



Notice of Regular Wasatch County Planning Commission Meeting Thursday, February 12, 2026, at 6:00 PM

Public Notice is hereby given that the Wasatch County Planning Commission will hold a regular session on Thursday, February 12, 2026 at 6:00 PM in the Council Chambers in the Wasatch County Administration Building, 25 North Main, Heber City, Utah.

The public is welcome to attend and participate in this meeting real-time either in-person or by joining the Zoom Webinar at <https://us02web.zoom.us/j/86141750969?pwd=ZGRhdVp2bzlxZUklcUNsbUhhSzbHQT09>. A recording of the meeting may also be viewed afterwards at <https://wasatchcout.portal.civicclerk.com>.

Agenda

Order of agenda items subject to change without notice

Work Meeting 5:30 PM

This work meeting is for discussion purposes only. The public is welcome to attend, however formal presentation of items, public comment and actions will be reserved for the public hearing at 6:00 PM.

Regular Meeting 6:00 PM

1. Welcome
2. Prayer/Remarks
3. Pledge of Allegiance

Business Items

1. Approval of Minutes from the January 8, 2026 Meeting

Regular Agenda

1. Russell Campbell, representing Matt Bowman, requests a Plat Amendment to the Tuhaye Dancing Sun Phase 3 Subdivision in order to amend the boundary line between Lot 70 and Open Space Parcel B without changing the total area of lot 70 and Open Space Parcel B. Lot 70 is located at 9641 N Dancing Sun Ct in the Residential Agriculture 1 (RA-1) zone. *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 February 18, 2026. - Caden Lyon
2. Ordinance 26-03 amending Chapter 16.21.18 entitled "non-motorized trails" adding regulations on back country trail standards and their construction. *If forwarded, the recommendation by the Planning Commission on this item will be considered by the County Council as the Legislative Body, at a Public Hearing on February 18, 2026. - Doug Smith
3. Ordinance 26-04 amending Chapter 16.33.11 regarding driveway setbacks from property lines and clarifying language for driveway setbacks on corner lots. *If forwarded, the recommendation by the Planning Commission on this item will be considered by the County Council as the Legislative Body, at a Public Hearing on February 18, 2026. - Doug Smith
4. Follow-up from previous General Plan land use scenario discussion. *Note that this discussion item will also be included on the County Council agenda for February 18, 2026 at 4:00 p.m. See County Council agenda for further details. - Austin Corry

9:30 PM Approval of Motions

Commission/Director Comments

Adjournment

The Public Is Invited to Participate in All County Planning Commission Meetings.

*County Council Public Hearings will be held at 6:00 PM in the County Council Chambers located at 25 N. Main Street, Heber City, Utah on the date specified.

In compliance with the American with Disabilities Act, individuals needing special accommodations during this meeting should notify the Planning Department at 435-657-3205 at least one day prior to the meeting.



WASATCH COUNTY PLANNING COMMISSION MINUTES

JANUARY 8, 2026

MEETING TIME: 6:00 P.M.
 MEETING PLACE: Wasatch County Administration Bldg., 25 North Main, Heber City, Utah
 COMMISSIONERS PRESENT: Chair Chuck Zuercher, Kimberly Cook, David Thacker, Michael Murphy
 EXCUSED: Commissioners Mark Hendricks, Scott Brubaker, and Daniel Lyman
 STAFF PRESENT: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Anna Anglin, Assistant Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney
 PRAYER: Commissioner Michael Murphy
 PLEDGE OF ALLEGIANCE: Led by Commissioner David Thacker and repeated by everyone

BUSINESS ITEMS

❖ **APPROVAL OF THE MINUTES FROM THE NOVEMBER 13, 2025 MEETING**

MOTION

Commissioner Thacker made a motion to approve the minutes of the November 13, 2025 meeting as written. Commissioner Murphy seconded the motion.

VOTE (4 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN		Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN		David Thacker	<u>AYE</u>	NAY	ABSTAIN

❖ **APPROVAL OF THE MINUTES FROM THE DECEMBER 11, 2025 MEETING**

MOTION

Commissioner Murphy made a motion to approve the minutes of the December 11, 2025 meeting as written. Commissioner Thacker seconded the motion.

VOTE (4 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN

REGULAR AGENDA ITEMS

ITEM #1 RHETT RIDING, REPRESENTING STORIED DEER VALLEY, LLC, REQUESTS AMENDED MASTER PLAN AND PRELIMINARY SUBDIVISION APPROVAL FOR A 3,021 SQUARE FOOT BUILDING FOR THE HOA MANAGEMENT, LOCATED IN SECTION 26, TOWNSHIP 2S, AND RANGE 5E 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 JANUARY 21, 2026 (DEV-11279; ANNA ANGLIN)*

STAFF PRESENTATION - The Staff Report to the Planning Commission 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 Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Rhett Riding, applicant, gave details about why the building will help the HOA be able to own and operate their own building.

PLANNING COMMISSION DISCUSSION - Key points discussed by the Planning Commission included the following:

- Commissioner Thacker asked about the size of the building and the code limitations on building size. Ms. Anglin noted that the 2.25 acres is because a parking lot is part of the project as well. She indicated the one building is the only proposed building in the project.

MOTION

Commissioner Murphy made a motion to recommend approval of the item with conditions based on the findings prescribed by the supporting evidence in the staff report.

Commissioner Thacker seconded the motion.

VOTE (4 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The motion includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

1. The subject property is a 35.77-acre open space parcel.

2. The subject property is in the Jordanelle Basin Overlay (JBOZ) zone within the Tuhaye Master Plan area.
3. The subject property is designated open space and is subject to an open space easement.
4. The overall project will lose 2.25- acres of designated open space but will continue to meet the 42% minimum open space requirements of the Tuhaye Development Agreement.
5. The proposed HOA office building functions as both a community-serving facility and a professional service office and is not allowed in the open space designated areas.
6. The proposal is to amend the master plan to allow a neighborhood commercial designation for the HOA office building which is ancillary to the larger operation of the Tuhaye development.
7. The project proposes to redesignate the building site, landscaped area, and required parking of the proposed lot to Neighborhood Commercial.
8. The proposed subdivision meets the minimum lot requirements for the proposed Neighborhood Commercial use designation.
9. The proposed subdivision appears to comply with the environmental constraints analysis requirements of Wasatch County Code §16.27.25.
10. Wasatch County Code 16.21.06 requires specific ownership and maintenance responsibilities for open space parcels.
11. Open space maintenance requirements have already been established through prior approvals of the Tuhaye Master Plan.
12. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for decision by the Land Use Authority.

CONDITIONS

1. A note stating that the remaining open space parcel is subject to an open space easement should be added to the subdivision plat.

ITEM #2 RHETT RIDING, REPRESENTING STORIED DEER VALLEY, LLC, REQUESTS FINAL SUBDIVISION AND FINAL SITE PLAN APPROVAL FOR A 3,021 SQUARE FOOT BUILDING FOR THE HOA MANAGEMENT, WHICH CONTAINS OFFICES, BREAK AND CONFERENCE ROOMS, RESTROOMS AND STORAGE LOCATED IN SECTION 26, TOWNSHIP 2S, AND RANGE 5E IN THE JORDANELLE BASIN OVERLAY ZONE (JBOZ). (DEV-11280; ANNA ANGLIN)

STAFF PRESENTATION - The Staff Report to the Planning Commission 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 Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- no public comment given

PLANNING COMMISSION DISCUSSION - Key points discussed by the Planning Commission included the following:

MOTION

Commissioner Thacker made a motion to approve item 2 consistent with the findings and subject to the conditions in the staff report.

Commissioner Murphy seconded the motion.

VOTE **(4 TO 0)**

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

1. The subject property is a 35.77-acre open space parcel.
2. The subject property is in the Jordanelle Basin Overlay (JBOZ) zone within the Tuhaye Master Plan.
3. The subject property is designated open space and is subject to an open space easement.
4. The overall project will lose 2.25- acres of designated open space but will continue to meet the minimum 42% of open space requirements found in the Tuhaye Development Agreement.
5. The development complies with the additional standards outlined in Wasatch County Code §16.15.06(G) for neighborhood commercial designated areas.
6. The application includes a will-serve letter for public sewer and public water through Jordanelle Special Service District JSSD.
7. The proposed subdivision meets the minimum lot requirements for the proposed Neighborhood Commercial designation.
8. The public trails in this project will not be affected by the proposed subdivision plat.
9. The proposed subdivision appears to comply with the environmental constraints analysis requirements of Wasatch County Code §16.27.25.
10. The proposed development generally meets the requirements found in Chapter 16 of the Wasatch County code.
11. The surrounding properties are fully developed, and no changes to existing sites or area connectivity are proposed or anticipated.
12. There is sufficient existing parking to meet all parking requirements found in section 16.33 of the zoning ordinance for the open space recreational activities and for the proposed HOA office.
13. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for decision by the Land Use Authority.

CONDITIONS

1. Compliance with the DRC report and reviews as a condition of approval.
2. A note stating that the remaining open space parcel is subject to an open space easement should be added to the subdivision plat.
3. A note on the subdivision plat specifying that the parking located on the newly created lot shall be under common possession with the open space parcel and is intended to serve both the open space parcel and the use located on the same lot.
4. The Master Plan amendment and preliminary plan receive County Council approval.

ITEM #3 THE CROSSINGS AT LAKE CREEK I, LLC REQUESTS A PLAT AMENDMENT TO THE CROSSINGS AT LAKE CREEK PHASE NO. 1 IN ORDER TO AMEND THE BOUNDARIES OF LOT C, A DESIGNATED OPEN SPACE LOT, THAT WOULD ADJUST THE LOCATION OF THE PARCEL BUT MAINTAIN THE SAME SIZE FOR THE PARCEL LOCATED AT APPROXIMATELY 340 S LINDSAY HILL ROAD IN THE RESIDENTIAL AGRICULTURE 1 (RA-1) ZONE. *IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

1. The subject property is a 7.54 acre open space lot part of the Crossings at Lake Creek master development.
2. The applicant had previously altered a stream on the property without the necessary permits from the applicable State and Federal agencies.
3. The applicant has since worked with the State to restore the stream to its original alignment and replant trees.
4. The development agreement requires that the applicant provide 20% open space for the project.
5. The proposed boundary adjustment reconfigures the 7.54 acre open space lot, but maintains the same acreage.
6. The application includes a portion of the trail plan consistent with the development agreement for a public trail connecting throughout the master development.
7. Good cause for the amendment exists to resolve the completion of the trail committed to in 2005 with no other significant alteration to the open space acreage currently provided.
8. No public or private roads are being vacated as part of this plat amendment.
9. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for decision by the Land Use Authority.
10. The proposal appears consistent with Utah Code §17-79-712.

CONDITIONS

1. The trail improvements and any other construction activities needed to comply with State or Federal laws shall be completed or bonded for prior to plat recording. If bonded, the construction of the trail shall be completed in accordance with the bond agreement timelines.
2. All issues raised by the DRC shall be resolved to the satisfaction of the applicable review department in accordance with applicable standards.
3. The declarant covenants to complete the trail by June 1, 2026.
4. Open space parcel C will be transferred to the HOA on or before July 1, 2026.

ITEM #4 *ORDINANCE 26-01 REGARDING UPDATES TO VARIOUS SECTIONS OF THE WASATCH COUNTY CODE TO ADDRESS CHANGES REQUIRED BY STATE LEGISLATION CONTAINED IN HB 368: LOCAL LAND USE AMENDMENTS, AND RELATED UPDATES AND REVISIONS. *IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON JANUARY 21, 2026 (JON WOODARD)*

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

- Jon Woodard addressed the Commission and mentioned that this ordinance is to address the issues brought up by HB 368 and SB 1006.
- In summary Jon mentioned that the proposal clarifies infrastructure requirements before building permits and certificates of occupancy can be issued, increases the references to the Utah code, bonds and warranty issues, administration of bonds, warnings to property owners for incomplete infrastructure,

updates fees for engineering, building and planning, clean up on some of the code for access requirements, vesting and expiration of approvals clarifications, etc. Delete if nothing more than presenting what is in the report.

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

- Logan Cannon addressed the commission and stated that Wasatch County is hard to develop in and felt that the expiration and time frames should be more flexible because sometimes there are federal agencies (Army Corps) that developers have no control over and take a lot of time.

PLANNING COMMISSION DISCUSSION - Key points discussed by the Planning Commission included the following:

- The Commission discussed timelines and noted how generously long the timelines in code were as long as a developer is tending to his project.

MOTION

Commissioner Murphy made a motion to recommend that the Wasatch County Council adopt Ordinance 26-01 in order to comply with HB 368 and SB 1006, and to advance the purposes of this Ordinance, as presented. Commissioner Thacker seconded the motion.

VOTE (4 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN

ADJOURNMENT

MOTION

Commissioner Zuercher made a motion to adjourn. Commissioner Murphy seconded the motion.

VOTE (4 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Michael Murphy	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN

Meeting adjourned at 8:00 p.m.

CHARLES ZUERCHER/CHAIRMAN

Meeting Date: February 12, 2026
Presenter: Caden Lyon
Requested Time: 30 Mins

Department: Planning
Applicant: Matt Bowman

Item Title:

Russell Campbell, representing Matt Bowman, requests a Plat Amendment to the Tuhaye Dancing Sun Phase 3 Subdivision in order to amend the boundary line between Lot 70 and Open Space Parcel B without changing the total area of lot 70 and Open Space Parcel B. Lot 70 is located at 9641 N Dancing Sun Ct in the Residential Agriculture 1 (RA-1) zone. *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 February 18, 2026.

Issue:

Whether or not the proposed plat amendment to allow a boundary line adjustment for like acreage land swap involving property located within an open space easement complies with the standards for "good cause" as required under Utah Code Annotated §17-79-712 and WCC 16.04 and other applicable Wasatch County ordinances governing land use and development.

Background:

The owner of Lot 70 of the Tuhaye Dancing Sun Plat 3 subdivision, Matthew Bowman, in cooperation with the Tuhaye HOA, proposes a land swap involving a portion of land located on the south property line of Lot 70 and the north property line of Open Space Parcel B. This land swap would allow Mr. Bowman to widen the lot frontage of his lot so that his driveway can be lengthened to meet Wasatch County Code slope requirements. The swap maintains the same open space and parcel acreage.

Proposed Motion:

Based on the analysis in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to County Council for the changes to the open space and the plat amendment based on the findings and subject to the conditions in this report.

Impact:**Attachments:**

1. PC Staff Report 02-12-2026 - Item 1 - Tuhaye Dancing Sun Ph 3 Lot 70



Item 1 Tuhaye Dancing Sun Phase 3 Lot 70 Plat Amendment

Project: DEV-11262 | Tuhaye Dancing Sun Phase 3
Report Date: 5 February 2026
Hearing Date: 12 February 2026
Report Author: Caden Lyon, Planner
Council Action Required: Yes
Applicant: Russell Campbell

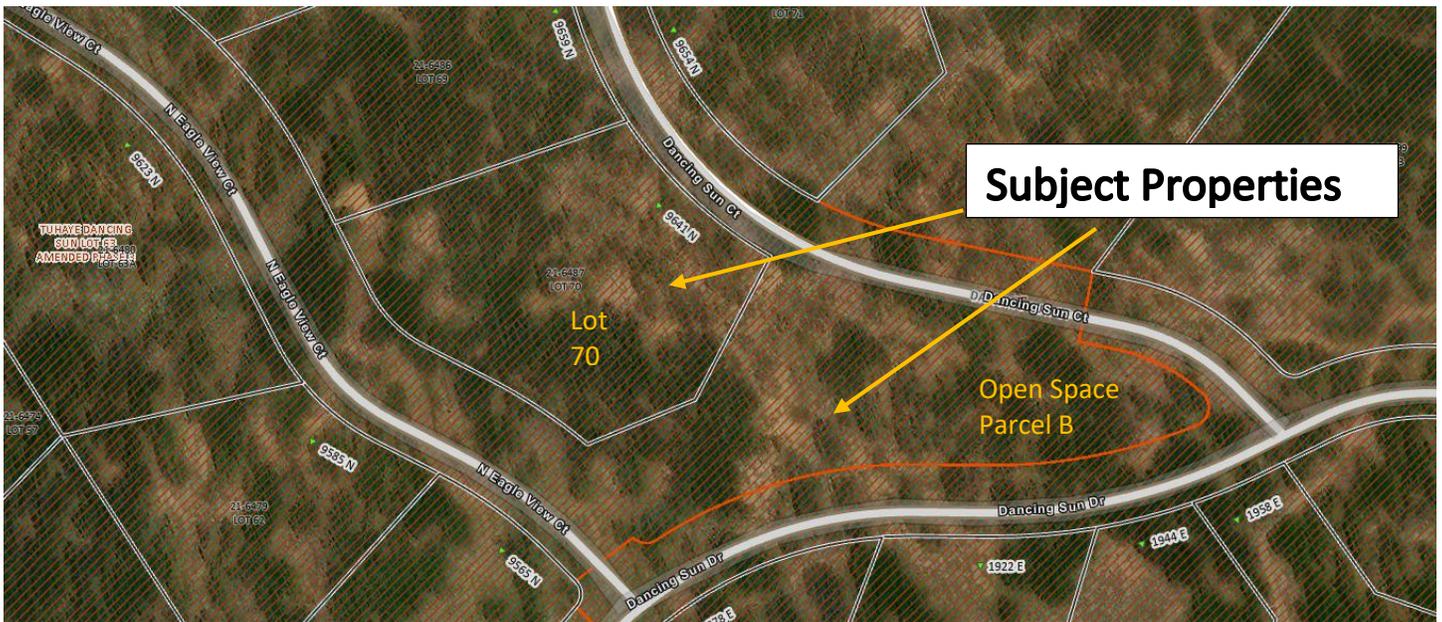
Address: 9641 N Dancing Sun Ct
Existing Land Use: Single-Family Lot
Proposed Amendment: Open space Land swap and boundary line adjustment proposal
Prior Approvals: Tuhaye Dancing Sun Phase 3 Recorded 9/10/2021

DETERMINATION ISSUE

Whether or not the proposed plat amendment to allow a boundary line adjustment for like acreage land swap involving property located within an open space easement complies with the standards for "good cause" as required under Utah Code Annotated §17-79-712 and WCC 16.04 and other applicable Wasatch County ordinances governing land use and development. This determination constitutes a legislative decision due to changing an open space easement, and as such, lies within the discretion of the Wasatch County Council. Prior to Council consideration, the proposal must be reviewed by the Wasatch County Planning Commission, which will forward a recommendation based on its evaluation of the proposal's merits and compliance with applicable standards.

RECOMMENDATION

Based on the analysis in this staff report, Planning Staff recommends that the Planning Commission **forward a recommendation of approval** to County Council for the changes to the open space and the plat amendment based on the findings and subject to the conditions in this report.



BACKGROUND

The owner of Lot 70 of the Tuhaye Dancing Sun Plat 3 subdivision, Matthew Bowman, in cooperation with the Tuhaye HOA, proposes a land swap involving a portion of land located on the south property line of Lot 70 and the north property line of Open Space Parcel B. This land swap would allow Mr. Bowman to widen the lot frontage of his lot so that his driveway can be lengthened to meet Wasatch County Code slope requirements. The swap maintains the same open space and parcel acreage.

These modifications will be formalized through a recorded plat amendment and appropriate easement adjustments, subject to review and approval by applicable governing entities.

In accordance with Wasatch County Code, notice of the proposed plat amendment has been duly provided to all property owners within the affected plat and to those within 500 feet of the subject property, as required.

Pursuant to WCC 16.01.05, the process for approval of this proposal classified as a Plat Amendment with an associated open space easement amendment is the Planning Commission, with final approval required from the County Council. As of the date of this report, no objections have been received from notified property owners.

PURPOSE AND INTENT

The subject property is in the Jordanelle Basin Overlay Zone (JBOZ) where the residential lots for detached single-family homes (land use 1111) is listed as a permitted use in the zone. The purpose outlined in the JBOZ is quoted below:

16.15.01: PURPOSE

The Jordanelle Basin overlay zone (JBOZ) is to implement the goals and standards established by the previously adopted Jordanelle Basin land use plan and map and accomplish the following purposes:

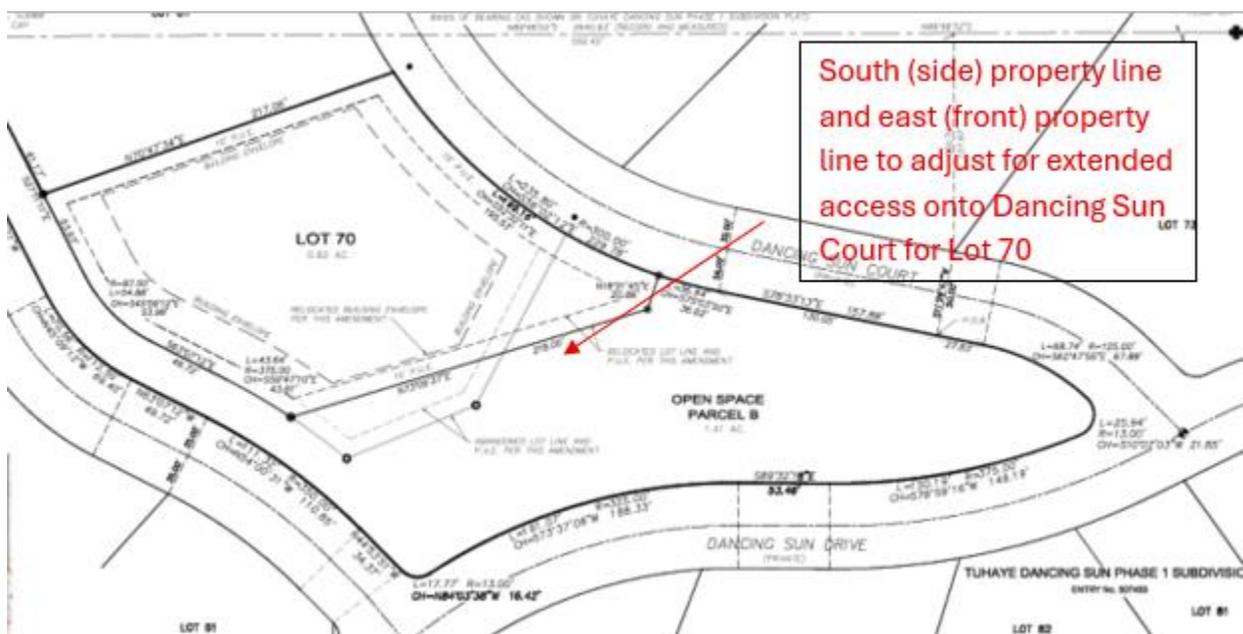
- A. The lands comprising the overlay zone include all the Jordanelle Basin;*
 - B. To allow for development of the lands which complies with the goals and standards of the plan;*
-

-
- C. To preserve and protect the natural beauty of the Jordanelle Basin;
 - D. To establish regulations by which development may take place in the JBOZ.
-

KEY ISSUES TO CONSIDER

- Compliance with zoning requirements, including supplementary development standards.
- Compliance with the Development Agreements open space requirements associated with the Tuhaye Master Plan.
- Compliance with UCA §17-79-712 and including WCC 16.04.02 definition of good cause.

STAFF ANALYSIS



– LAND USE AND DENSITY –

The proposed plat amendment does not alter the overall density established in the originally approved plat and Development Agreement, nor does it affect the total designated open space area or the acreage of the lot. While the amendment modifies the boundaries of the subdivision plat, the overall acreage of the plat remains unchanged. All approvals and conditions outlined in the existing Development Agreement will remain in full force and effect.

The only substantive modification involves an adjustment to the legal description of the open space lot as well as lot 70. This revision is intended to resolve an issue with meeting slope requirements for a driveway while maintaining the total open space allocation and ensuring that the designated open space area remains free of encroachments.

– SETBACKS –

The required setbacks for the JBOZ are 20 feet for the front yard, 30 feet for the rear yard, and 12 feet for the side yards. The proposed lot line adjustments will not result in any new noncompliance with respect to building setbacks.

– DRIVEWAYS –

Adjusting the lot line so that the driveway can meet slope requirements would allow the property to be in compliance with the County Code that it might otherwise struggle to meet.

– GOOD CAUSE –

UCA §17-79-712 allows the County to approve a plat amendment if the County finds that: (a) there is good cause for the vacation, alteration, or amendment; and (b) no public street, right-of-way, or easement has been vacated or altered. Wasatch County Code 16.04.02 has defined “good cause” as follows:

16.04.02: DEFINITIONS

...
GOOD CAUSE: Providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Wasatch County and furthering the health, safety, and welfare of Wasatch County.
...

Staff has reviewed the proposed boundary line adjustment and associated land swap and finds that it satisfies the “good cause” requirement as defined under State Law. The proposed amendment does not alter the overall density of the development and does not affect the amount of Open Space for the development; furthermore, it enhances the welfare and safety of Wasatch County residents by providing the ability to conform with applicable standards regarding driveway grades.

Based on the information currently available, staff does not anticipate any adverse impacts to neighboring properties as a result of the proposed action.

– PUBLIC RIGHT-OF-WAY OR EASEMENTS –

The proposal will cause the south lot line, which would be a side yard lot line, as well as the Public Utility Easement (PUE) to shift northward and eastward. This is to extend the lot frontage for Lot 70. The side yard PUE distance is not affected by this change. The front yard PUE is extended to 15’ on this amended plat to meet current code requirements.

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 and are added as conditions of approval. The Committee has forwarded the item for the Planning Commission to forward a recommendation to County Council.

POTENTIAL MOTION

Move to forward a Recommendation for Approval to the County Council for Item 2 consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. Good cause for the plat amendment exists because:
 - a. The proposed plat amendment does not alter the overall density of the development.
 - b. The amendment enhances compliance by allowing Lot 70 to conform more easily with applicable development standards.
 - c. The adjustment improves driveway access for Lot 70 thereby improving the safety and welfare of Wasatch County citizens.
 - d. Improvement of the driveway access preserves the integrity and intended function of the open space area.
 - e. Open space acreage does not change.
2. This proposed revision conforms to the Wasatch County development standards.
3. The Development Review Committee has reviewed the project and provided a favorable recommendation with a condition.

POSSIBLE ACTIONS

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

1. Approve. This action may be taken if the County Council finds that the Plat Amendment and open space easement change request is compliant as proposed with Wasatch County Code and all other applicable laws.
2. Approve with Conditions. This action can be taken if the County Council feels comfortable that remaining issues can be resolved through specified conditions. ****This action would be consistent with the staff analysis.****
3. Continue. This action can be taken if the County Council needs additional information before rendering a decision, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can only be taken if the County Council finds that the proposal does not meet the ordinance or that the application is insufficient to comply with applicable law.

CONDITIONS

1. The applicant resolves any conditions noted in the DRC report to the satisfaction of the applicable review department.
2. A plat must be recorded within one year of the approval.

NEXT STEPS

If the requested plat amendment is approved, the applicant will need to deliver a mylar plat to the planning office for recording. Actions must be taken to pursue the approval with reasonable diligence as outlined in Wasatch County Code 16.01.16.

If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an

alternative plan for approval, it will need to be made as a new application.

Any person adversely affected by a final decision made by the Land Use Authority can be appealed under the provisions outlined in Wasatch County Code 2.02.02.

EXHIBITS

Exhibit A – Vicinity Plan..... 7
Exhibit B – Existing Subdivision Plat 8
Exhibit C – Proposed Amended Plat..... 9
Exhibit D – DRC Report..... 10

Exhibit B – Existing Subdivision Plat

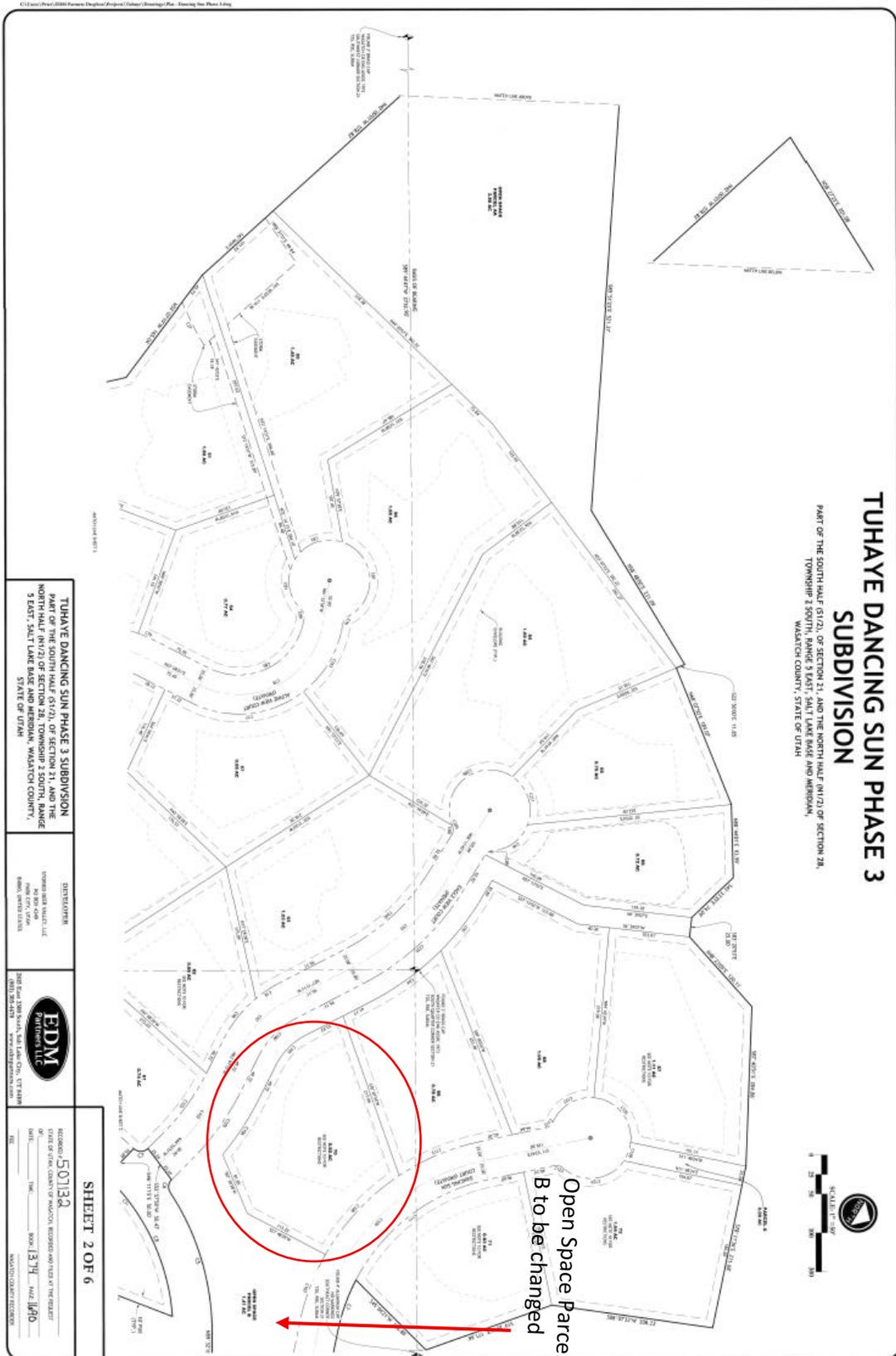


Exhibit D – DRC Report



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

PROJECT ID: DEV-11262
PROJECT NAME: PLAT AM - TUHAYE DANCING SUN
PHASE 3 SUBDIVISION LOT 70 AMENDED
VESTING DATE: 8/15/2025
REVIEW CYCLE #: 2

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
Planning Department	Ready for Decision
Recorder's Office	Ready for Decision
County Surveyor	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.

Meeting Date: February 12, 2026**Department:** Planning**Presenter:** Doug Smith**Applicant:****Requested Time:****Item Title:**

Ordinance 26-03 amending Chapter 16.21.18 entitled “non-motorized trails” adding regulations on back country trail standards and their construction. *If forwarded, the recommendation by the Planning Commission on this item will be considered by the County Council as the Legislative Body, at a Public Hearing on February 18, 2026.

Issue:

Whether or not code section 16.21.18 should be amended to add a requirement for back country trails that are part of a development to be built by professional trail builders.

Background:

Wasatch County has been requiring back country trails to be built as part of developments for many years. Wasatch County requires back country trails to be built to the standards adopted in Chapter 16.38 which follows IMBA (International Mountain Biking Standards). This code section has width, materials and grades, switchback design, grade dips and reversals to handle water etc. Back country trails that are not built to standards outlined in the code can be not only hard to ride but hard to maintain.

Proposed Motion:

Based on the analysis and discussions with other municipalities, public works, engineering and the fire district and findings in this staff report, Planning Staff is of the opinion that the proposed ordinance should be approved by the County Council based on the findings included in the staff report.

Impact:**Attachments:**

1. PC Staff Report 02-12-2026 - Item 2 -Ordinance 26-03 - Trails



Ordinance 26-03, amending 16.21.18 regarding non-motorized trails and back country trail construction.

Project: DEV-0000 | Regulations on back country trails
Meeting Date: 12 February 2026
Report Date: 3 February 2026
Report Author: Doug Smith, Planning Director

Council Action Required: Yes
Type of Action: Legislative
Applicant: County initiated
Affected Code Section(s): 16.21.18

DETERMINATION ISSUE

Whether or not code section 16.21.18 should be amended to add a requirement for back country trails that are part of a development to be built by professional trail builders.

RECOMMENDATION

Based on the analysis and discussions with other municipalities, public works, engineering and the fire district and findings in this staff report, Planning Staff is of the opinion that the proposed ordinance should be approved by the County Council based on the findings included in the staff report.

BACKGROUND

Wasatch County has been requiring back country trails to be built as part of developments for many years. Wasatch County requires back country trails to be built to the standards adopted in Chapter 16.38 which follows IMBA (International Mountain Biking Standards). This code section has width, materials and grades, switchback design, grade dips and reversals to handle water etc. Back country trails that are not built to standards outlined in the code can be not only hard to ride but hard to maintain.

Many developers understand the added value of back country trails and hire professional trail builders to build their required trails. Some developers do not understand the added value and build trails that do not meet code. Many times these trails, whether flagged or built, need to be redesigned or reclaimed (if built) which cause much angst between the County and developers. A lot of time has been wasted by staff on inspections for trails that have to either be rebuilt or redesigned.

As the County gets more involved with maintaining public trails on private property the need to have trails designed and built properly is more important. Trails not built correctly may have to be rebuilt by the county and require much more maintenance and expense.

This proposal is an added step that the conscientious developers will have done regardless. This proposed should save time and money for the developers that do not understand the code and struggle to comply.

The amendment has been reviewed by Engineering and the Attorney's office.

What this code does:

- Adds a requirement for verification that a back country trail builder, experienced in building trails, will be designing and building the trails in the development.
- Adds a requirement for trail plans with a cost estimate be submitted with the final application.

Impacts of the proposal:

- Developers will be required to use experienced trail builders which, for the most part, is already being done by the conscientious developers.
- Future back country trails will be built to a standard that is sustainable and more easily maintained.

STAFF ANALYSIS

– GENERAL PLAN–

The first consideration in determining whether a code text amendment should be approved or denied is the language contained in the General Plan.

Chapter three of the General Plan has specific goals, policies and objectives intended to guide and direct decisions for the future growth in the County. The goals, policies and objectives become more specific in the zoning ordinance.

10. GOAL: Develop and incorporate a non-motorized trail system to provide safe transportation and recreation facilities that are compatible with the rural and mountainous environments of Wasatch County and are interconnected with the County's active transportation infrastructure.

10.1 OBJECTIVE: Trail corridors should include regional connections including, but not limited to: schools, parks, commercial areas, recreation centers, subdivisions, cities and towns, existing trail networks, public lands, ridgelines and open areas.

10.1.1 POLICY: Trail design, including a determination of trail width, grade, surface(s), clearance height and amenities shall be identified by the Wasatch County Trail Master Plan and Wasatch County Planning Commission.

10.2 OBJECTIVE: Ensure that new development contributes to the existing Wasatch County Trail System and mitigates impacts concurrently with development approvals

10.2.1 POLICY: Developers and homebuilders are required to participate in the development of community trails and trailheads through the dedication and construction of trails. Community trails and trailheads should reflect those proposed in the Trail Master Plan to support access to recreational opportunities and improved connections to the active transportation network.

10.3 OBJECTIVE: **Adopt a maintenance standard for the Wasatch County Trail System under the direction of the Wasatch County Parks and Recreation Department or other designated entity that will address the safety aspect and quality of the Wasatch County trail system.**

10.3.1 POLICY: **Trail maintenance standards will be established and available in the Wasatch County Non-Motorized Trail Design Standards.**

10.4 OBJECTIVE: Create a seamless, connected, and consistent trail network that is consistent with established network typologies through interlocal coordination including, but not limited to: Wasatch County department heads, Wasatch County's county-wide trail planner, the State of Utah, the cities of Heber, Midway, Charleston, Hideout, Independence, Interlaken, Wallsburg, and Daniels Township, the US Forest Service, Soldier Hollow Olympic venue, Jordanelle Basin Owners Association, citizens and private landowners, as well as Summit County, Park City and Snyderville Basin Recreation District as applicable. A seamless, connected, and consistent trail network supports continuous travel from the trail network to sidewalk, bikeway, and local roads through consistent signage, pavement markings, and similarly design trail surfaces and types without gaps in service.

11.1 OBJECTIVE: Develop recreational opportunities that will enhance the quality of life in Wasatch County and provide economic opportunities.

11.1.2 POLICY: Promote recreational opportunities that increase the length of time that a visitor spends in the county.

11.1.5 POLICY: Enforce a robust countywide trails system that encourages tourism and connects to regional trails, parks, and open space.

It is apparent that the intent in the General Plan is for a countywide trail system that connects to other municipalities and state and federal lands with a consistent trail standard. As the County gets more miles of back country trails at some point the County (or County contractor) may be involved in maintaining increased miles of trails. Trails should be built sustainably at the onset so that they can be maintained and provide a positive riding/hiking experience for all users.

REVIEW OF PROPOSAL

This proposal has been reviewed by the engineering department, the County trail planner and the attorney's office.

RECOMMENDED MOTION

Move to Approval the proposal with Conditions consistent with the findings, recommendations and modifications (if any) presented in the staff report.

– FINDINGS –

- Current WCC 16.21.18 requires all developments to have a trail component.
- Unlike infrastructure required in a subdivision, trails are not currently required to be designed or built by an experienced trail builder unless required as part of a development agreement.
- Some developers do not follow the standards outlined in the code and build trails that may need to be removed and reclaimed.
- If a trail is not built as per the code, it may be hard to maintain due to water and erosion damage.
- Trails not built to the code may be hard to ride due to steep grades.
- If public trails are, at some point, are maintained by the County (or maintenance is paid for by the County) they should be built to a standard which does not require the County to rebuild trails to the county standard.
- Trails are heavily supported in the Goals and policies portion of the General Plan.
- The general plan envisions a consistent countywide trails system that crosses jurisdictions.
- Well designed and constructed trails are a benefit to the County residents.

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. Approval. This action may be taken if the Planning Commission finds that the General Plan and proposed amendments are consistent and compatible.
2. 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. 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 Code Text Amendment.....5

Exhibit A – Proposed Code Text Amendment

ORDINANCE NO. 26-03

Ordinance 26-03 which adds language to Chapter 16.21.18 regarding non-motorized trails and a requirement for backcountry trails to be professionally built.

RECITALS

WHEREAS, Wasatch County is rapidly developing and for many years has required back country trails to be part of developments; and

WHEREAS, some developers have used professional trail builders, the end product of which provides an asset to the public as well as the owners within their development; and

WHEREAS, some developers have not used experienced state licensed professional trail builders and the trails are either unusable, not sustainably built requiring increased maintenance or not built in a way that complies with the County code; and

WHEREAS, county staff have spent many hours inspecting trail layout and built trails that were not constructed properly and do not meet County codes; and

WHEREAS, trails not built to the County standard need to be removed and remediated which is a difficult process that could be averted with this proposed code amendment; and

WHEREAS, due to the high value placed on trails the County would like to ensure that the trail built as part of the conditions of development are an asset to the County and the residents of the development; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required; and

WHEREAS, after review and recommendation by the Planning Commission; 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, and is consistent with the goals and policies of the Wasatch County general plan;

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 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 statutes.

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 17-64-502, 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 _____, 2026.

Attest:

WASATCH COUNTY COUNCIL:

Joey Granger
Wasatch County Clerk / Auditor

Karl McMillan, Chair
Wasatch County Council

VOTE

- Karl McMillan, Chairman _____
- Spencer Park _____
- Luke Searle _____
- Coleen Bonner _____
- Erik Rowland, Vice Chair _____
- 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 17-64-502, 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 , 2026.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this day of , 2026.

Notary Public

Residing in:
My commission expires:

EXHIBIT A – AMENDMENT

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16.21.18: NONMOTORIZED TRAILS

To facilitate the transportation and recreational needs of the county residents and visitors, nonmotorized trails systems shall be provided and subject to the following standards:

- A.** All new developments shall provide public trails. Connections must be made with adjoining properties on at least four (4) sides of the development and/or with a complete loop trail system. Public trails and connections must be in compliance with the master trail plan if applicable.
- A-B.** Back Country trails shall be built by a professional trail builder approved by the County. The trail builder must demonstrate sufficiently, through evidence of previously completed projects by either the company, employees, or a contracted

14 consultant, experience in building back country trails to the standards required in
15 sectionChapter 16.38. Final designs and cost estimates that were not approved
16 with a final plat and cost estimate shall shall be provided and reviewed and
17 approved or rejected by the County planning department staff prior to construction.
18 County staff shall review the plans for demonstrated compliance with the final
19 plat approval and the county code, including Chapter 16.38. An approval or denial
20 of a trail design or a trail builder may be appealed in accordance with Section
21 2.02.02.

22 B.C. In limited circumstances a waiver of the improved trail requirement for
23 hard surface trails may be allowed by the land use authority for the subdivision
24 final approval as follows;

25 1. For small scale subdivisions if all the below criteria are met:

- 26 a. Small scale subdivisions (5 lots or less).
- 27 b. The development is made up of large lots with a minimum lot size of
- 28 5 acres.
- 29 c. A minimum distance of 1 mile, measured along roadways, to the
- 30 nearest hard surface trail, or a sidewalk of over 500 feet in length.
- 31 d. Any further subdividing of lots, if allowed, would require trail
- 32 improvements to be completed. This would be stated on the plat with
- 33 a note.
- 34 e. Due to increased development pressure on areas that have the
- 35 potential for sewer and water connections the proposed subdivision
- 36 cannot be within the boundary of any special service district which
- 37 provides culinary water or sewer.
- 38 f. Dedication of an easement for the future trail(s) is required unless
- 39 part of a deeded right-of-way.
- 40 g. Only residential developments are eligible for the improved trail
- 41 waiver.

42 2. For farm preservation developments if all the below criteria are met:

- 43
- 44 a. The trails in the farm preservation subdivision, but outside of the
- 45 farm preservation parcel, are dedicated and constructed;
 - 46 1. If there is a distance of 1 mile, measured along roadways to
 - 47 the nearest hard surface trail, or sidewalk of over 500 feet in
 - 48 length, the trails in the farm preservation subdivision do not
 - 49 need to be constructed;
- 50 b. Any trails in the farm preservation parcel are dedicated to the public,
- 51 and may be built by the County in its discretion; and
- 52 c. If the farm preservation parcel later develops, the trails shall be
- 53 constructed by the developer.

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3. An escrow, providing the full cost of constructing the trail, may be used in lieu of construction of the trail, if all the below criteria are met:
 - a. No dedicated trail connections are available within 600 feet of the proposed development;
 - b. The paved public trails in the proposed subdivision are less than 1,200 feet;
 - c. All unbuilt public trails are dedicated to the public by easement, unless included in the dedicated right-of-way;
 - d. A practical difficulty exists with maintenance of the trail or a safety hazard is created by building the trail at this time;
 - e. If a trail is completed within 600 feet of the development providing the escrow, the homeowner's association, or if none, the property owner(s), are required to build the trail, and will be entitled to -the unused escrowed money upon completion of the trail; and
 - f. The trails may be built of require to be built by the County at any time in its discretion.

G.D. _____ New developments shall make connections to the Wasatch County trail network when possible.

D.E. _____ Trail plans must comply with the standards provided in Wasatch County trail design standards. See [chapter 16.38](#), "Appendix 3, Wasatch County Trail Standards And Design Guidelines", of this title, and include a sign plan.

E.F. _____ If allowed under UCA 17-27a-508.1, trail maintenance shall be provided by the developer or future homeowners' association (HOA) with provisions made in the covenants, conditions and restrictions (CC&Rs) to fund the necessary maintenance.

F.G. _____ Trail plans must be submitted in hard copy and electronic formats and must show the closest section corner. Electronic files types accepted are: ARC view files in NAD 83 meters and AutoCAD. Hard copy submissions must show the relationship to development units, all stream channels and water sources, roads and slopes.

G.H. _____ Public trail plans shall include the grades of the trails at regular intervals.

H.I. All public trails shall be recorded on the plat as public trails and dedicated to the public.

Meeting Date: February 12, 2026**Department:** Planning**Presenter:** Doug Smith**Applicant:****Requested Time:****Item Title:**

Ordinance 26-04 amending Chapter 16.33.11 regarding driveway setbacks from property lines and clarifying language for driveway setbacks on corner lots. *If forwarded, the recommendation by the Planning Commission on this item will be considered by the County Council as the Legislative Body, at a Public Hearing on February 18, 2026.

Issue:

Whether or not code section 16.33.11 should be amended to allow driveways to encroach into site setbacks and side PUE's as well as clarify driveway setbacks on corner lots.

Background:

Wasatch County has an ordinance that requires driveways to be setback from side property lines a minimum of 10'. This has typically been interpreted as the driveway at the street must be a minimum of 10' from the side lot line. This requirement is to keep driveways from conflicts from adjacent properties. Typically, we have not enforced the 10' setback as the driveway goes further into the lot, however a plain reading of the current code does not allow that.

Proposed Motion:

Based on the analysis and discussions with engineering and the attorney's office, Planning Staff is of the opinion that the proposed ordinance should be approved by the County Council based on the findings included in the staff report.

Impact:**Attachments:**

1. PC Staff Report 02-12-2026 - Item 3 - Ordinance 26-04 - Driveway Setbacks



Ordinance 26-04, amending 16.33.11 regarding driveways and setback requirements for driveways and clarifications for driveways on corner lots.

Project: DEV-0000 | Regulations on driveways
Meeting Date: 12 February 2026
Report Date: 3 February 2026
Report Author: Doug Smith, Planner

Council Action Required: Yes
Type of Action: Legislative
Applicant: County initiated
Affected Code Section(s): 16.33.11

DETERMINATION ISSUE

Whether or not code section 16.33.11 should be amended to allow driveways to encroach into site setbacks and side PUE's as well as clarify driveway setbacks on corner lots.

RECOMMENDATION

Based on the analysis and discussions with engineering and the attorney's office, Planning Staff is of the opinion that the proposed ordinance should be approved by the County Council based on the findings included in the staff report.

BACKGROUND

Wasatch County has an ordinance that requires driveways to be setback from side property lines a minimum of 10'. This has typically been interpreted as the driveway at the street must be a minimum of 10' from the side lot line. This requirement is to keep driveways from conflicts from adjacent properties. Typically, we have not enforced the 10' setback as the driveway goes further into the lot, however a plain reading of the current code does not allow that.

The current code states that driveways shall be setback 40' from any street intersection. A plain reading of this code means that driveways across the street from the corner lot must also have the 40' setback. This has never been the intent and has not been enforced. The 40' setback on corner lots is so driveways do not have conflicts with turning movements and required stacking due to stop signs.

With the recent approval of the retaining wall ordinance that allows retaining walls to be within 1' of side property lines it makes sense to clarify this. Presumably some of the retaining walls in side yards may have driveways on top of the retaining wall which would currently not be allowed with the plain reading of the code.

What this code does:

- Requires driveways to be setback 10' from the intersection of the front property line and the side property line.
- Allows driveways after the 10' setback at the street to angle back to the side property line and allows driveways to be at the property line if they can control drainage and work is contained on the site.
- Clarifies that driveways on corner lots are setback 40' from the intersection of the two streets and that the setback does not apply to driveways across the street from a corner lot.

Impacts of the proposal:

- Driveways will be able to angle up to the property line as long as drainage and construction and maintenance can be managed on-site.
- Does not require driveways across the street from a corner lot have a 40' setback from the intersection.

STAFF ANALYSIS

– GENERAL PLAN AND LIGHTING CODE–

The first consideration in determining whether a code text amendment should be approved or denied is the language contained in the General Plan.

Chapter three of the General Plan has specific goals, policies and objectives intended to guide and direct decisions for the future growth in the County. The goals, policies and objectives become more specific in the zoning ordinance.

7.1.2 POLICY: Access from developments along these highways shall be from cross streets and not driveways. Side streets entering these highways shall be spaced so as not to impede the flow of traffic.

9.1.5 POLICY: Access to major collector and arterial roads shall be from cross streets for all new developments. Access from driveways that requires motor vehicles to back onto the collector or arterial roads shall be prohibited.

16.3.1 POLICY: Adequate irrigation water rights shall be provided for each lot located within a development to provide the irrigation of one hundred percent (100%) of the lot not occupied by buildings, driveways, walks, patios etc., where irrigation has been provided in the past.

The General Plan sections do not address the specifics of driveway setbacks as can be seen from the only portions of the General Plan that refer to driveways.

DEPARTMENT REVIEWS

This proposal has been reviewed by the Planning Department, Engineering Department and the Attorney’s Office.

RECOMMENDED MOTION

Move to Approval the proposal with Conditions consistent with the findings, recommendations and modifications (if any) presented in the staff report.

– FINDINGS –

- Current WCC 16.33.11 requires driveways to be at least 10’ from the side lot line.
- The proposed code requires the driveway to be a minimum of 10’ from the property line at the front lot line then allows for the driveway to angle back to the side property line.
- A recent code allowing retaining walls to be within 1’ of a side property line will probably increase the demand for driveways to be closer to the side property line.
- The current code requires that driveways have a 40’ setback from an intersection.
- The proposed code specifies that the setback only applies to the driveways on the corner lot and not driveways across from the intersection.
- Further research was done with Summit County, Heber City and Midway City and found similar code requirements.

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. Approval. This action may be taken if the Planning Commission finds that the General Plan and proposed amendments are consistent and compatible.
2. 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. 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 - Ordinance.....4
 Exhibit B - 16.37 illustration8
 Exhibit C - Aerial examples of driveways.....9

Exhibit A – Proposed code amendment

ORDINANCE NO. 26-04

This proposal clarifies setbacks for driveways from property lines by amending and adding clarifying language to 16.33.11.

RECITALS

WHEREAS, Wasatch County has a code that regulated driveways and their separation from side lot lines and intersections; and

WHEREAS, the intent of the setback from side lot lines is to minimize conflicts with adjacent driveways; and

WHEREAS, the proposed code allows for driveways to be up to the side and rear property lines within side and rear easements; and

WHEREAS, driveway improvements are not considered substantial enough to not allow the improvements over public utility easements; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance 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 7, 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 statutes.

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 _____, 2026.

Attest:

WASATCH COUNTY COUNCIL:

 Joey Granger
 Wasatch County Clerk / Auditor

 Karl McMillan, Chair
 Wasatch County Council

VOTE

Karl McMillan, Chairman _____
 Spencer Park _____
 Luke Searle _____
 Coleen Bonner _____
 Erik Rowland, Vice Chair _____
 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 , 2026.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this day of , 2026.

Notary Public

Residing in:
My commission expires:

EXHIBIT A – AMENDMENT

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4 **16.33.11: RESIDENTIAL REQUIREMENTS FOR TWO UNITS OR LESS**

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A. There shall be provided in a private garage, or in a paved area, properly located, sufficient space for the parking of automobiles for each unit in accordance with the parking computation matrix contained in section [16.33.13](#) of this chapter.

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B. Mobile home parks shall have two (2) parking spaces for each unit, plus one space for every two (2) units in a guest parking area. Guest parking areas shall be grouped to conveniently serve various blocks within the park.

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C. No portion of a required front yard, other than driveways leading to a garage or properly located parking area, shall be paved or improved to encourage or make possible the parking of vehicles thereon. Parking of vehicles shall not be allowed except in such designated improved parking areas, and shall not be permitted in areas intended to be landscaped.

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D. Access to parking spaces and private garages used in conjunction with dwellings of two (2) or less units shall be limited as follows:

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1. Driveways ~~ofn a corner lot~~ shall be located a minimum of forty feet (40') from ~~the any~~ street intersection ~~of a corner lot, measured from the intersection of the two roads as depicted in 16.37.06 from the nearest edge of the intersecting roadway;~~

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2. No driveway approach shall be located closer than ten feet (10') from a side lot line except for a shared driveway serving adjoining properties. ~~No driveway may interfere with any recorded easement.~~

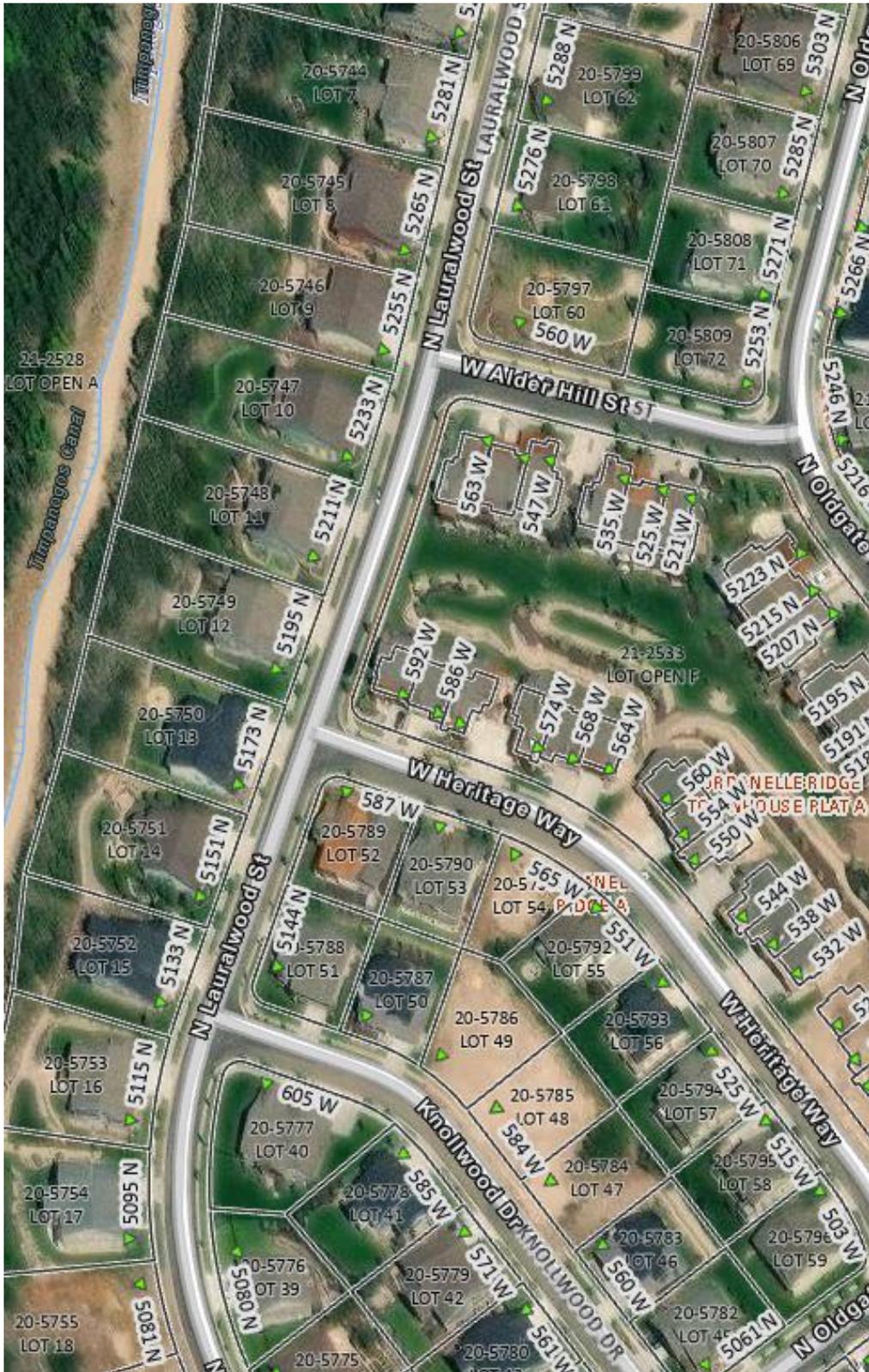
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- 25 3. Driveways ~~An approved shared driveway~~ on private property may be
26 constructed up to the side or rear property line ~~as so~~ long as drainage,
27 maintenance, snow removal and adequate soil stability can be addressed on
28 the property. Driveways located over utility easements may be removed and
29 replaced at the owner's expense if access to the easement is required. the
30 driveway does not interfere with a recorded easement or the surface
31 drainage of the lot or adjacent lots where drainage easements are provided.
32 The drainage from the driveway must be kept within the property.
- 33 E. In developments denser than one unit per acre, driveways shall be paved with a hard
34 surfaced material such as concrete, asphalt, brick or stone pavers. In rural type
35 developments, less dense than one unit per acre, compacted road base may be used.
36 Recreational vehicle pads constructed adjacent to a paved driveway may be
37 constructed of a dust and weed free gravel, compacted road base or similar surface.
- 38 F. Lots shall be limited to one driveway approach per frontage, except where a second
39 driveway approach is specifically approved by the planning department as long as
40 the lot has a minimum frontage at the right-of-way of 150', can meet the side
41 setbacks for driveways and curb cuts into the streets have a minimum separation of
42 50'. If approval of a second driveway creates a safety hazard (i.e., blind corners,
43 proximity to intersections etc.) of any kind the Planning Department may deny the
44 request. Lots that are double fronted with one frontage on a major collector street,
45 or corner lots with frontage on a major collector street, shall not be permitted to have
46 a drive approach on the major collector street. Upon approval by the planning
47 department, corner lots with frontages on two (2) local streets may have two (2) drive
48 approaches to create a circular driveway if such approval would increase safety.
- 49 G. Driveways shall be a maximum of thirty feet (30') wide.

50 ...

Exhibit C – Aerial examples of driveways





Meeting Date: February 12, 2026
Presenter: Austin Corry
Requested Time: 20 minutes

Department: Planning
Applicant:

Item Title:

Follow-up from previous General Plan land use scenario discussion. *Note that this discussion item will also be included on the County Council agenda for February 18, 2026 at 4:00 p.m. See County Council agenda for further details.

Issue:

Determine whether the Scenario E Future Land Use Map appropriately reflects the County's desired land use pattern based on community input, established goals and policies, and sound planning principles.

Background:

At the November meeting, three scenarios were prepared by the General Plan advisory committee for discussion purposes. Based on that discussion, staff has generated an additional Scenario E that attempts to incorporate the feedback received during the Planning Commission and Council meetings. The scenario also considers the various goals and policies established earlier by the Planning Commission and Council.

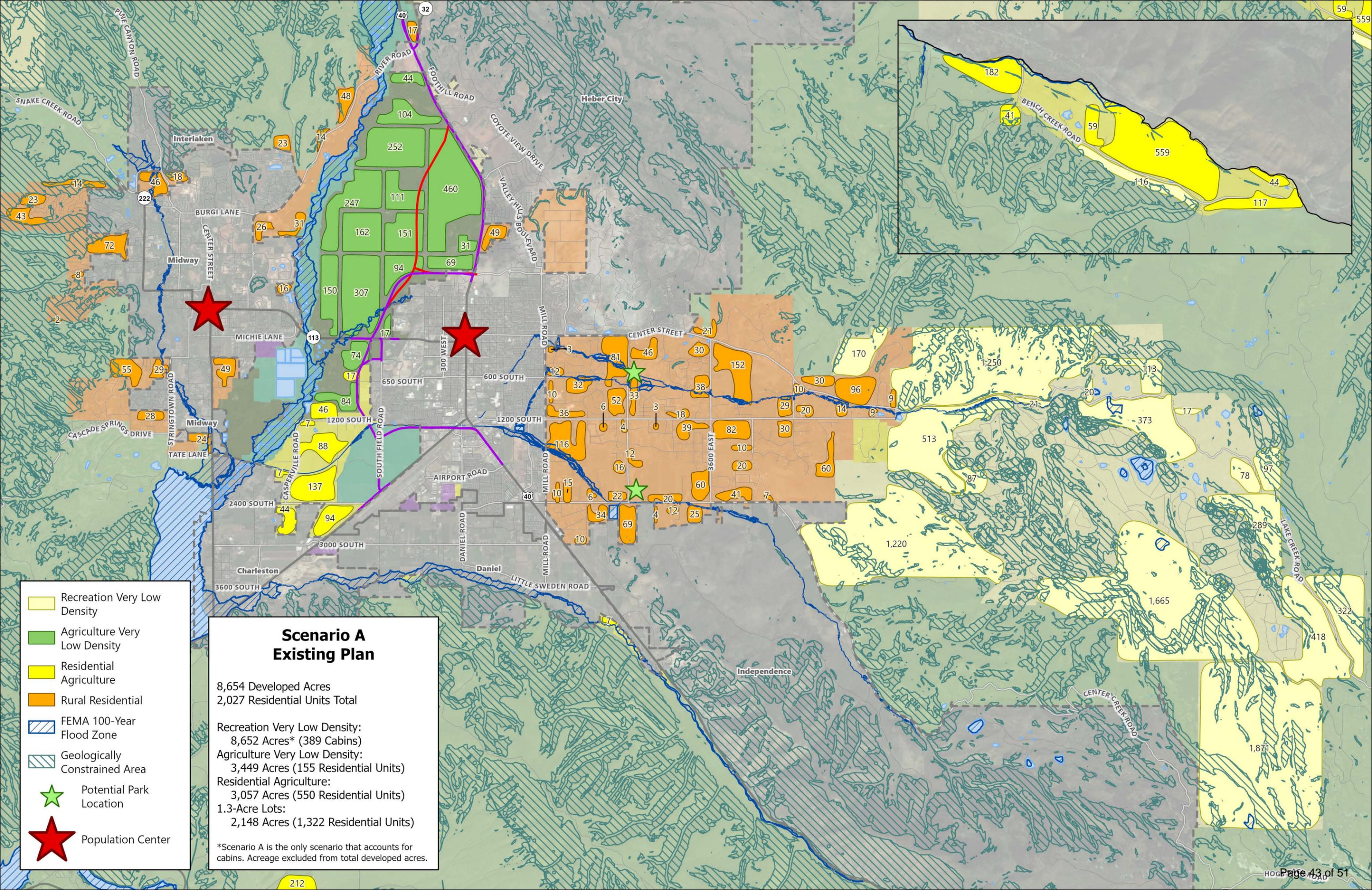
Scenario E remains close to existing land use with the primary changes being: 1) Establishing clear sending and receiving zones for a TDR program for the two-fold purpose of protecting agriculture and accommodating attainable housing potential, 2) removing development from areas that previously encroached on sensitive hillsides, and 3) adjusting land uses adjacent to incorporated areas to respect the urban-to-rural transition.

Proposed Motion:

Move to forward the details of the Planning Commission discussion to the County Council for consideration of a potential future land use map for the new General Plan.

Impact:**Attachments:**

1. PC Staff Report 02-12-2026 - Item 4 - GP Land Use Scenarios



- Recreation Very Low Density
- Agriculture Very Low Density
- Residential Agriculture
- Rural Residential
- FEMA 100-Year Flood Zone
- Geologically Constrained Area
- Potential Park Location
- Population Center

**Scenario A
Existing Plan**

8,654 Developed Acres
2,027 Residential Units Total

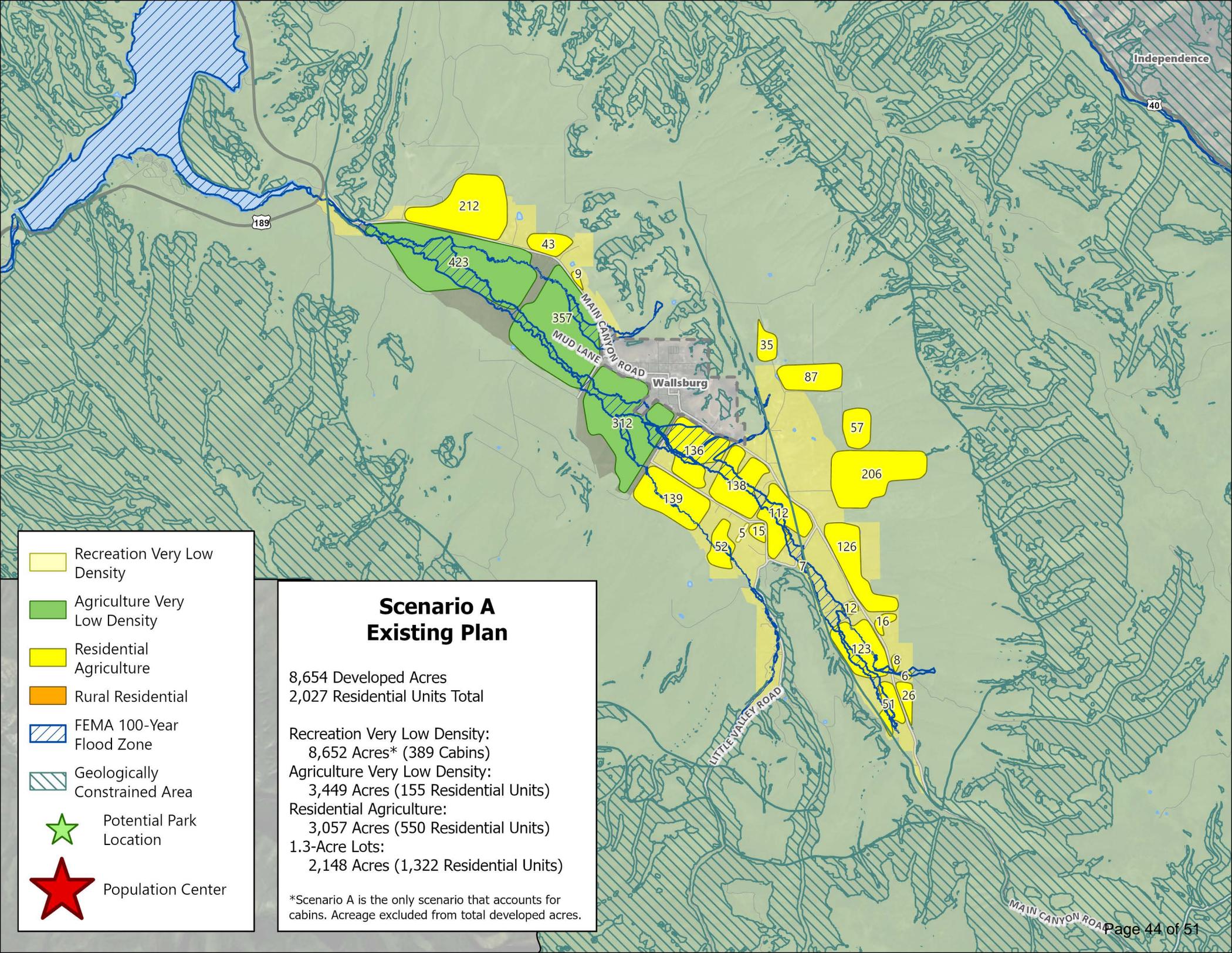
Recreation Very Low Density:
8,652 Acres* (389 Cabins)

Agriculture Very Low Density:
3,449 Acres (155 Residential Units)

Residential Agriculture:
3,057 Acres (550 Residential Units)

1.3-Acre Lots:
2,148 Acres (1,322 Residential Units)

*Scenario A is the only scenario that accounts for cabins. Acreage excluded from total developed acres.



-  Recreation Very Low Density
-  Agriculture Very Low Density
-  Residential Agriculture
-  Rural Residential
-  FEMA 100-Year Flood Zone
-  Geologically Constrained Area
-  Potential Park Location
-  Population Center

Scenario A Existing Plan

8,654 Developed Acres
2,027 Residential Units Total

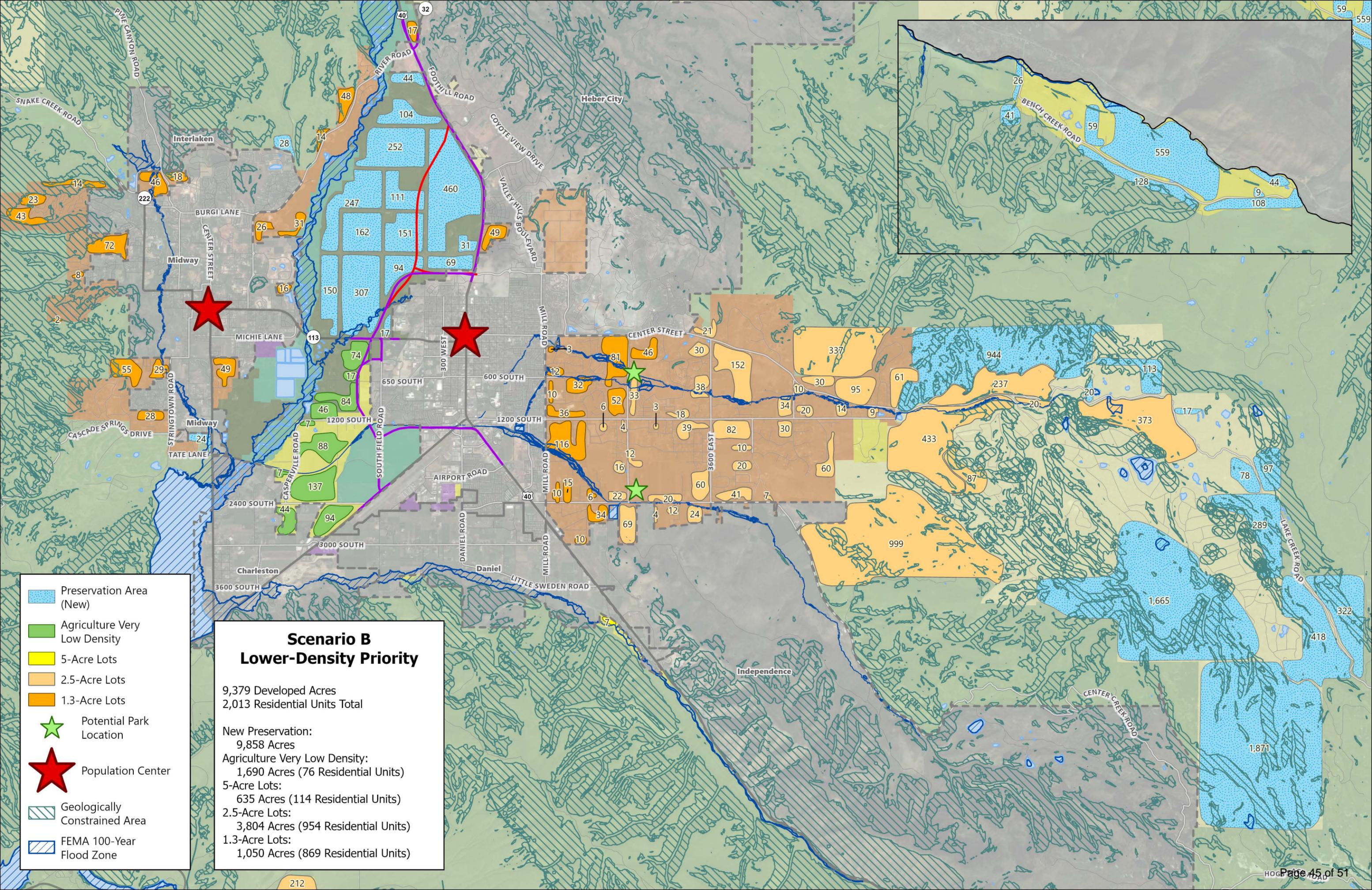
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*Scenario A is the only scenario that accounts for cabins. Acreage excluded from total developed acres.



- Preservation Area (New)
- Agriculture Very Low Density
- 5-Acre Lots
- 2.5-Acre Lots
- 1.3-Acre Lots
- Potential Park Location
- Population Center
- Geologically Constrained Area
- FEMA 100-Year Flood Zone

Scenario B
Lower-Density Priority

9,379 Developed Acres
2,013 Residential Units Total

New Preservation:
9,858 Acres

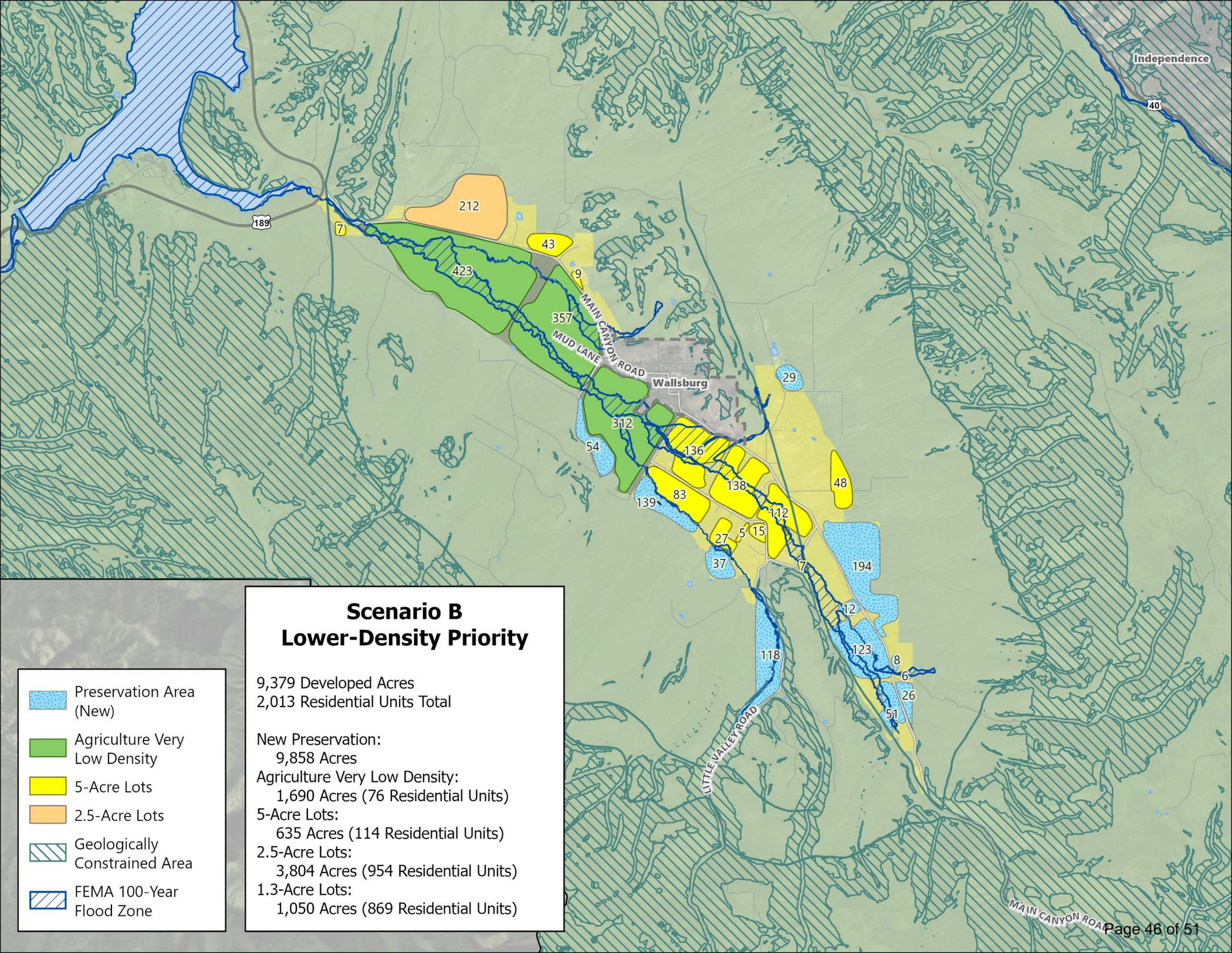
Agriculture Very Low Density:
1,690 Acres (76 Residential Units)

5-Acre Lots:
635 Acres (114 Residential Units)

2.5-Acre Lots:
3,804 Acres (954 Residential Units)

1.3-Acre Lots:
1,050 Acres (869 Residential Units)





Independence

40

189

7

212

43

423

9

357

MAIN CANYON ROAD
MUD LANE

Wallsburg

29

312

54

139

83

27

37

5

15

112

7

118

LITTLE VALLEY ROAD

12

194

123

48

8

6

26

51

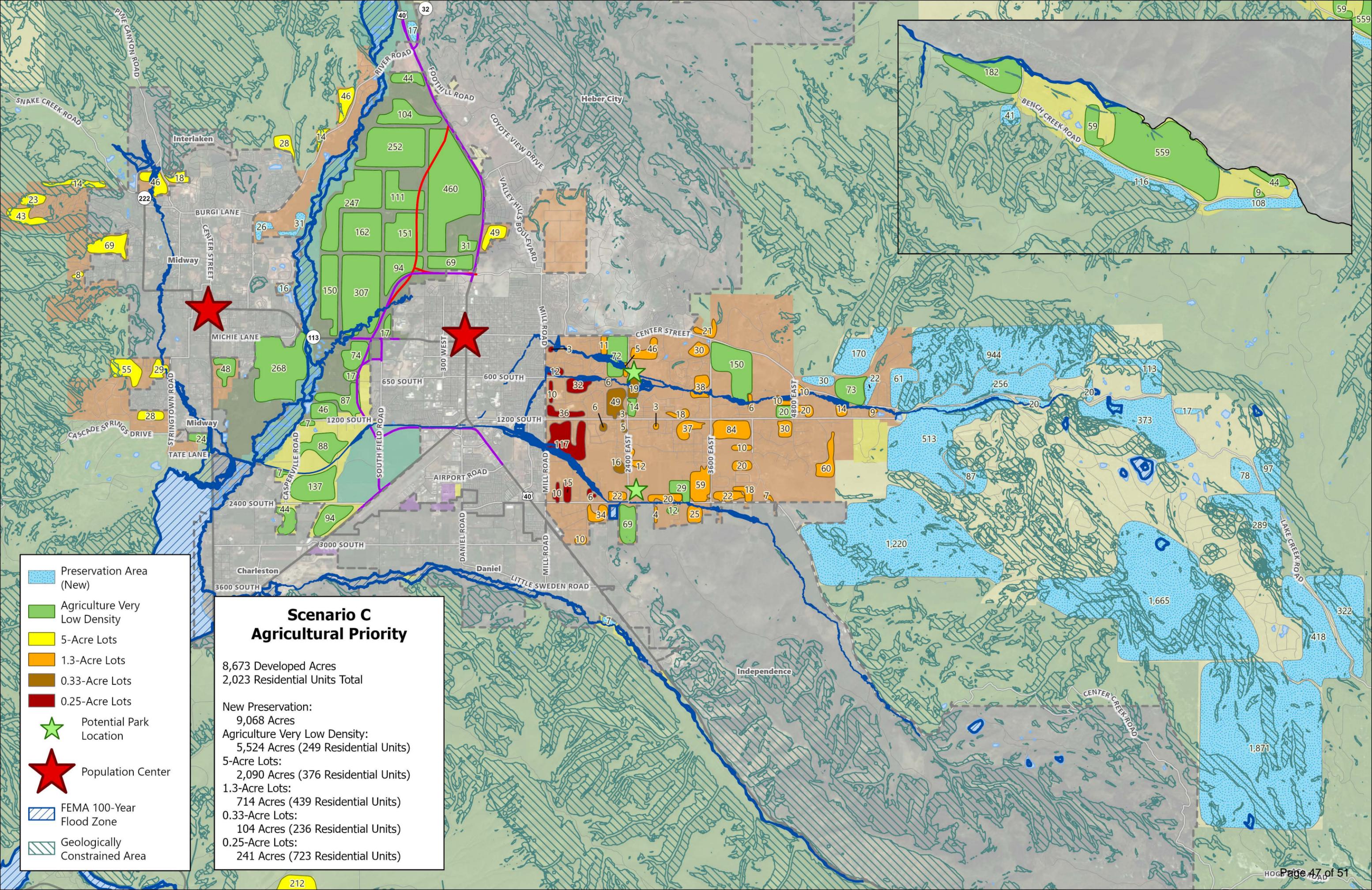
MAIN CANYON ROAD

Scenario B Lower-Density Priority

9,379 Developed Acres
2,013 Residential Units Total

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-  Preservation Area (New)
-  Agriculture Very Low Density
-  5-Acre Lots
-  2.5-Acre Lots
-  Geologically Constrained Area
-  FEMA 100-Year Flood Zone



-  Preservation Area (New)
-  Agriculture Very Low Density
-  5-Acre Lots
-  1.3-Acre Lots
-  0.33-Acre Lots
-  0.25-Acre Lots
-  Potential Park Location
-  Population Center
-  FEMA 100-Year Flood Zone
-  Geologically Constrained Area

Scenario C Agricultural Priority

8,673 Developed Acres
2,023 Residential Units Total

New Preservation:
9,068 Acres

Agriculture Very Low Density:
5,524 Acres (249 Residential Units)

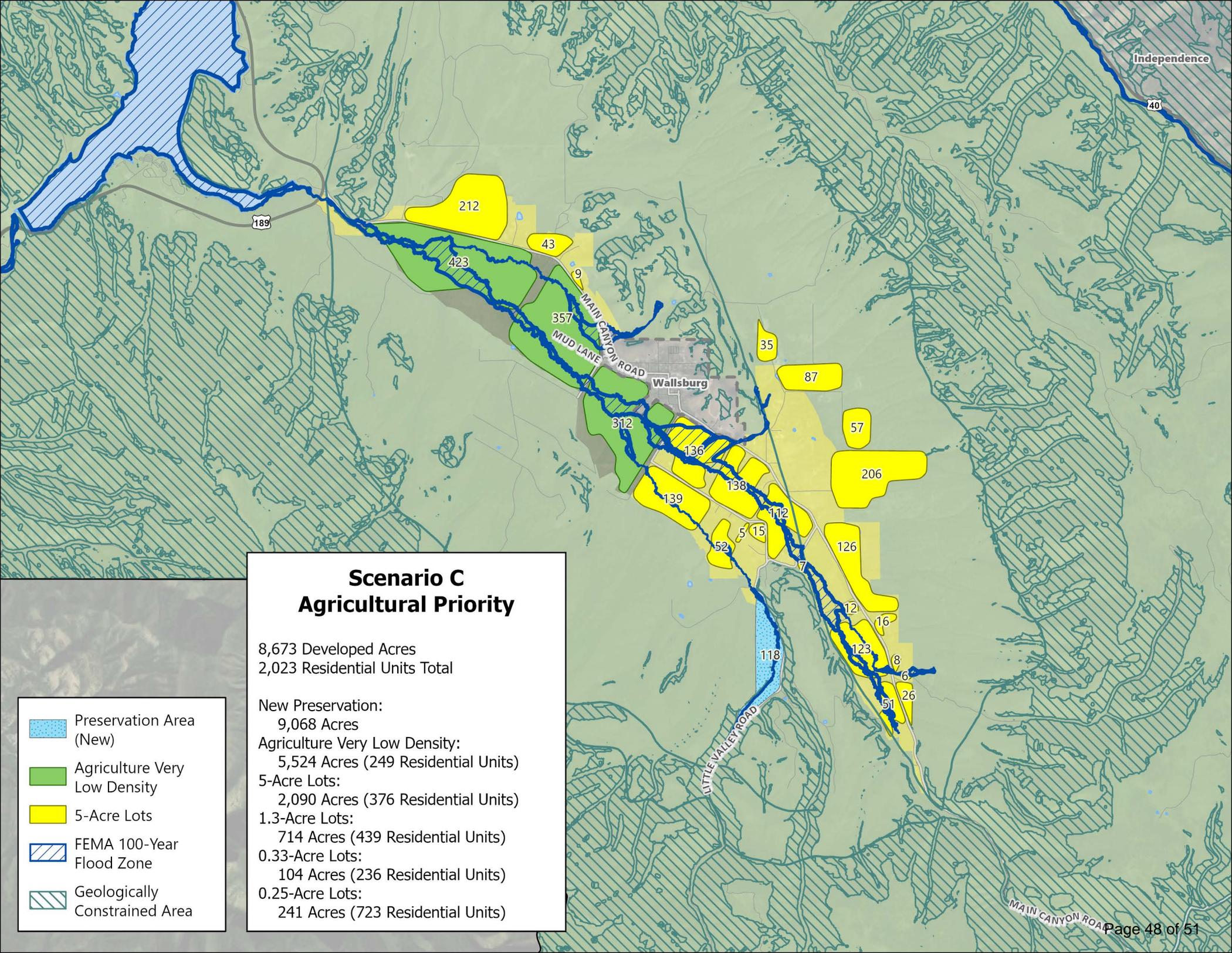
5-Acre Lots:
2,090 Acres (376 Residential Units)

1.3-Acre Lots:
714 Acres (439 Residential Units)

0.33-Acre Lots:
104 Acres (236 Residential Units)

0.25-Acre Lots:
241 Acres (723 Residential Units)



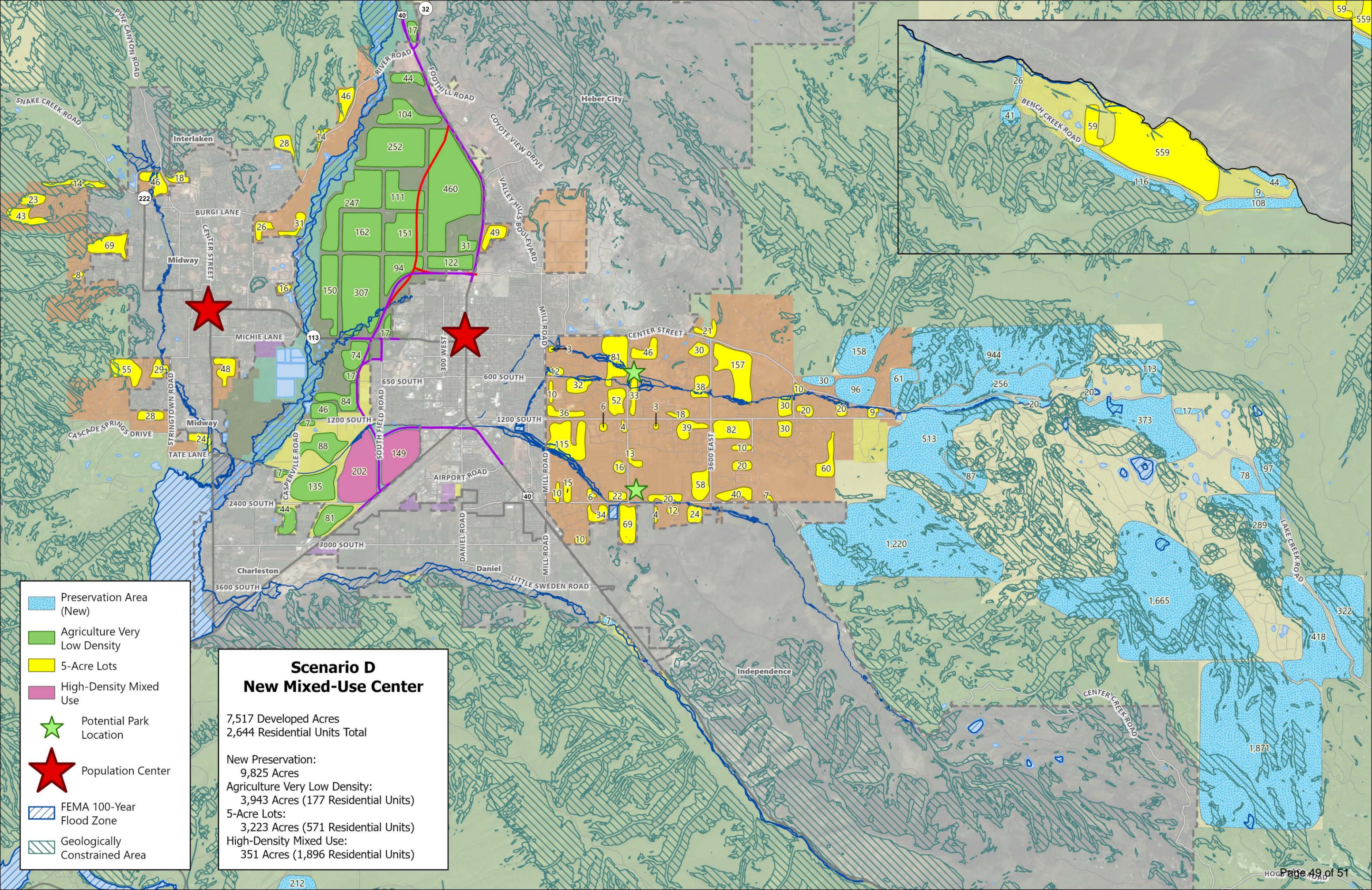


Scenario C Agricultural Priority

8,673 Developed Acres
2,023 Residential Units Total

New Preservation:
9,068 Acres
Agriculture Very Low Density:
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241 Acres (723 Residential Units)

-  Preservation Area (New)
-  Agriculture Very Low Density
-  5-Acre Lots
-  FEMA 100-Year Flood Zone
-  Geologically Constrained Area



-  Preservation Area (New)
-  Agriculture Very Low Density
-  5-Acre Lots
-  High-Density Mixed Use
-  Potential Park Location
-  Population Center
-  FEMA 100-Year Flood Zone
-  Geologically Constrained Area

**Scenario D
New Mixed-Use Center**

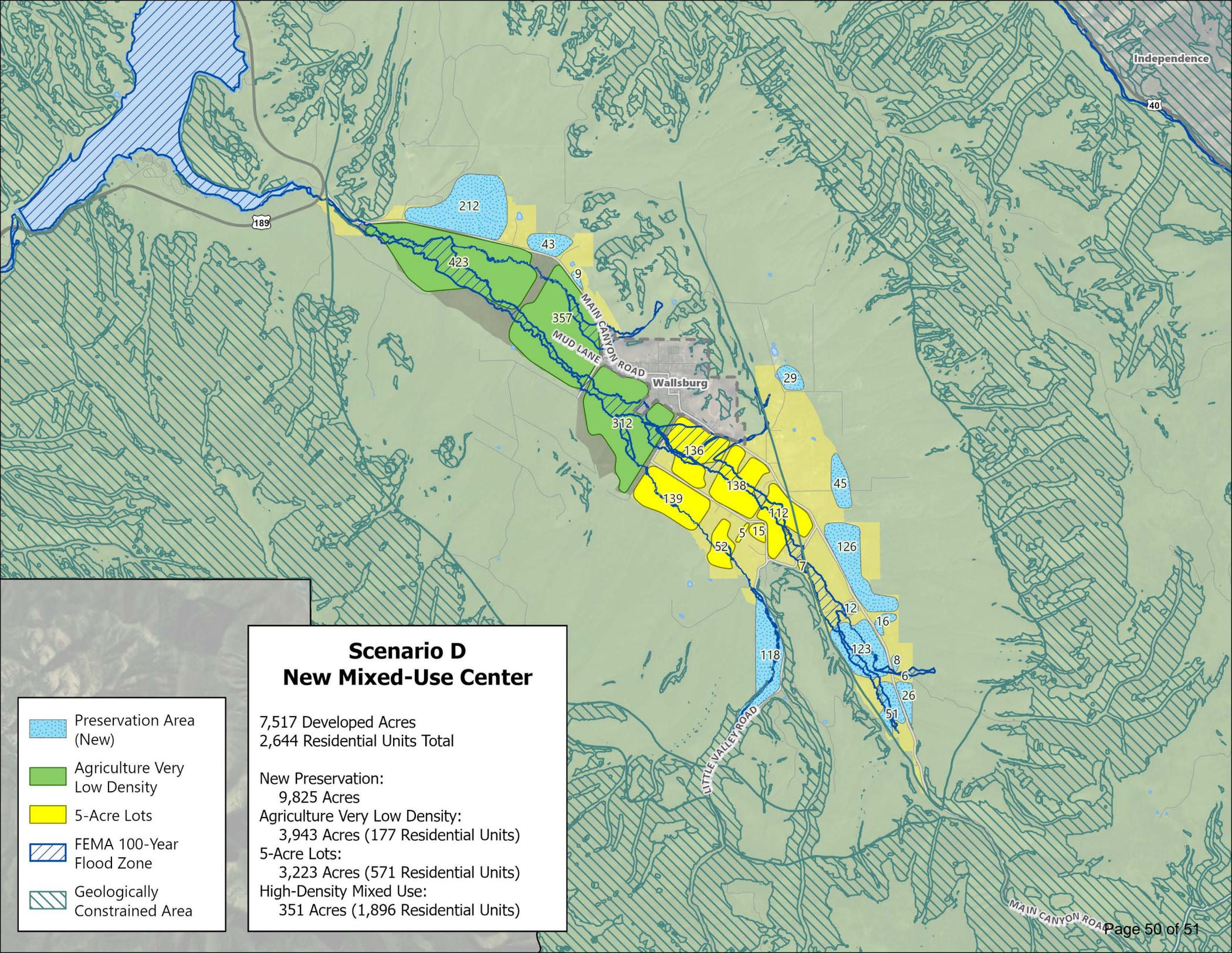
7,517 Developed Acres
2,644 Residential Units Total

New Preservation:
9,825 Acres

Agriculture Very Low Density:
3,943 Acres (177 Residential Units)

5-Acre Lots:
3,223 Acres (571 Residential Units)

High-Density Mixed Use:
351 Acres (1,896 Residential Units)



Scenario D New Mixed-Use Center

7,517 Developed Acres
2,644 Residential Units Total

New Preservation:
9,825 Acres

Agriculture Very Low Density:
3,943 Acres (177 Residential Units)

5-Acre Lots:
3,223 Acres (571 Residential Units)

High-Density Mixed Use:
351 Acres (1,896 Residential Units)

-  Preservation Area (New)
-  Agriculture Very Low Density
-  5-Acre Lots
-  FEMA 100-Year Flood Zone
-  Geologically Constrained Area

**Scenario E
Housing Sending & Receiving Areas**

8,903 Residential Developed Acres
1,962-2,845¹ Residential Units Total

New Preservation:
13,862 Acres

Recreation Very Low Density:
4,587 Acres (389 Cabins)²

Agriculture Very Low Density:
3,752 Acres (18-188 Residential Units)¹

Residential Agriculture:
3,795 Acres (759 Residential Units)

Rural Residential:
1,320 Acres (1,015 Residential Units)
With Growth Transition Receiving:
+883 Bonus Residential Units

¹ Projected housing units vary based on the application of overlay density incentives.
² Excluded from residential unit calculations.

Preservation Area (New)	Population Center
Recreation Very Low Density	Geologically Constrained Area
Agriculture Very Low Density	FEMA 100-Year Flood Zone
Residential Agriculture	Growth Transition Receiving Area 1
Rural Residential	Growth Transition Receiving Area 2
Potential Park Location	Rural Agriculture Sending Area

