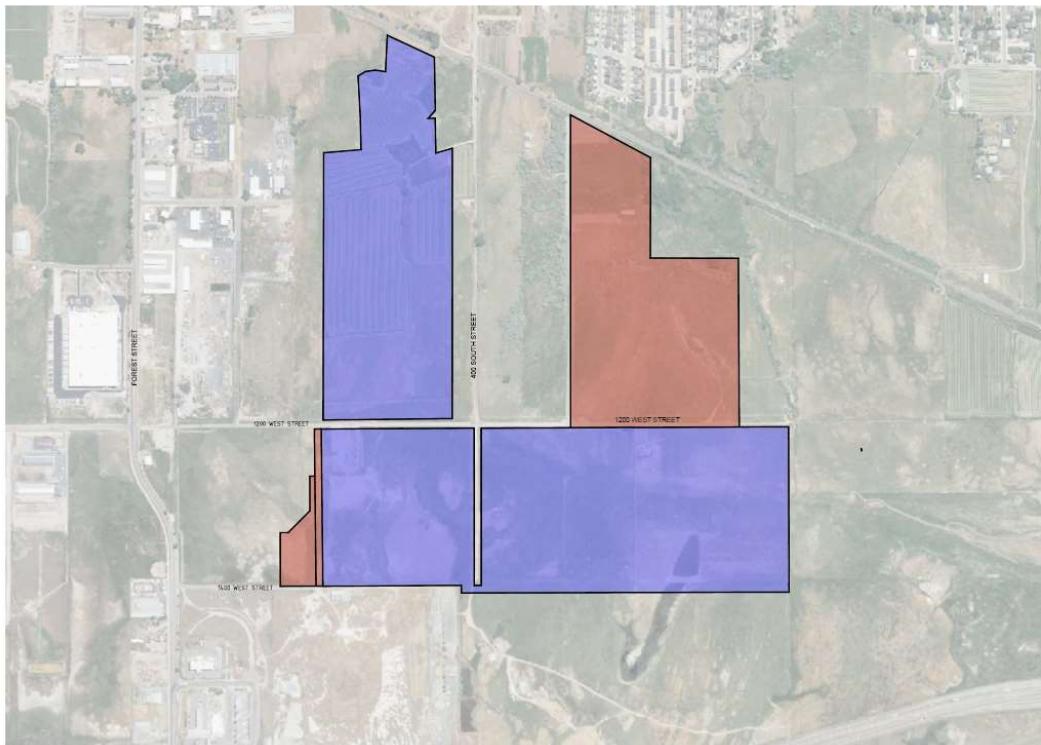
LESS: [03-118-0022] TRACT DEEDED TO BRIGHAM CITY CORPORATION (ENT# 380802). PART OF THE NW/4 OF SEC 23, T 09N, R 02W, SLM. BEGINNING AT GRANTORS SW PROPERTY CORNER BEING A POINT ON THE EXISTING EAST R/W LINE OF 1200 WEST ST, LOCATED 2401.86 FT S 00°14'42" E ALONG THE WEST LINE OF SAID SEC AND 33.00 FT N 89°45'18" E FROM THE NW CORNER OF SAID SEC 23, SAID POINT DESCRIBED OF RECORD AS BEING LOCATED 3.79 CHAINS NORTH AND 50 LINKS EAST OF THE SW CORNER OF SAID NW/4; THENCE N 00°14'42" W 330.06 FT (NORTH 322.74 FT BY RECORD) ALONG SAID EXISTING EAST R/W LINE TO GRANTORS NW PROPERTY CORNER; S 89°47'07" E (EAST BY RECORD) 40.48 FT ALONG GRANTORS NORTH BOUNDARY LINE TO THE NEW EAST R/W LINE OF 1200 WEST ST; S 00°15'29" E 330.19 FT ALONG SAID NEW EAST R/W LINE TO GRANTORS SOUTH BOUNDARY; N 89°36'00" W (WEST BY RECORD) 40.55 FT ALONG SAID NORTH R/W LINE TO THE POINT OF BEGINNING.

03-118-0025

BEG AT A POINT 19.62 CHS SOUTH OF NW CORNER OF SEC 23, T 09N, R 02W, SLM. THENCE S 89°47'00" E 35.26 CHS, S 03°30'00" E 5.78 CHS, N 89°47'00" W 35.57 CHS, NORTH 5.77 CHS TO BEG.

LESS: [03-118-0024] TRACT DEEDED TO BRIGHAM CITY CORPORATION (ENT# 380798). PART OF THE NW/4 OF SEC 23, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON WEST LINE OF SAID SEC 23, LOCATED 1295.00 FT S 00°14'42" E (19.62 CHAINS SOUTH BY RECORD) ALONG SAID WEST LINE OF SAID SEC FROM THE NW CORNER OF SAID SEC 23; THENCE S 89°32'54" E (S 89°47'00" E BY RECORD) 73.30 FT ALONG GRANTORS NORTH BOUNDARY LINE TO THE NEW EAST R/W LINE OF 1200 WEST ST; S 00°15'29" E 385.02 FT ALONG SAID NEW EAST R/W LINE TO GRANTORS SOUTH BOUNDARY LINE; N 89°52'48" WEST (N 89°47'00" W BY RECORD) 73.39 FT ALONG SAID NORTH BOUNDARY LINE TO THE WEST LINE OF SAID SEC; N 00°14'42" W 385.45 FT (NORTH 380.82 FT BY RECORD) ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

Boundary Map



LEGEND

— BOUNDARY
BLUE - PRIVATE PROPERTIES
RED - CITY PROPERTIES

 HUNT • DAY Saskatoon, SK, Canada Saskatchewan, Canada 1-800-661-1111	AVIAN SHORES P-DISTRICT BOUNDARY EXHIBIT 1 CITY OF BRIGHAM, BOX ELDER COUNTY	<small>Owner: T-1000 WEST INC. Address: 1000 W 1000 S Date: 27 August 2024 File Number: 1000W1000S</small> <small>This plan is for illustrative purposes only.</small>
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General Development Plan

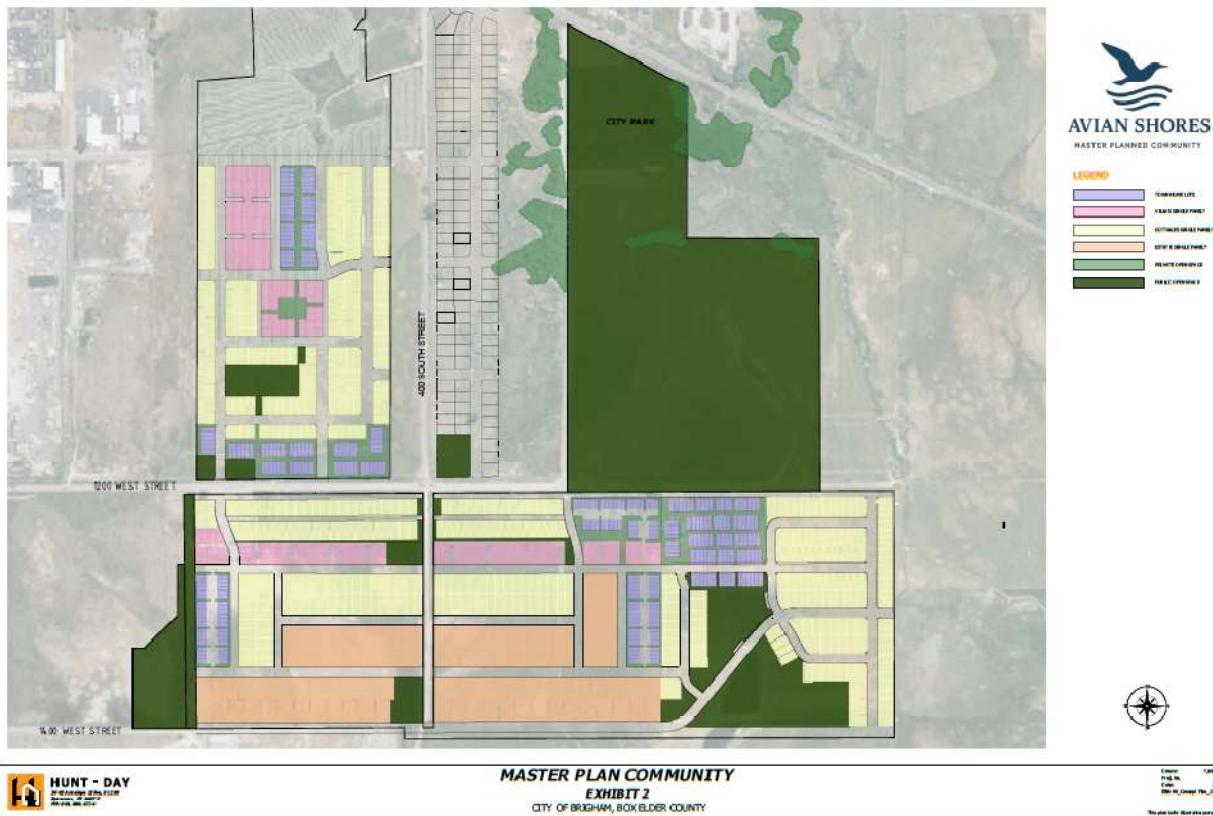
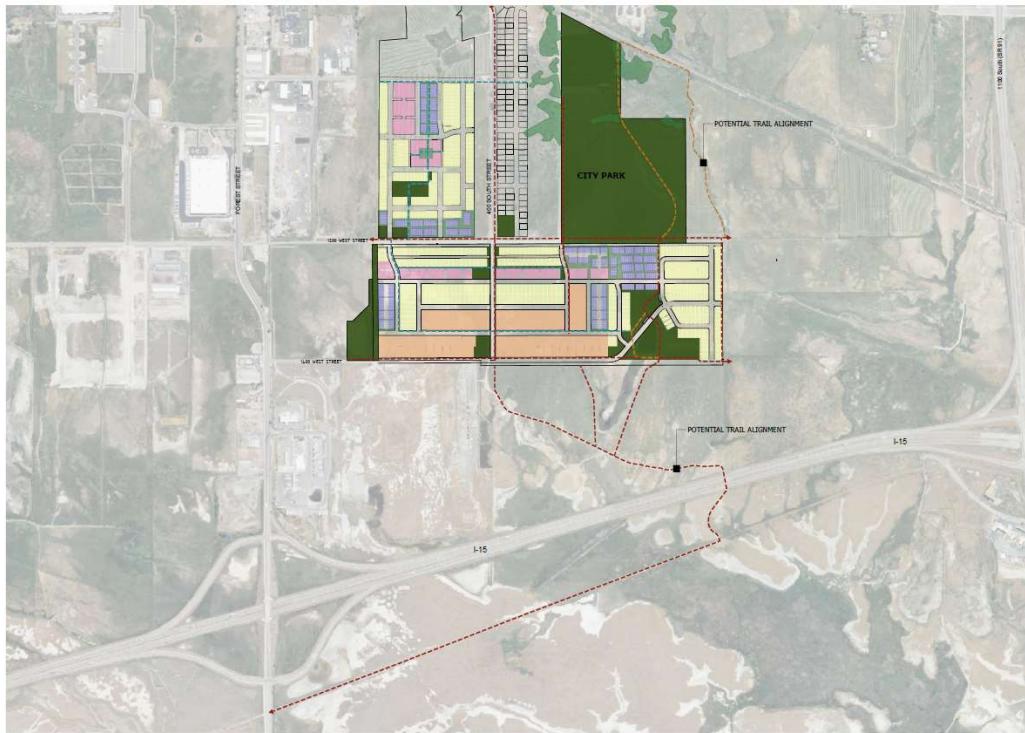


Exhibit “B”
Open Space and Trail Master Plan



AVIAN SHORES
MASTER PLANNED COMMUNITY

LEGEND

- PRIVATE OPEN SPACE
- PUBLIC OPEN SPACE
- REGIONAL TRAIL
- LOCAL TRAIL
- ADDITIONAL TRAIL
- GREEN TRAIL

 HUNT - DAY Architects, Engineers, Planners, Surveyors, and Architects PCB ASSOCIATES	OPEN SPACE AND TRAIL MASTER PLAN EXHIBIT 3 CITY OF BRIGHAM, BOX ELDER COUNTY	<small>Drawn: T. PREDROM File No. 10-40 27-0000 MDCG, Canyon Park, 2023-08-01 This plan is for illustrative purposes only.</small>
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1. Regional Trails (Backbone Trails)

Purpose:

- Connect cities, towns, and major recreation areas.
- Serve long-distance cyclists, hikers, and multi-use travelers.

Characteristics:

- Typically 10+ miles long.
- Paved or concrete surfaces for durability.
- Wayfinding signage and trailheads at major access points.
- Often part of statewide or national trail systems (e.g., Rails-to-Trails).

Examples:

- Intercity bike corridors.
- Multi-use greenways connecting multiple municipalities.

2. Community or Corridor Trails

Purpose:

- Connect neighborhoods, parks, schools, and commercial areas.
- Serve daily commuters and recreational users.

Characteristics:

- 1–10 miles in length.
- Multi-use: pedestrians, cyclists, sometimes equestrians.
- Medium-width (8–12 ft for urban bike/ped trails).
- Lighting in urban contexts; natural surface in suburban/recreational contexts.
- Signage for directions, distances, and rules.

Examples:

- Urban greenways along rivers or rail lines.
- Suburban trail loops linking residential areas with schools and parks.

3. Neighborhood Trails / Local Connector Trails/ Urban Trail Corridor

Purpose:

- Provide direct access within a neighborhood or between residential streets.
- Encourage walking, jogging, short bike trips, and connectivity to larger trail systems.

Characteristics:

- Typically <1–3 miles.
- Narrower paths (4–6 ft for pedestrian trails; 6–8 ft for shared use).
- Sidewalks in urban areas.
- Signage is optional; may include benches or small plazas.

Examples:

- Trails connecting cul-de-sacs to schools or parks.
- Small urban “pocket trails” through vacant lots or utility easements.

4. Recreational / Park Trails

Purpose:

- Focused on leisure, fitness, or adventure rather than connectivity.
- Located in parks, nature preserves, or protected open spaces.

Characteristics:

- Single-use or multi-use depending on location (hiking, mountain biking, equestrian).
- Surface: natural soil, gravel, boardwalks over sensitive areas.
- Often loops or circuits, ranging from 0.5–10 miles.
- Includes interpretive signs, viewpoints, and amenities like picnic areas.

Examples:

- Hiking loops in city parks.
- Mountain bike trails in forested areas.
- Nature trails with educational signage.

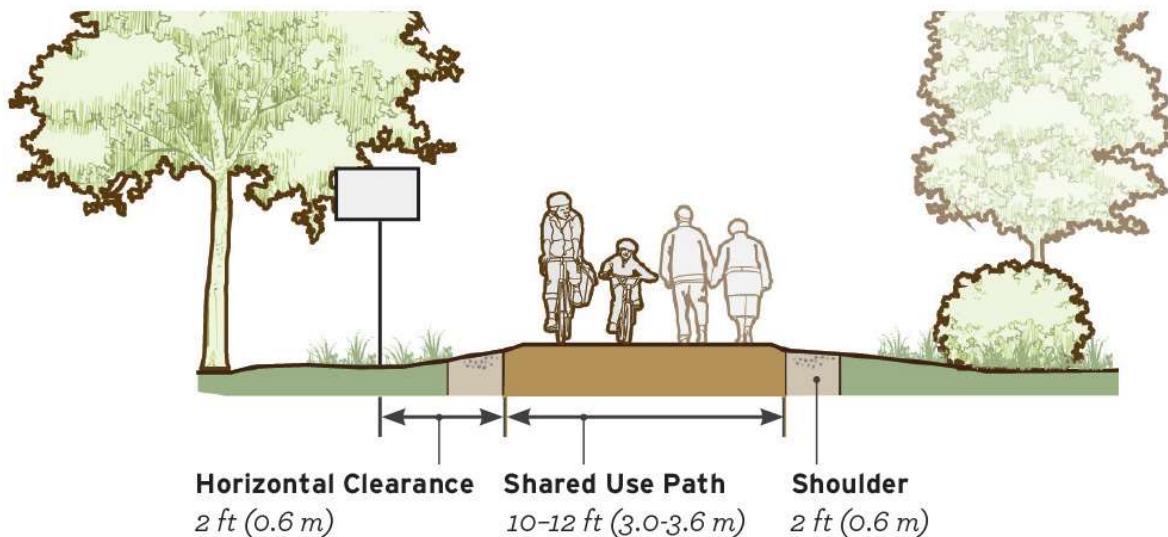
5. Specialty Trails

Purpose:

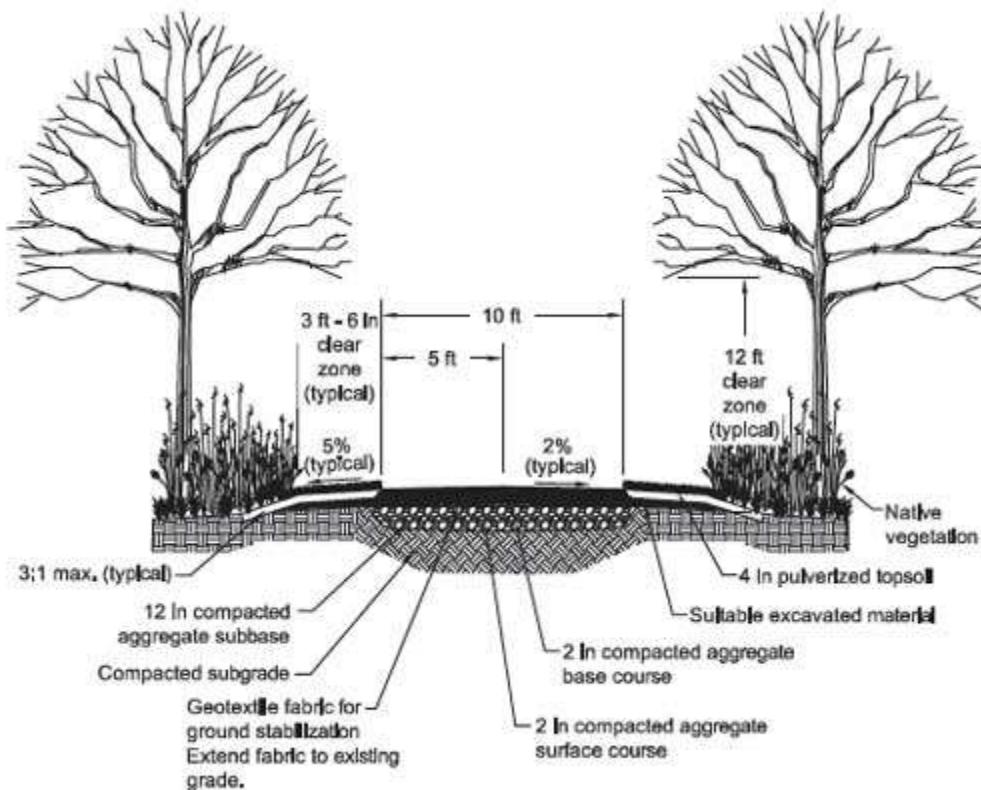
- Cater to specific user groups or activities.

Types:

1. **Fitness / Jogging Trails** – Short loops with distance markers and exercise stations.
2. **Equestrian Trails** – Dirt surfaces, wider corridors, often outside urban areas.
3. **Waterfront / Boardwalk Trails** – Along rivers, lakes, or coasts; scenic recreation.
4. **Adventure / Technical Trails** – Mountain biking singletracks or trail running courses.



The trail should include:



- Surface material: A crushed stone, 10 foot wide trail
- Permanent easement: A permanent public access easement to ensure the trail remains accessible to the community despite any future land development changes.
- Easement width and buffer: A total corridor width of 20-22 feet, including a 5-foot buffer on each side for vegetation and maintenance.

Exhibit “C”

Elevations

Villas – Front Load



Cottages – Alley load



Cottages - Front Load



Estate Homes



Townhomes – Front Load



Townhomes – Rear Load

