

MIDA Board Meeting

August 20, 2026 @ 9:00 am

Held via Zoom

Board Members:

President Stuart Adams
Senator Jerry Stevenson
Commissioner Gage Forerer
Mayor Mark Shepherd
County Councilman Erik Rowland
Mike Ostermiller
Gary Harter
Jefferson Moss (non-voting)

AGENDA

1. Approval of June 26, 2026, meeting minutes for MIDA Board closed and open meeting.
2. Resolution 2026-18: A Resolution of the Military Installation Development Authority (“MIDA”) Adopting the Utah National Guard Project Area Development Standards and Guidelines That Will Control the Development of Property Within the Project Area.
3. Resolution 2026-19: A Resolution of the Military Installation Development Authority (“MIDA”) Approving and Authorizing the Execution of the First Amendment to the Interlocal Cooperation Agreement Between MIDA and the North Davis Fire District.
4. Resolution 2026-20: A Resolution of the Military Installation Development Authority (“MIDA”) Board Approving a Donation of \$100,000 to the USS Utah Commissioning Committee, a 501(c)(3) Nonprofit Organization, in Support of the Commissioning of the USS Utah (SSN-801).
5. Project Area Updates:
 - Falcon Hill
 - Mountain Veteran Program
 - Military Recreation Facility
 - National Guard

Military Installation Development Authority

Special MIDA Board Meeting

DRAFT Minutes

Friday, June 26th, 2026 @ 8:00 AM

Zoom Teleconference

Listen to the audio recording here: [Public Notice Website](#)

Board Members Present: President Stuart Adams (Chair), Commissioner Gage Forerer, Mayor Mark Shepard, County Council Member Erik Rowland, Gary Harter, Mike Ostermiller, Jefferson Moss (non-voting)

Board Members Excused: Senator Jerry Stevenson

The complete official audio recording is available at the link above. A summary of the discussions is presented as follows:

Agenda Item (1) Opening and Welcome (00:00 - 00:47)

The meeting was called to order at 8:00 AM by Derek Brenchley, who recognized the board members present and noted that Senator Jerry Stevenson was officially excused. Board members were reminded to state their names before making a motion or commenting for the public record.

Agenda Item (2) Consideration of a motion to enter a closed session for the following purposes: A. Utah Code 52-4-205(1)(c): Strategy sessions to discuss pending or reasonably imminent litigation. B. Utah Code 52-4-205(1)(a): Discussion of the character, professional competence, or physical or mental health of an individual in connection with the recruitment and hiring of a new Executive Director. (00:48 - 3:02)

- Motion: Mike Ostermiller moved to enter the closed session.
- Second: Commissioner Gage Froerer.
- Vote: The motion passed unanimously among all present members.

Agenda Item (3) Adjourn Meeting. (3:03 - 3:49)

- Motion: Gary Harter moved to close the session and adjourn.
- Second: Mayor Mark Shepard.
- Vote: The motion passed unanimously.

Meeting Adjourned: 8:31 AM

Meeting Attendees:

1. **President Stuart Adams (Board Member)**

- 2. Commissioner Gage Forerer (Board Member)**
- 3. Mayor Mark Shepard (Board Member)**
- 4. County Council Member Erik Rowland (Board Member)**
- 5. Gary Harter (Board Member)**
- 6. Mike Ostermiller (Board Member)**
- 7. Jefferson Moss (Board Member)**
8. Derek Brenchley
9. Morgan Nebeker
- 10. Paul Morris**
- 11. Ariana Farber**
- 12. Dan Hemmert**
- 13. Mica McKinney**
- 14. Mitch Park**
- 15. Richard Catten**
- 16. Nicole Cottle**

Military Installation Development Authority

MIDA Board Meeting and Public Hearing

DRAFT Minutes

Friday, June 26th, 2026 @ 9:00 AM

Zoom Teleconference

Listen to the audio recording here: [Public Notice Website](#)

Board Members Present: President Stuart Adams (Chair), Senator Jerry Stevenson (Vice-Chair), Commissioner Gage Froerer, Mayor Mark Shepard, County Council Member Erik Rowland, Gary Harter, Mike Ostermiller, Jefferson Moss (non-voting)

Board Members Excused: N/A

The complete official audio recording is available at the link above. A summary of the discussions is presented as follows:

Agenda Item: Opening and Welcome: Public Meeting Rules and Welcoming Erik Rowland to the MIDA Board (0:00 – 3:21)

The meeting was called to order at 9:00 AM by Derek Brenchley. He reviewed the ground rules for the upcoming public hearings.

President Adams warmly welcomed Erik Rowland as a new member of the MIDA Board, replacing Karl McMillan. Mr. Rowland thanked the Chair, noted that Mr. McMillan's health had unfortunately declined, and promised to pass along the board's best wishes to him.

Agenda Item: Review and approve minutes from the April 24, 2026 MIDA Board meeting. (03:33 - 4:00)

- Motion: Mayor Mark Shepard moved to approve the April 24, 2026 minutes as submitted.
- Second: Gary Harter.
- Vote: The motion passed unanimously.

Agenda Item: Staff Presentation: Proposed Amended Annual Budget for Fiscal Year 2025-2026, Proposed Annual Budget for Fiscal Year 2026-2027, and MIDA's Fraud Risk Assessment. (4:01 - 16:12)

Presentation by: CFO Paula Eldredge

MIDA followed the guidance of the State Auditor's Office in performing the fraud risk assessment and is pleased to report MIDA's risk of fraud is very low.

The reason for amending the budget for Fiscal Year 2025-2026 was that the actual revenues and sources of funds in the Military Recreation Facility Project Area (Wasatch County) are more than MIDA forecasted in the original budget. These funds allowed MIDA to pay off the loans financing the Jordanelle Parkway and to accelerate the completion of other infrastructure projects in the project area. Chair Adams remarked that this is a positive event to pay off the bond. In response to a question from Gary Harter regarding "other/miscellaneous revenue," Paula clarified that these funds represent interest earned on held project accounts and security funds held by the bond trustee for debt service payments.

In response to questions from Mike Ostermiller, Paula confirmed that all budget items are updated regularly and posted quarterly on the Transparent Utah website for public access. She also re-verified that the Stratos Project currently has no material impact (minimal expenses, no revenue) on the FY 25/26 or FY 26/27 budgets.

Regarding the Proposed Annual Budget for Fiscal Year 2026-2027, she anticipates increased revenue from the project area, especially from property tax allocations, taxes, and fees.

Public Hearing: Proposed Amended Annual Budget for Fiscal Year 2025-2026 and Proposed Annual Budget for Fiscal Year 2026-2027. (16:12 – 18:08)

President Adams opened the floor for public comment regarding the proposed budgets.

- MIDA staff called the names of the registered public commenters: None of the registered individuals were present in the Zoom queue, and no other attendees raised their hands to speak.
- The public hearings were officially closed.

Agenda Item: Consideration of Resolution 2026-11: A Resolution of the Military Installation Development Authority Adopting an Annual Budget for Fiscal Year 2026-2027. (19:11 - 20:41)

- Motion: Erik Rowland moved to approve Resolution 2026-11.
- Second: Mayor Mark Shepard.
- Vote: The motion passed unanimously.

Agenda Item: Consideration of Resolution 2026-10: A Resolution of the Military Installation Development Authority ('MIDA') Adopting a MIDA Amended Annual Budget for Fiscal Year 2025-2026. (20:43 – 21:09)

- Motion: Mayor Mark Shepard moved to approve Resolution 2026-10.
- Second: Erik Rowland.
- Vote: The motion passed unanimously.

Agenda Item: Staff Presentation: Annual Open and Public Meetings Act Training. (21:25 - 24:21)

Presentation by: Richard Catten

Richard Catten provided the annual mandatory training summary on the Open Public Meetings Act. He noted that because MIDA board members concurrently serve on various state, local, and PID boards, they frequently undergo this training.

Agenda Item: Consideration of Resolution 2026-12: A Resolution of the Military Installation Development Authority ('MIDA') Appointing the Executive Director for MIDA and Approving a Professional Services Agreement. (24:28 – 36:39)

The board turned its attention to appointing a successor to Paul Morris following his retirement. President Adams and the board members expressed profound gratitude to Mr. Morris for his decades of visionary leadership, specifically noting his role in transforming Hill Air Force Base and securing massive economic and national security wins for the state of Utah.

The board enthusiastically considered the appointment of Dan Hemmert as the new Executive Director. Dan has strong economic development experience, having served at the Utah Governor's Office of Economic Development.

- Motion: Gary Harter moved to approve Resolution 2026-12, appointing Dan Hemmert as Executive Director.
- Second: Commissioner Gage Froerer.
- Vote: The motion passed unanimously.

Agenda Item: Consideration of Resolution 2026-13: A Resolution of the Military Installation Development Authority ('MIDA') Appointing Trustees and Members to Various MIDA Public Infrastructure District Boards and Development Review Committees. (36:39 – 38:12)

- Motion: Mayor Mark Shepard moved to approve Resolution 2026-13.
- Second: Erik Rowland.
- Vote: The motion passed unanimously.

Agenda Items: Resolution 2026-14 & 2026-15: Camp Williams Ground Lease and Sublease (38:11 – 51:43)

Ariana Farber presented two interconnected agenda items regarding the National Guard Project Area at Camp Williams:

1. Resolution 2026-14: A Resolution of the Military Installation Development Authority ('MIDA') Approving a Ground Lease Agreement Between MIDA and the Utah State Armory Board ('State Armory Board') for Land Located at Camp Williams.

Approves a foundational lease agreement with the Utah State Armory Board for approximately 17 acres of underutilized land at Camp Williams (officially cleared by the Armory Board on June 24).

2. Resolution 2026-15: A Resolution of the Military Installation Development Authority ('MIDA') Approving a Ground Sublease Agreement Between MIDA and Lunar Resources, Inc., for the Sublease of Land Located on Camp Williams in the Utah National Guard Project Area.

Authorizes subleasing this land to Lunar Resources, a major defense contractor.

Ariana and President Adams highlighted that this project creatively leverages underutilized military land to bring in private capital. Rather than relying on hard-to-secure federal Military Construction taxpayer funds, private investment will construct a state-of-the-art, 100,000+ square-foot manufacturing facility. The facility will build advanced directed-energy defensive platforms currently being deployed in active theaters of war, such as Ukraine. Commercial revenues generated here are contemplated to contribute to funding over \$100 million in modernization and infrastructure projects for the Utah National Guard. The project is estimated to bring 420 new manufacturing jobs and \$85 million in capital investment to Utah. Following board approval, these items will head to the Legislative Management Committee for final sign-off.

- **Motion on Resolution 2026-14:** Mayor Mark Shepard moved to approve Resolution 2016-14.
- **Second:** Erik Rowland.
- **Vote:** The motion passed unanimously.
- **Motion on Resolution 2026-15:** Gary Harter moved to approve Resolution 2026-15.
- **Second:** Mike Ostermiller.
- **Vote:** The motion passed unanimously.

Agenda Item: Consideration of Resolution 2026-16: A Resolution of the Military Installation Development Authority ('MIDA') Adopting Amendments to the Falcon Hill Project Area Development Standards and Guidelines Related to Digital Submissions, Site Plan Approval, Utility Specifications, and Regional Trail and Accessibility Standards. (51:44 – 54:01)

Hillary Venable provided updates on Falcon Hill development standards and guidelines (last revised in 2020). The Falcon Hill Development Review Committee recommended board approval of text updates primarily focused on administrative and engineering best practices. The single procedural shift moves the final approval of site plan applications directly to the DRC to streamline execution.

- **Motion:** Erik Rowland moved to approve Resolution 2026-16.
- **Second:** Mayor Mark Shepard.

- Vote: The motion passed unanimously.

Agenda Item: Consideration of Resolution 2026-17: A Resolution of the Military Installation Development Authority ('MIDA') Approving the Site Plan for the Roy Innovation Center Expansion Building #6 in the Falcon Hill Project Area. (54:16 – 57:24)

Hillary Venable presented the site plan for a massive 275,000-square-foot Class-A office expansion at the Roy Innovation Center, which was recommended by the Falcon Hill Development Review Committee on June 8.

Positioned on 16.9 acres, the project expands campus parking to nearly 5,000 stalls (including over 100 EV stalls) and extends north and west toward the freeway, styled with matching campus landscaping.

The building will sit between Building 1 and Peace Parkway. It features a secure SCIF facility to accommodate aerospace and defense subcontractors whose operations require strict on-site presence.

- Motion: Mayor Mark Shepard moved to approve Resolution 2026-17.
- Second: Gary Harter.
- Vote: The motion passed unanimously.

Project Area Updates:

Falcon Hill (57:42 – 01:26:15)

Presentation by: Hilary Venable, Brett Christensen, and Taylor Woodbury

Hilary Venable started the update by noting that UDOT has adjusted traffic patterns to the east, so northbound travelers are now driving on the new freeway. In November, they approved grant funding for the Aerospace Museum. In just under a year, they have used those funds to restore multiple displays, offer scholarships and fellowships, and fund STEM education programming, among many other things.

Brett Christensen, the Enhanced Use Lease Manager for the Base, is breaking ground on the new 1800 North Gate. He added that 1573 is under construction, and 770 people are moving into the first building while the vacated 1200 Series facilities are being taken down. Christensen said the 1200 Series facilities are World War II-era buildings that need to be replaced, and that was one of the original reasons for partnering with MIDA.

Taylor Woodbury reflected on Falcon Hill's roots in 2008 when the land lacked all basic infrastructure. Taylor Woodberry highlighted that MIDA has since developed over 100 acres, completed 1.3 million square feet of commercial space, and created roughly 6,000 high-paying engineering jobs. Defying national real estate trends, Falcon Hill boasts a 100% office occupancy rate with zero active vacancy. Woodberry underscored the significance of the new 100,000-

square-foot building currently under construction, which requires zero taxpayer dollars and is funded entirely by leveraging private capital on underutilized military land, making Falcon Hill the largest project of its kind in the entire Department of War. Looking ahead, he stressed that expanding road infrastructure is their top priority to unlock future growth. Completing Falcon Hill Drive as a continuous frontage road will require an estimated \$21 million to \$22 million, or closer to \$25 million when utility extensions are factored in. Lastly, Woodberry celebrated that the Three Gate Trail is becoming a reality, with plans to complete a continuous 3-mile trail system along the west side of the base by 2028, featuring a pedestrian bridge over 1800 North to safely connect community members outside the fence line.

Mountain Veteran Program (01:27:09 – 01:31:14)

Presentation by: Ashley Burr and Christine Russ

Director's Background: Prior to taking the helm at MVP, Christine served six years in the United States Army.

Program Launch: The Mountain Veteran Program officially launched in February 2026, shortly after the grand opening of the Inn at Sundance Mountain Resort.

Inaugural Winter Season Success: During its first winter season, the program successfully delivered 828 program days to wounded veterans and their loved ones. Participants engaged in adaptive skiing and snowboarding at Sundance Mountain Resort, alongside therapeutic art sessions in the resort's art studio, custom wellness treatments at the spa, morning mobility sessions in the spa yurt, and communal dining.

Active Summer Season: The program has maintained strong momentum into its summer season, delivering 190 program days to date. Summer activities for veterans include horseback riding, ziplining, fly fishing, rafting on the Provo River, art classes, and ongoing spa wellness treatments.

Across both winter and summer seasons, participating veterans consistently reported increased personal confidence, stronger relationships with others, and significantly improved emotional well-being. These outcomes validate the immense need for this specialized program and solidify Sundance Resort's unique position to facilitate it.

VA Partnership: The program has successfully forged a long-term partnership with the Department of Veterans Affairs (VA) Whole Health Department and its recreational therapy team. This collaboration establishes a sustainable, structural referral pipeline to ensure the program reaches the veterans who will benefit most from these therapeutic experiences.

International Initiative: Looking toward the future, the Mountain Veteran Program is actively exploring an MVP International Program Initiative. The program is currently developing plans to host a cohort of Ukrainian military personnel in the summer of 2027, with more details to follow as the initiative progresses.

Military Recreation Facility (01:31:32 – 01:55:14)

Presentation by Heather Kruse and Kurt Krieg

For 2026, 3,900 military room nights are already booked (outpacing last year) at a highly discounted military rate of \$149/night, alongside 54 military conference bookings. Impressively, Q1 of 2027 already has 2,000 military rooms reserved.

Kurt Krieg from Extell detailed infrastructure progress at the Military Recreation Facility project area, including:

Ski Services & Lift 10: The Ski Services Building, housing ticketing, rental, ski school, and food options, will be turned over in shell form in two months for an official opening in the 2027–2028 season. Helicopters are actively flying to install the new Hail Peak Pod (Lift 10), featuring 100% snowmaking capabilities, which will open this December.

Water & Wildfire Mitigation: Construction has begun on a 10-million-gallon water retention pond designed to serve as a critical water backup for helicopter-assisted wildfire suppression.

Wildfire Detection Cameras: In partnership with Joel Ferry and the DNR, Extell is installing 23 high-tech, real-time wildfire detection cameras across the region this summer, with 3 dedicated specifically to safeguarding the Deer Valley East Village and Jordanelle State Park.

Marcella & Cormont Developments: All lots at Marcella Estates are sold out, and their Tiger Woods-designed golf course opens this July. Cormont's 371-condominium layout is actively moving forward on Towers 1, 2, and 5, with 93 out of 142 currently offered units already under contract.

Marcella Landing & Marcella West: Construction is underway on all phases of Marcella Landing townhomes (22 of 50 units sold). For Marcella West (70 acres dedicated to workforce housing and regional commercial layout), two separate economic and programming studies are underway to refine the master plan, which will be brought to the MIDA board in August.

National Guard (01:55:48 – 02:01:18)

Presentation by: Ariana Farber

Ariana Farber presented a major update regarding the successful completion of the Beaver Armory Motor Pool Expansion Project.

Budget Efficiencies: The project was initially budgeted at an engineer's estimate of \$850,000. However, through efficient management, the project was successfully completed for just over \$330,000, yielding significant financial savings.

Reinvestment of Savings: MIDA and the National Guard intend to reallocate the remaining cost savings from this project toward a much-needed remodel of the legacy Tooele Armory. The Tooele facility is exceptionally old and currently lacks sufficient bathroom and locker facilities

for female service members. Reinvesting these funds will directly improve the quality of life and operational readiness for female guardsmen.

Community & Operational Impact: The finalized Beaver Armory expansion successfully added 28,000 square feet of dedicated space for military vehicle parking, motor pool maintenance, and storage.

Ariana shared a brief video showcasing the recent ribbon-cutting ceremony, which highlighted a unique community partnership. The project's primary contractor was the wrestling coach at Beaver High School, who hired members of the local high school wrestling team to help execute the physical construction. The initiative was celebrated as a fantastic collaborative success between the local youth, the Beaver community, and the Utah National Guard.

Adjourn. (02:02:18 – 02:02:56)

- Motion: Gary Harter moved to adjourn.
- Second: Senator Jerry Stevenson seconded the motion.
- Vote: The motion carried unanimously.

The meeting was adjourned at 11:03 PM.

Meeting Attendees:

- 1. President Stuart Adams (Board Member)**
- 2. Senator Jerry Stevenson (Board Member)**
- 3. Commissioner Gage Froerer (Board Member)**
- 4. Mayor Mark Shepard (Board Member)**
- 5. County Council Member Erik Rowland (Board Member)**
- 6. Gary Harter (Board Member)**
- 7. Mike Ostermiller (Board Member)**
- 8. Jefferson Moss (Board Member)**
9. Morgan Nebeker
10. Jackson Mercer
11. Derek Brenchley
12. Kristin Kenney Williams
13. Paula Eldredge
14. Nicole Cottle
15. Heather Kruse
16. Christine Russ
17. Paul Morris
18. Richard Catten
19. Ariana Farber
20. Hilary Venable
21. Ashley Burr

22. Jason Przybyla
23. Kurt Krieg
24. Taylor Woodbury
25. Cory Shupe
26. Fox 13 News
27. Brent Hall
28. Leia Larsen
29. Lance Soffe
30. Dan Schoenfeld
31. Jen Wakeland
32. Tyler Smith
33. Michael Kosakowski
34. Leslie Timmins
35. Douglas DeVore
36. PB M
37. Gardner Francis
38. Christine Russ
39. Chrissy Barner
40. Lance Soffe
41. Grace Doerfler
42. Brett Christensen
43. Josh Horner
44. Rex Stock
45. Dan Hemmert
46. Chrissy Barner
47. Bill Fiveash
48. Mark Dalton
49. Bob Theobald
50. Glen Clement

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2026-18

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) ADOPTING THE UTAH NATIONAL GUARD PROJECT AREA DEVELOPMENT STANDARDS AND GUIDELINES THAT WILL CONTROL THE DEVELOPMENT OF PROPERTY WITHIN THE PROJECT AREA

WHEREAS, on August 22, 2024, the MIDA Board adopted the Utah National Guard (“UNG”) Project Area Plan, consistent with the process and procedures outlined in Part 4, “Project Area Plan and Budget,” of the MIDA Act, § 63H-1-101 et. seq. Utah Code Annotated 1953, as amended (“the Act”); and

WHEREAS, the UNG Project Area consists of approximately 24,245.46 acres and comprises 27 properties, 24 of which are non-contiguously located throughout the state of Utah; and

WHEREAS, consistent with the authority contained in the Act, the substantive provisions of the UNG Project Area Plan, and the terms of applicable interlocal agreements by and between MIDA and other public entities enacted with respect to the UNG Project Area Plan, the Board now finds it expedient to adopt development standards and guidelines for the UNG Project Area applicable to the properties outlined in the Project Area Plan.

NOW, THEREFORE, BE IT RESOLVED by the MIDA Board that the attached Development Standards and Guidelines for the Utah National Guard Project Area are hereby adopted.

PASSED AND ADOPTED by the MIDA Board this 20th day of August, 2026.

Military Installation Development Authority

J. Stuart Adams
Chair

Attest:

Morgan Nebeker
MIDA Records Officer

MIDA NATIONAL GUARD PROJECT AREA

DEVELOPMENT STANDARDS AND

GUIDELINES

1. CHAPTER ONE — DEFINITIONS AND ADMINISTRATION

1.01 Definitions

For purposes of these Standards, the following terms shall have the meanings indicated and include the plural use of the terms defined:

Administrative Approval - written approval granted by the Executive Director pursuant to these Standards. Unless otherwise set forth in these Standards, Administrative Approvals shall expire one hundred eighty (180) days after such approval is given unless acted upon during such one hundred eighty (180) day period. The Executive Director may grant one extension of up to one hundred eighty (180) days on a finding of good cause.

Applicant – any person, partnership, corporation, limited liability company, governmental entity, or other legal entity submitting an application for approval of a Master Development Plan (MDP), Subdivision Plat, Site Plan, Infrastructure Construction Plan, Building Permit, or other approval required under these Standards.

Conditional Use - a land use that, because of its unique characteristics or potential impact on the MIDA Project Area, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are met that mitigate or eliminate the detrimental impacts of the land use.

Construction – any site demolition, erection, substantial repair, alteration or similar action, for or of rights-of-way, structures, utilities or similar improvements.

Building Envelope – the designated area on a lot or parcel within which a building or accessory structure must be located. A Building Envelope is exclusive of undevelopable, setback, easement, and buffer areas.

Building Permit – a permit issued by MIDA or a MIDA authorized contractor on behalf of MIDA that allows the permit holder to construct a building or other structure or make changes to a building or structure in accordance with applicable building, construction, and fire codes.

Certificate of Occupancy – a certificate issued by MIDA for all structures that indicates that the structure has been constructed in accordance with the State Construction Code, State Fire Code,

and other applicable codes as determined by MIDA. Certificate of Occupancy includes a Temporary Certificate of Occupancy.

Designated Entity-

- (a) UTNG Property – Utah Division of Facilities Construction and Management (DFCM)
- (b) Non-Military Property and/or UTNG Property leased to MIDA or upon which MIDA is developing or redeveloping property or a structure– Entity MIDA designates for all matters related to building permit and footing and foundation permit applications, plan review, inspections and the issuance of certificates of occupancy.
- (c)

Developer – A private entity that has an agreement to construct a Development Project within the project area.

Development Agreement – a written agreement between MIDA and a property owner/developer defining the terms, regulations and conditions for a specific construction project.

Development Activity – (a) any Construction or expansion of a building, structure or use that creates additional demand and need for public facilities; (b) any change in use of a building or structure that creates additional demand and need for public facilities; or (c) any change in the use of land that creates additional demand and need for public facilities.

Development Review Committee (“DRC”) – a review body established by MIDA responsible for reviewing development applications for compliance with these Standards and providing recommendations or approvals as specified in these Standards.

Development Standards or “Standards”– these Development Standards and Guidelines adopted by the Military Installation Development Authority governing planning, review, design, construction, and operation of development within theProject Area.

Executive Director – the Executive Director of MIDA or the Executive Director’s designee responsible for administering these Standards.

Infrastructure Construction Plans – detailed engineering drawings and technical specifications submitted for review and approval prior to construction of major infrastructure systems including roadways, utility systems, substations, transmission facilities, pipelines, cooling infrastructure, and other public or private infrastructure improvements.

Infrastructure Improvements – facilities, improvements, and amenities that will be constructed and installed in connection with a particular development project within the Project Area, including without limitation, roads, water, sewer (including tanks, wells, substations, pump stations, storm water facilities, water treatment plants, and drainage facilities), dry and wet utilities, retaining walls that are not providing structural support for a building and exceed four feet in height (including, but not limited to MSE, rockery, cast in place concrete, etc.), emergency service facilities, parking facilities, and any overhead electrical transmission lines. Retaining walls that are four feet in height or less are considered to be landscape accents and do not require a professional engineer’s stamp, review, or approval.

Inside the Fence – UTNG Property which requires entering through a security gate where security restrictions are imposed.

Land Use Regulations – the regulations relating to land use set forth in these Standards.

Master Development Plan (MDP) – A graphic and narrative planning document approved by the MIDA Board establishing the overall development framework for the Project Area or a portion of the Project Area, including land use organization, infrastructure corridors, circulation and transportation networks, and development phasing. The MDP can be approved in multiple phases to cover different areas of the Project Area.

MIDA Act – Title 63H Chapter 1 of the Utah Code Annotated, as amended, establishing the Military Installation Development Authority and defining its powers and responsibilities.

MIDA Board – the governing body of MIDA established pursuant to the MIDA Act.

MIDA Engineer- the engineer or engineers employed or contracted by MIDA to perform engineering review and services to MIDA.

Military Installation Development Authority (MIDA) – a political subdivision of the State of Utah established by the MIDA Act to facilitate development and economic activity associated with military installations and uses and strategic infrastructure projects.

Municipal Services – typical services provided by a Utah municipality, county, special district, or special service district, including but not limited to water, sewer roads, utilities, and stormwater. MIDA, or a MIDA subsidiary, may provide such services directly (except law enforcement and fire and emergency services) by contracting with a provider or by the funding of all or a portion of infrastructure that provides such services.

Utah National Guard – the Utah National Guard and its related entities, including but not limited to the Utah State Armory Board.

Non-Military Property – public or private land within the Project Area that is not Military Land, as defined in the MIDA Act.

Project Area – as used in these Standards, “Project Area” refers only to the various properties located within the boundaries of the MIDA National Guard Project Area.

Project Area Plan – the written plan, including any amendments, adopted by the MIDA Board pursuant to the MIDA Act that established the Project Area.

Public Facilities – infrastructure, improvements, and amenities constructed, installed, operated, or maintained to support development within the project area including roads, water systems, sewer systems, drainage systems, utilities, emergency services facilities, parks, and other public infrastructure.

Reviewers – Staff members, consultants, or public agencies designated by the Executive Director to review development applications for technical compliance with these Standards.

Site Plan – a detailed development plan for a specific portion of land showing building locations, infrastructure systems, circulation patterns, utilities, landscaping, and other development features required for approval under these Standards.

Staff – employees of the Military Installation Development Authority and any professional consultants retained by MIDA to perform technical review of development applications.

Temporary Certificate of Occupancy - A certificate issued by MIDA permitting the temporary occupancy and use of all or a portion of a Building or other Structure prior to issuance of a final, unconditional Certificate of Occupancy, subject to satisfaction of specified life-safety

requirements and completion of any remaining punch list items within the timeframe prescribed by MIDA.

Utah Construction Code – the State Construction Code as set forth in Title 15A, Utah Code Annotated.

Utah Fire Code – The State Fire Code as set forth in Title 15A, Chapter 5, Utah Code Annotated.

UTNG Property – land within the Project Area that is “Military Land” as defined in the MIDA Act.

Utility Provider – A private entity, governmental entity, or quasi-governmental entity that provides water, sewer, drainage, electric power, natural gas, or telecommunications to the Project Area, or a utility created and operated by MIDA or a MIDA subsidiary.

1.02 Purpose and Authority

These Development Standards and Guidelines are adopted to regulate development and to ensure that development occurs in a coordinated, safe and efficient manner on the property located in the MIDA National Guard Project Area.

These Standards are adopted pursuant to the authority granted to the Military Installation Development Authority (MIDA) under applicable Utah law, specifically including the MIDA Act, Title 63H Chapter 1, Utah Code Annotated, and the governing Project Area Plan.

1.03 Applicability

The Standards found herein govern the review, approval, design, construction, and operation of development within the Project Area and apply to Non-Military Land and UTNG Property which has been leased to MIDA, a Developer, or is being developed or redeveloped by MIDA. These standards are not applicable to development by the UTNG, or development located Inside the Fence of UTNG Property.

All development proposals to which these Standards apply shall also comply with applicable state and federal regulations

1.04 Relationship to Other Regulations

Where these Standards conflict with other regulations, the more restrictive provision shall apply unless otherwise determined by the MIDA Executive Director, MIDA Board, or as required by law.

Nothing in these Standards shall supersede applicable federal or state regulatory requirements including, but not limited to, environmental permitting, energy regulation, or safety regulations.

Where conflicts occur between these Standards and referenced industry codes, the more restrictive provision shall apply unless otherwise approved by the MIDA Executive Director.

The MIDA Executive Director may require documentation demonstrating compliance with applicable industry standards as part of the development review process.

1.05 Administration

The MIDA Executive Director, or the Executive Director's designee, shall administer and enforce these Standards and Guidelines and any reference herein to the Executive Director shall include the Executive Director's designee. The Executive Director shall coordinate review of development applications with appropriate technical reviewers, public agencies, and utility providers pursuant to the provisions of these Standards.

1.06 Development Review Committee

The National Guard Project Area Development Review Committee (DRC) shall review development applications as provided in Chapter Two and shall make recommendations or approvals as specified in these Standards. The DRC shall have 3 members, but shall be expanded to 5 members for consideration of developments on Non-Military Property as set forth below:

A The DRC shall have jurisdiction over all matters referred to it as set forth in these Standards with respect to all land within the Project Area. The DRC shall be constituted as follows:

1. UTNG Property, which is leased to MIDA or on which MIDA provides for the development or redevelopment of the property. The DRC shall consist of three (3) members who

are appointed by the MIDA Board and shall include at least one member who is recommended for approval by the National Guard. These three DRC appointees are referred to as “Continuing Members” of the DRC.2. Non-Military Property When the matter referred to the DRC involves development of Non-Military Property; the Executive Director shall appoint two additional DRC members recommended by the city or county in which the land is located. These additional DRC members are referred to as “Temporary Members” of the DRC and only participate in consideration of those matters related to Non-Military Property located within their recommending jurisdiction.

B. Both Continuing and Temporary Members of the DRC members may be removed from the DRC by the Executive Director for good cause, including that they are no longer associated with MIDA, the National Guard, or the recommending jurisdiction. Upon such removal by the Executive Director or if a Continuing or Temporary Member of the DRC member resigns, the MIDA Board shall appoint a new Continuing Member of the DRC; and, if needed, the Executive Director shall appoint a new Temporary Member of the DRC.

C. The initial Continuing Members of the DRC shall be appointed by Executive Order issued by the Executive Director. These members shall serve until they resign or are removed by the Executive Director.

1.07 Interpretations

The Executive Director shall have the authority to interpret the provisions of these Standards. Interpretations made by the Executive Director may be appealed to the MIDA Board within ten (10) working days of the date of the interpretation by the Executive Director.

1.08 Procedural Matters

- A. Proposed Amendments. The Executive Director shall have the authority to propose amendments to these Standards for the fair and efficient administration of MIDA business and the protection and support of the Project Area. All such proposed amendments shall be reviewed by the Continuing Members of the DRC which shall make a recommendation to the MIDA Board regarding the proposed amendment. Amendments proposed by the Executive Director and approved by the MIDA Board shall become a part of these Standards.

B. Notice of Public Hearings and Public Meetings

1. MIDA shall give reasonable notice of any public hearing mandated by the MIDA Act or these Standards, which notice shall be given in a manner consistent with the requirements of the Utah Code, and such additional notice, if any, that may be deemed necessary by the Executive Director.

1.09 Enforcement

- A. These Standards may be enforced by MIDA. Violation of any of the Land Use Regulations shall give MIDA the right to bring a criminal and/or civil action against the party or parties violating or attempting to violate any of the Land Use Regulations, to enjoin them from so doing, to cause any such violation to be remedied, or to recover damages resulting from such violation, including attorney's fees.
- B. Enforcement may include removing or fixing on-site changes or improvements which have been abandoned, or which constitute a hazard or eyesore.
1. By applying for Site Plan approval, the landowner grants permission for MIDA or its contractor to enter onto the property to remedy the problem and place a lien on the property for MIDA to recover its costs.
 2. Prior to entering onto the property MIDA shall provide written notice to the landowner which shall provide the landowner with a reasonable time to remedy the problem.
- Conflicting Provisions: The provisions of these Land Use Regulations set forth in these Standards are in addition to all other MIDA ordinances, Rules, the Utah Construction Code and Utah Fire Code, the laws of the State of Utah, and the laws of the United States. These Land Use Regulations shall not supersede any private land use regulations in recorded deeds or covenants. Whenever a conflict exists between these Land Use Regulations (or, more generally, the MIDA Development Standards) and state or federal laws or private land use regulations in deeds or covenants, the more restrictive provision shall apply to the extent allowed by law. The more specific provisions of these Land Use Regulations, dealing with specific permits and uses, shall prevail over general provisions.

2. CHAPTER TWO - REVIEW PROCESS

2.01 Master Development Plan (“MDP”)

A. MDP Requirement

1. MDP approval is required when MIDA has determined that the development is large and will involve several larger parcels of property (or a very large parcel that will be developed into several smaller parcels and/or uses), and also includes a road system, or has the potential to have an impact over a large area or on adjacent areas. The purpose of an MDP is to ensure that large developments are developed in a safe and efficient manner and are integrated into the regional land use scheme. MDP’s are typically not required for development on a single parcel of land when such development is compatible with existing or planned development on adjacent lands. The determination of whether or not an MDP is required shall be determined by MIDA based on the criteria set forth above and such determination may be appealed to the DRC, in writing, within ten (10) working days of the MIDA determination.
2. If MIDA determines that an MDP is required, it must be approved before any Site Plan, Conditional Use, Infrastructure Permit Subdivision Approval, or Building Permit approval and before Construction may occur on property within the Project Area. Separate MDP applications may be submitted for separate properties with separate uses, or several properties and uses may be included in one MDP. MDP’s may also be approved or developed in phases. Any MDP application that includes properties with separate ownership must provide the written consent of each owner to be included in the MDP.
3. The Applicant shall submit a Master Development Plan (MDP) application and fee, as established by MIDA, to the Executive Director.

B. MDP Submittal Requirements.

The Applicant shall submit digital copies, in PDF or DWG format, of the MDP drawn accurately at a standard engineering scale sufficient to clearly illustrate the proposed development. The MDP package shall be uploaded to the designated plan review platform.

1. Existing Conditions Data:

- a. Existing topography shall be shown on the same map as the proposed MDP. The portrayal of the topographic data shall be in accordance with the current National Mapping Standards and the American Society of Photogrammetry and Remote Sensing (ASPRS) standards.
 - b. All existing site features shall be indicated on the MDP. These features include but are not limited to water wells, streams, canals, irrigation laterals, private ditches, washes, ponds, or other water features; direction of flow; location and extent of known areas subject to inundation and all existing utility main lines (size and owner).
 - c. Location and widths of all planned and existing streets, railroads, utilities, any and all easements, public areas, permanent structures to remain including water wells, taxing entity boundaries within or adjacent to the MDP area, and any other encumbrances or items of record.
 - d. By note, the acreage of the MDP.
 - e. Boundaries of the MDP with an exhibit title that includes the name of the development, phase names and/or numbers and the location of the development by number of section, township, range and county.
 - f. Any excepted parcels within the MDP boundaries shall show all bearings and distances, determined by a field survey as per national standards. All dimensions shall be expressed in feet, bearings, and degrees.
 - g. By note, names and addresses of adjoining property owners and municipalities within 300 feet of the exterior MDP boundary.
 - h. Scale, north arrow and date of the MDP submittal.
 - i. Slope data shall indicate slopes 30% and above.
2. Proposed Conditions Data (as determined applicable by the MIDA Engineer):
- a. Street and transit, if any, layout.
 - b. Pedestrian ways (including connections to adjacent properties), trails, and bicycle ways, on & off site.
 - c. Connections to adjoining properties.
 - d. Designation of all land for proposed for dedication or reserved for public use or Public Facilities with the land use indicated.

- e. Utility locations.
- f. Approximate square feet of proposed building(s).
- g. Parking schematic.
- h. General building massing and footprints, and conceptual architectural design.
- i. Breakdown of units and ERU's and product types as applicable.
- j. Open space, landscaping, and plazas.
- k. Impact Studies: Impact Studies, to be paid for by the Applicant, may be required by the Executive Director or the MIDA Board where reasonable because the proposed size and scope of a Development Activity materially departs from the purpose and intent of the Project Area or where the subject property is characterized by specific conditions that reasonably implicate the need for such studies. The studies may include, but are not limited to, transportation, transit, traffic, culinary water, geology, soils, environmental, sanitary sewer, drainage, economic and fiscal studies. If previous studies have been recommended by the Board, the Applicant must provide evidence indicating compliance with such adopted recommendations or provide evidence as to why such recommendations need not be complied with in connection with a specific Development Activity. The Executive Director may require an updated impact study if the size and scope of a proposed Development Activity is materially enlarged or if additional adverse property conditions are discovered following completion of the prior impact study.
- l. Feasibility or will serve letters from applicable service providers, such as water, gas, irrigation, electricity, sewer and fire protection.
- m. Name, address, and official seal of the registered professional engineer or registered land surveyor preparing the survey

C. Completeness

Upon receipt of the MDP Application with all required data as provided herein, the Executive Director shall determine the application as complete within five (5) Working Days of receipt. The Applicant shall be notified within the plan review platform within one (1) working day that the application is determined to be complete.

D. Reviewer Action

1. The Executive Director, or designee, shall transmit the MDP to Reviewers and such other entities, as determined by MIDA, that have jurisdiction or interest in the proposed project for their review and recommendations. Reviewers have fifteen (15) Working Days to review the MDP Application and submit the Reviewers' report of findings to the Executive Director. All subsequent reviews shall be completed within five (5) Working Days.
2. During this initial review period the reviewers may, through the review platform, request more information from the Applicant, such as data, illustrations or clarifications solely based on the requirements of these Standards. If additional information is requested the initial fifteen (15) working day review period shall be suspended until receipt of the additional information. If the Applicant does not comply with the request for additional information within six (6) months, the MDP Application shall become null and void.
 - a. If the Applicant believes that the request is unreasonable, the Applicant may submit a written appeal to the Executive Director requesting a determination regarding the reasonableness of the request.
 - b. The Executive Director shall issue a written determination within five (5) Working Days of receipt of the appeal. The Executive Director's determination is final, unless it is appealed to the MIDA Board within ten (10) Working Days of the determination.
 - c. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.
3. If a Reviewers report is not submitted within the review periods set forth in subsection 1 above (including any suspension of such period), the application will advance to the DRC for action on the application without the report.

E. DRC Action

1. The MDP Application and Reviewers report shall be given to the DRC for review and consideration.
 - a. The MDP Application shall be placed on the next DRC agenda.

- b. The DRC shall either 1) make its recommendation during the initial meeting to consider the Application or 2) within fifteen (15) Working Days after the DRC meeting, during which the Application was considered.
2. During this review a written and dated letter from the DRC may be submitted to the Applicant requesting more information, data, illustrations or clarifications solely based on the requirements of these Standards. The Executive Director shall determine within 5 working days if such request is warranted by these Standards. If the request is warranted and the Applicant does not comply with the request within six (6) months, the MDP Application shall become null and void. Until such additional information is received by the DRC, the fifteen (15) Working Days period set forth in subsection 1(b) above shall be suspended.
 - a. If the Applicant believes that the request is unreasonable, it shall make a written appeal to the MIDA Board for a determination as to the reasonableness of the request.
 - b. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.
3. The DRC shall provide a recommendation of approval, approval with conditions, or denial of the MDP Application. The recommendation shall be stated in writing, a copy of which shall be attached to one copy of the MDP Application and returned to the Applicant. Upon receipt of the recommendation by the DRC, the MDP Application, together with a complete copy of the DRC's and Reviewer's findings and report, shall be transmitted to the MIDA Board. The recommendation shall specify:
 - a. The policies and standards used in evaluating the Application;
 - b. The recommendations for approval, conditional approval or denial; together with findings justifying the recommendations.
4. Any conditions or denial shall be based on requirements of these Standards with references to the section(s) in question.
5. The DRC recommendation will be placed on the next MIDA Board agenda.
6. Alternatively, an MDP that has been submitted and approved by the MIDA Engineer, and the Executive Director may be adopted, without DRC review, as an attachment to a

Development Agreement for the subject property that is approved and adopted by the MIDA Board at a public meeting.

F. MIDA Board Action

1. Following recommendation by the DRC, the MDP shall be transmitted to the MIDA Board for review. The MIDA Board shall consider the MDP and any recommendations by the DRC and Reviewers.
2. The MIDA Board shall hold a public meeting.
3. If the MDP conforms to the requirements of these Standards and is in accordance with the Project Area Plan including fulfilling the purposes and intent described therein, the MIDA Board may approve or approve with conditions.
4. If the MDP does not conform to the requirements of these Standards or is not in accordance with the Project Area Plan and its purpose and intent, the MIDA Board may request revisions and resubmittal of the MDP or deny the MDP.
5. If denied, the Applicant shall submit a new MDP application with the associated fee as established by MIDA.

G. MDP Approval

1. After the MDP has been approved by the MIDA Board, the Applicant may proceed to the Site Plan and/or Subdivision Plat process.

H. Vested Right

MDP approval vests in the Applicant the right to submit an application that is consistent with the MDP approval and these Standards for future Site Plan and/or Subdivision approval.

1. Proof of the Applicant's ownership of all necessary water rights is not a requirement of MDP Application approval. Therefore, MDP Application approval does not guarantee that water will be available at the time the Applicant seeks Site Plan approvals.
2. A vested right does not create a contract and does not create any third-party beneficiaries.

I. Amendment of Approved MDP

An Application to amend an approved MDP shall be submitted to the Executive Director in accordance with the provisions of Section 2.01 and shall follow the process described in this Section 2.01; provided, however, that the Executive Director may waive any MDP submittal

requirement set forth in Section 2.01B if such requirement is not relevant to the proposed amendment. The Applicant shall also submit such fee as may be established by MIDA.

J. Expiration of MDP Approval

An approved MDP shall expire if an application for a Site Plan and/or Subdivision Plat has not been submitted within three (3) years from the date of MDP approval by the MIDA Board.

The Applicant may submit a written request to the Executive Director for an extension of the MDP approval prior to the expiration date. The Executive Director may grant an extension of up to one (1) additional year upon a determination that the project remains consistent with the Project Area Plan and these Standards.

If the MDP approval expires, a new MDP application shall be required in accordance with the provisions of this Section 2.01.

2.02 Subdivision Plat

A. Subdivision Plat Application

If land is being subdivided as part of a project, approval and recording of a Final Subdivision Plat is required before any Construction may occur on any property within the Project Area, except for the following:

1. Environmental Investigation and mitigation activities
2. Wetland mitigation
3. Creation or maintenance of firebreaks
4. Installation and maintenance of approved Storm Water Pollution Prevention Plans (SWPPP) using Best Management Practices
5. Rough grading for temporary access roads or pilot roads as approved by the Executive Director
 - a. Environmental remediation or Voluntary Cleanup Program (VCP) activities.
Provided, however, that MIDA shall be notified in writing prior to the commencement of any VCP activity.

Additional exceptions may be granted by the Executive Director, or designee, on the recommendation of the MIDA Engineer.

At the time an Application to subdivide property is submitted, the Applicant shall submit a Subdivision Plat Application and applicable fee(s), as established by MIDA.

All Subdivision Plats shall be consistent with an approved MDP.

1. Concurrent Applications

An Applicant may submit a Subdivision Plat Application concurrently with a Site Plan Application for all or a portion of the property proposed to be subdivided, but a subdivision plat may not be submitted concurrently with an MDP Application.

2. Infrastructure and Utility Coordination

Where applicable, Subdivision Plats shall demonstrate that adequate infrastructure and utility service will be available to serve the proposed parcels or development areas, by submitting Will Serve Letters from the service providers.

This may include, but is not limited to:

- a. Water service
- b. Wastewater service
- c. Stormwater systems
- d. Electrical infrastructure
- e. Telecommunications infrastructure
- f. Access and transportation infrastructure

Where utility providers require the dedication of easements, infrastructure corridors, or other service agreements, such requirements shall be satisfied prior to Final Subdivision Plat approval.

3. Subdivision Plat Review Process

The Subdivision Plat Application and approval process may consist of the following:

- a. Conceptual Subdivision Plat (optional), followed by
- b. Final Subdivision Plat

B. Conceptual Subdivision Plat Requirements

The intent of the Conceptual Subdivision Plat is to allow the DRC the opportunity to receive a broad-brush presentation on the proposed Subdivision without necessitating the submission of the detailed information required for a Final Subdivision Plat. Applicants may submit a

Conceptual Subdivision Plat to the DRC for review and recommendation in accordance with this Section 2.02B, or an Applicant may submit a Final Subdivision Plat to the DRC for review and recommendation without submitting a Conceptual Subdivision Application. Conceptual Subdivision Plats shall comply and be consistent with an approved MDP.

The Conceptual Subdivision Plat application shall be submitted in PDF format utilizing MIDA's designated permitting and plan review platform.

1. The Conceptual Subdivision Plat submittal shall include the following:
 - a. Subdivision Plat Application
 - b. Conceptual Subdivision Plat and documentation as follows:
 - i. Vicinity map;
 - ii. Location map;
 - iii. Existing and proposed contour information per national mapping standards at a minimum of ten (10) foot contour intervals;
 - iv. Dimension, acreage and square footage of each lot;
 - v. Boundary information for the Subdivision;
 - vi. Proposed lot lines (if any);
 - vii. Existing easements (if any);
 - viii. Show known existing site constraints including but not limited to faults, debris flows, wetlands, and any other features that may influence or impact proposed development;
 - ix. Proposed phases of development (if more than one phase);
 - x. Existing buildings (if any);
 - xi. Show existing and proposed roads and any other pertinent existing features of the site that would impact development (if any);
 - xii. Street monuments;
 - xiii. Slope map showing areas of thirty percent (30%) or greater slopes;
 - xiv. If a conceptual utility plan was previously approved in connection with an MDP or development agreement executed in connection with an MDP, a copy of the approved conceptual utility plan and a written statement that the required utilities are consistent with such conceptual

utility plan, or if a conceptual utility plan was not previously approved, a conceptual utility plan for the proposed subdivided area.

xv. Title Report?

2. Completeness

Upon receipt of the Subdivision Plat Application with all required data as provided herein, the Executive Director shall determine the application as complete within five (5) Working Days of receipt. The Applicant shall be notified within the plan review platform within one (1) working day that the application is determined to be complete.

3. Reviewer Action

1. The Executive Director shall transmit the Subdivision Plat Application to Reviewers and such other entities, as determined by MIDA, that have jurisdiction or interest in the proposed project for their review and recommendations. Reviewers have fifteen (15) Working Days to review the Subdivision Plat Application and submit the Reviewers report of findings to the Executive Director. All subsequent reviews shall be completed within ten (10) Working Days.
2. During this initial review period the Reviewers may, through the review platform, request more information from the Applicant, such as data, illustrations or clarifications solely based on the requirements of these Standards. If additional information is requested the initial fifteen (15) working day review period shall be suspended until receipt of the additional information. If the Applicant does not comply with the request for additional information within six (6) months, the MDP Application shall become null and void.
 - a. If the Applicant believes that the request is unreasonable, the Applicant may submit a written appeal to the Executive Director requesting a determination regarding the reasonableness of the request.
 - b. The Executive Director shall issue a written determination within ten (10) Working Days of receipt of the appeal. The Executive Director's determination is final unless it is appealed to the MIDA Board within ten (10) Working Days of the determination.

- c. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.

4. DRC Action

1. The Conceptual Subdivision Plat and Staff report shall be provided to the Development Review Committee (DRC) for review and consideration after the application has been determined complete and reviewed by the Reviewers.
2. After review, the Conceptual Subdivision Plat shall be placed on the DRC agenda and the DRC shall hold a public meeting.
3. At the public meeting, the DRC shall provide recommendations regarding the Conceptual Subdivision Plat.
4. If the Conceptual Subdivision Plat conforms to the requirements of these Standards and is consistent with the approved MDP, the DRC may approve or approve with conditions. If the Conceptual Subdivision Plat does not conform to the requirements of these Standards or the approved MDP, the DRC may request revisions and resubmittal or deny the Subdivision Plat.

C. Final Subdivision Plat Requirements

Following the DRC review of the Conceptual Subdivision Plat (if applicable), or if solely pursuing a Final Subdivision Plat, the Applicant shall submit one, to scale, digital copy of the Final Subdivision Plat in PDF format drawn accurately at a standard engineering scale not exceeding one hundred (100) feet to an inch. The Final Subdivision Plat shall be prepared by a registered professional land surveyor and shall comply with applicable state recording requirements. The application shall be submitted utilizing MIDA's designated permitting and plan review platform.

1. The Final Subdivision Plat submittal shall include the following:
 - a. Subdivision plat that contains the following:
 - i. a subdivision name that is distinct from any subdivision name on a plat recorded in the county recorder's office;
 - ii. Dimension and survey boundary information for the Subdivision;
 - iii. Existing & proposed lot lines with a legal description of each lot (if any);

- iv. Existing & proposed easements (if any – specifically including all public utility easements);
- v. Proposed dedication of Infrastructure Improvement areas, Right of Ways, and Public Facilities (if any);
- vi. Identification of the existing FEMA 100-year flood plain zone;
- vii. Addresses or parcel identification noted on the plat for each lot as assigned by the appropriate entity, as applicable
- viii. Signature block including appropriate entities.
- ix. the boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose;
- x. the lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale;
- xi. every existing right-of-way and recorded easement located within the plat for:
 - 1. an underground facility;
 - 2. a water conveyance facility; or
 - 3. any other utility facility; and
- xii. any water conveyance facility located, entirely or partially, within the plat that:
 - 1. is not recorded; and
 - 2. of which the owner of the land has actual or constructive knowledge, including from information made available to the owner of the land:
 - a. in the state engineer's inventory of canals; or
 - b. from a surveyor under Subsection (6)(c).
- b. Subdivision plans and documentation as follows:

- i. Vicinity map;
- ii. Location map;
- iii. Existing and proposed contour information per national mapping standards at 2 ft. contour intervals;
- iv. Dimension, acreage and square footage of each lot (if any);
- v. Dimension and survey boundary information for the Subdivision;
- vi. Proposed phases of development, numbered with a timetable for development (if more than one phase);
- vii. Existing & proposed lot lines with a legal description of each lot (if any);
- viii. Existing & proposed easements (if any – specifically including all public utility easements);
- ix. Verification of easement location and existing capacity of easements for utilities (if any);
- x. Existing buildings (if any);
- xi. Show existing and proposed roads, road grades/profiles, channels, canals, ditches, springs, wells, Wetlands, culverts, and ponds, storm drains, manholes, inlet boxes, combination boxes, and cleanouts, sanitary sewer system, culinary water system, subsurface drains, gas lines, power lines, and communication lines (only as applicable and if any);
- xii. Proposed dedication of Infrastructure Improvement areas, Right of Ways, and Public Facilities (if any);
- xiii. Slope Map: areas of 30% or greater slopes, 25-30%, 20-25%, and 10-20%;
- xiv. Soils Report;
- xv. Flood Plain Map: the existing FEMA 100-year flood plain zone;
- xvi. Drainage study;
- xvii. Indicate on the plans the location of the proposed project connection to the existing water and sanitary systems.
- xviii. “Will serve” and/or Feasibility Letters from governmental entities providing services, such as, water, sewer and fire protection, and applicable public utilities.

- xix. Addresses or parcel identification noted on the plat for each lot as assigned by the appropriate entity, as applicable
 - xx. Signature block including appropriate entities.
 - xxi. Building Envelopes (if determined applicable by MIDA).
 - c. Utility Plan Requirements: All proposed utilities must meet the requirements of the utility provider. All utility lines, except for electrical transmission lines, shall (OR are encouraged to) be buried where possible (OR are encouraged to be buried) within the Project Area Project Area.
 - i. Existing and proposed horizontal site design layout.
 - ii. Utility Plan elements shall be drawn to scale.
 - iii. Locate all existing and proposed utilities (if any). These include, but are not limited to, sanitary sewer, culinary water, water meters, service laterals, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, powerlines, communication lines, cable television lines, streetlights, etc.
 - iv. Illustrate relationship of utilities to each other with dimensions.
 - v. Descriptive Data Required:
 - 1. Name, right-of-way easement lines, courses, lengths, width of all streets, alleys, transit, pedestrian ways and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.
 - 2. (ii) All drainage ways, utilities, storm drain ponds, and facilities to be dedicated to service entities or to remain private shall be shown on the plan.
 - 3. All existing and proposed easement usages shall be properly labeled.
 - vi. A current title report (dated within 30 days);
 - vii. Property owner affidavit;
 - viii. ALTA Survey prepared by a registered engineer or land surveyor;
 - ix. Grading plan showing the limits of disturbance.
2. Completeness

Upon receipt of the Final Subdivision Plat Application with all required data as provided herein, the Executive Director shall determine the application as complete within five (5) Working Days of receipt. The Applicant shall be notified within the plan review platform within one (1) working day that the application is determined to be complete.

3. Reviewer Action

The Executive Director shall transmit the Final Subdivision Plat Application to Reviewers and such other entities, as determined by MIDA, that have jurisdiction or interest in the proposed project for their review and recommendations. Reviewers shall have fifteen (15) Working Days to review the Final Subdivision Plat Application and submit their comments, findings, or required revisions to the Applicant through to MIDA's designated permitting and plan review platform.

- A. During this initial review period the reviewers may, through the review platform, request more information from the Applicant, such as data, illustrations or clarifications solely based on the requirements of these Standards. If additional information is requested the initial fifteen (15) working day review period shall be suspended until receipt of the additional information. If the Applicant does not comply with the request for additional information within six (6) months, the Subdivision Plat Application shall become null and void.
 - a. If the Applicant believes that the request is unreasonable, the Applicant may submit a written appeal to the Executive Director requesting a determination regarding the reasonableness of the request.
 - b. The Executive Director shall issue a written determination within ten (10) Working Days of receipt of the appeal. The Executive Director's determination is final unless it is appealed to the MIDA Board within ten (10) Working Days of the determination.
 - c. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.

4. DRC Approval

After the application has been determined complete and reviewed by the Reviewers, the Final Subdivision Plat shall be placed on the agenda of the DRC for consideration at a public meeting.

If the Final Subdivision Plat conforms to the requirements of these Standards and is consistent with the approved MDP and any approved Conceptual Subdivision Plat, the DRC may approve or approve with conditions. If the Final Subdivision Plat does not conform to these Standards or the approved MDP, the DRC may request revisions and resubmittal or deny the Final Subdivision Plat.

5. Expiration of Final Subdivision Plat Approval.

An approved, unrecorded Final Subdivision Plat shall remain valid for two (2) years. Two 12-month extensions may be granted by the Executive Director if, upon written request by the Applicant or its designee, the Executive Director finds that the extension will not adversely affect the public health, safety or welfare of the Project Area.

6. Amendment of Approved Final Subdivision Plat.

- a. Amendment of an approved Final Subdivision Plat shall follow the submittal requirements of Sections 2.02 F, G, H and I of this Chapter. An Application, including a copy of the proposed amended Plat, shall be submitted to MIDA.
- b. Notwithstanding the foregoing requirements of section 2.02(I), the following amendments only require Administrative Approval and shall not be subject to the additional review and approval requirements of Section 2.02(I), but shall be subject to engineering, planning, and legal review appropriate for the proposed amendment, as determined by MIDA:
 - a. Plat amendments that involve only combining two or more lots or adjusting the property line between two or more lots, all of which are owned by the same owner or have the written consent of each owner, and none of which have been dedicated for public use, common use, or a similar designation.
 - b. The adjustment of Building Envelopes.
 - c. The adjustment or vacation of easements which were not created by the plat, but which are shown on the plat for informational purposes.
 - d. Correction of technical, typographical, or other minor errors in a plat.

- e. Any parcel of land that is being subdivided solely for the purpose of conveying all or a portion of the land to MIDA or a MIDA subsidiary.
- f. The administrative plat amendments described in Section 2.02(K) (a) (b) and (e) above shall be made by the recordation of an amended plat approved by MIDA. The addition, adjustment or vacation of easements as set forth in Section 2.02K (c) above may be by use of a recorded plat or a recorded document containing a metes and bounds description, which has been administratively approved by MIDA.

D. Boundary Line Agreements.

Boundary line agreements or adjustments for property located in the Project Area may be made in accordance with the requirements of Title 57, Utah Code Annotated

E. Final Subdivision Plat Recorded Prior to Issuance of Building Permits.

Recording of Plat: Following approval of a Final Subdivision Plat Application, filing of a Completion Assurance as required by these Standards (if required) and signing of the Final Subdivision Plat by the MIDA, utility providers, service providers, etc., the Final Subdivision Plat shall be presented to the appropriate county recorder for recording. Lots shall not be transferred, sold or offered for sale, and a building permit shall not be issued for any structure on a lot, until a Subdivision has been recorded.

2.03 Site Plan

Site Plan Application: Except as expressly provided in these Standards, a Site Plan approval is required before any Construction may occur on any property within the Project Area. Single family detached Dwellings shall not be subject to Site Plan approval and shall be subject to building permit review only. The Applicant shall submit a Site Plan Application and fee, as established by MIDA, to the Executive Director. An Applicant may submit a Subdivision Plat Application at the same time it submits a Site Plan Application for all or a portion of the area to be subdivided.

A. Site Plan Application

The Applicant shall submit a Site Plan Application and applicable fee, as established by MIDA, to the Executive Director. The Site Plan Application, supporting documentation, and all required plans shall be submitted utilizing MIDA's designated permitting and plan review platform.

All submitted materials shall be organized digitally in a clear and logical format and shall include all information required by this Section 2.03.

B. Site Plan Submittal Requirements

The Site Plan and all associated technical plans shall be prepared at a standard engineering scale sufficient to clearly illustrate the proposed development. Whenever practical, drawings shall be prepared at a scale not exceeding one hundred (100) feet to one (1) inch.

All required plans, reports, and supporting documentation shall be in PDF format and uploaded through the designated plan review platform.

1. Existing Conditions Data

- a. Existing topography and site conditions shall be shown on the same map as the proposed Site Plan layout.
- b. Existing topography shall be portrayed in accordance with current National Mapping Standards and the American Society of Photogrammetry and Remote Sensing (ASPRS) standards.
- c. Location, width, and names of all planned and existing streets, railroads, utility rights-of-way of public record, public areas, permanent structures to remain including water wells, taxing entity boundaries, municipal corporation lines, and all other existing features within or adjacent to the Site Plan area.
- d. The acreage of the Site Plan area.
- e. Boundaries of the Site Plan area with dimensions consistent with a minimum standard ALTA/ACSM Land Title Survey.
- f. By note, names and addresses of adjoining property owners, leaseholders, and buildings within three hundred (300) feet of the exterior site boundary.
- g. Vicinity map clearly identifying the subject property and major surrounding streets.

2. Identification Data Required

- a. Title including the name of the development, increment or phase name and/or number, and location by section, township, range, and county.
- b. Name, address, and official seal of the registered professional engineer preparing the Site Plan.

- c. Scale, north arrow, and date of preparation.
 - d. Legend identifying all symbols, line types, hatching, and abbreviations used on the plan.
3. Proposed Conditions Data
- a. Street layout including right-of-way widths, utility easements, street cross-sections, proposed street names or numbers, alleys, pedestrian ways, and connections to adjoining properties.
 - b. Dimensions of all Site Plan areas and parcels; phases shall be individually numbered where development is phased.
 - c. Location, width, and use of easements.
 - d. Identification of all land to be dedicated or reserved for public use.
4. Descriptive Data Required
- a. Right-of-way lines, courses, lengths, widths of streets, alleys, transit corridors, pedestrian ways, and utility easements.
 - b. Radii, points of tangency, and central angles for curvilinear streets or intersections.
 - c. Drainage ways or stormwater facilities to be dedicated or to remain private.
 - d. Existing and proposed easement uses properly labeled.
 - e. All increments or development phases clearly numbered.
 - f. “Call Before You Dig” symbol and contact information.
5. Proposed Utility Methods
- a. Sewage Disposal – Applicant shall provide evidence demonstrating the design and operation of sanitary sewer facilities proposed for the Site Plan.
 - b. Water Supply – Applicant shall provide documentation demonstrating the design, capacity, operation, and quality of the proposed water system.
 - c. Stormwater Disposal – Applicant shall provide documentation demonstrating the design and operation of stormwater facilities. A Storm Water Pollution Prevention Plan (SWPPP) shall be required for projects greater than 1 acre. A Notice of Intent (NOI) in compliance with the Utah Division of Water Quality requirements shall be obtained prior to land disturbance.

- d. Irrigation System – It shall be the responsibility of the Applicant to furnish MIDA with such evidence as may be required relative to the design and operation of any irrigation system that is proposed as part of the Site Plan area.

6. Impact Studies

Impact studies may be required by MIDA based on the scope, size, location, or nature of the proposed development. MIDA shall have sole responsibility for determining which impact studies, if any, are necessary and for conducting, commissioning, or otherwise causing such studies to be performed. Such studies may include, without limitation, the following::

- a. Transportation or traffic studies
- b. Transit analysis
- c. Geotechnical and soils reports
- d. Water system analysis
- e. Sanitary sewer capacity analysis
- f. Drainage studies
- g. Economic impact studies

All impact studies shall be prepared and certified by a licensed professional competent in the relevant field.

7. Survey Data Required

- a. Boundary survey prepared in accordance with the standard of practice for boundary surveys in the State of Utah.
- b. All drawings shall be based upon UTM Zone 12 North.
- c. Proposed survey monument locations.
- d. Tie site to public survey monuments where available.

8. Roadway Plan, if applicable.

The Plan shall include:

- a. Identification Data.
- b. Descriptive Data. The numbering of Increments does not apply.
- c. Survey Data.
- d. Legal description of the area to be dedicated, if any.

- e. Any and all easements and encumbrances of record.

All dedication of infrastructure and Public Facilities to public entities, including MIDA, shall be subject to acceptance of the dedication by the public entity.

9. Utility Plan Requirements

- a. Existing and proposed horizontal site design layout.
- b. Name, address, and official seal of the registered professional engineer preparing the Utility Plan.
- c. Utility Plan elements shall be drawn to scale, having no more than sixty (60) feet to an inch.
- d. All existing and proposed utilities. These include, but are not limited to, sanitary sewer, culinary water, water meters, service laterals, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communication lines, cable television lines, streetlights, etc.
- e. Relationship of utilities to each other with dimensions.

10. Grading and Drainage Plan Requirements

- a. Name, address, and official seal of the registered professional engineer preparing the Grading and Drainage Plan.
- b. Existing and proposed contour information per national mapping standards.
- c. Existing and proposed storm drain facilities.
- d. Existing and proposed detention facilities and details.
- e. Hydrologic and hydraulic calculations shall be provided for the drainage collection system, detention facilities, and outlet works.
- f. Roadway and parking lot percentage of grade with directional arrows of surface flow.
- g. Percentage of grade around curb returns at intersections with directional arrows of surface flow.
- h. Retaining walls complete with spot elevations, type of wall, and cross section details. Must be signed by a licensed structural engineer if greater than four feet in height.
- i. Areas of 30% or greater slopes.
- j. Flood Plain and Wetland Information.

- k. Spot elevations at all curb returns, driveways, grade changes and throughout all parking areas.
 - l. Proposed and existing drainage easements, with dimensions, elevations and typical sections as needed.
 - m. Design benchmark.
11. Soil and Erosion Control Plan Requirements
- a. Existing and proposed horizontal site design layout.
 - b. Name, address, and official seal of the registered professional engineer preparing the Soil and Erosion Control Plan.
 - c. Applicable Existing Conditions Data typically shown.
 - d. Existing and proposed storm drains.
 - e. Existing and proposed detention facilities and details.
 - f. Drainage patterns.
 - g. Indicate best management practices and details for each to be used as outlined in the SWPPP.
 - h. Limits of disturbance delineation and acreage.
12. Roadway Plan and Profile Requirements
- a. Plan View
 - i. Existing and proposed horizontal site design layout.
 - ii. Name, address, and official seal of the registered professional engineer preparing the Roadway Plan and Profile Plan.
 - iii. Applicable Existing Conditions Data typically shown.
 - iv. Scale shall be 1" = 20' or 1" = 40'.
 - v. All existing and proposed utilities. These include but are not limited to sanitary sewer, culinary water, water meters, service laterals, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communication lines, cable television lines, and street lights.
 - vi. Extend one hundred (100) feet each direction showing existing improvements.
 - vii. Spot elevations at all curb returns, driveways, and grade change points.

- viii. Percentage of grade around curb returns at intersections with directional arrows.
- ix. Street monuments.
- x. Centerline stationing.
- xi. Existing edge of asphalt spot elevations.
- xii. Key map for sheet orientation relative to the overall project.
- xiii. benchmark.

b. Profile View

- i. Appropriate vertical scale.
- ii. Extend profile line one hundred (100) feet each direction showing existing improvements.
- iii. Existing ground profile at proposed profile grade line.
- iv. Proposed profile grade line with grade information, slope, VPI, VPC, CPT, etc., including elevations at points of interest.
- v. Necessary vertical curve information.
- vi. at left and right side of sheet.
- vii. Existing and proposed profile elevations at fifty (50) foot intervals along the top or bottom of the profile view.
- viii. Existing and proposed culinary water and/or secondary water (if twelve (12) inches or greater), storm drain, and sanitary sewer lines. Include pipe length, material, and size. Include manhole size, rim elevation, and grate elevations where applicable.
- ix. Indicate pipe crossings and clearance between utilities measured pipe edge to pipe edge.

13. Signing and Striping Plan Requirements

- a. Existing and proposed horizontal site design layout.
- b. Name, address, and official seal of the registered professional engineer preparing the Signing and Striping Plan.
- c. Stop bars, cross walks, painted messages or arrows, stop signs, street signs and any additional signs as warranted by the most current edition of the MUTCD.
- d. Traffic striping or tape for all lanes.

- e. Proposed signal loops if required.
- f. Proposed signal light if required.

14. Demolition Plan Requirements

Plans shall identify any existing structures or facilities to be removed or abandoned as part of the Site Plan development.

C. Completeness

Upon receipt of the Site Plan Application with all required data as provided herein, the Executive Director shall determine the application as complete within five (5) Working Days of receipt. The Applicant shall be notified within the plan review platform within one (1) working day that the application is determined to be complete.

D. Reviewer Action

The Executive Director shall transmit the Final Subdivision Plat Application to Reviewers and such other entities that have jurisdiction or interest in the proposed project for their review and recommendations. Reviewers shall have fifteen (15) Working Days to review the Final Subdivision Plat Application and submit their comments, findings, or required revisions to the Applicant through to MIDA's designated permitting and plan review platform. During this initial review period the reviewers may, through the review platform, request more information from the Applicant, such as data, illustrations or clarifications solely based on the requirements of these Standards. If additional information is requested the initial fifteen (15) working day review period shall be suspended until receipt of the additional information. If the Applicant does not comply with the request for additional information within six (6) months, the Site Plan Application shall become null and void.

E. DRC Action

After the application has been determined to be complete and reviewed by the Reviewers, the Site Plan shall be placed on the agenda of the DRC for consideration at a public meeting. If the Site Plan conforms to the requirements of these Standards and is consistent with the approved MDP, the DRC may approve or approve with conditions. If the Site Plan does not conform to these or the approved MDP, the DRC may request revisions and resubmittal or deny the Site Plan.

F. Site Plan Approval

Following approval of the Site Plan by the Development Review Committee, the Applicant may proceed with the Building Permit process in accordance with these Standards. Any proposed Conditional Uses must obtain a Conditional Use Permit, as set forth in these Standards, prior to the issuance of a Building Permit.

G. Site Plan Expiration

An approved Site Plan shall expire twenty-four (24) months after approval if significant construction activity has not occurred. The Executive Director shall determine whether significant activity has occurred. Extensions may be requested by application prior to expiration and may be approved by the Executive Director.

H. Appeal of DRC Decision

Any Site Plan decision by the DRC may be appealed, in writing, to the MIDA Board. The appeal must be received by MIDA within ten (10) Working Days of the date of the DRC decision.

The MIDA Board shall make a final determination on the appeal within forty (40) Working Days of the receipt of the appeal.

Upon the conclusion of any appeal, if the Site Plan has not been approved, the Applicant shall submit a new Conditional Use Application with associated fee if the Applicant wishes to reapply.

2.04 Infrastructure Permits

A. Purpose / Administrative Approval

Infrastructure Construction Plans provide the detailed engineering drawings and technical documentation required for the construction of major infrastructure systems within the Project Area. Infrastructure systems may be constructed prior to vertical development and may serve multiple phases of development within the project area.

Administrative Approval and the issuance of permit by MIDA is required in connection with all Infrastructure Improvement work. An Infrastructure Improvement Permit is required prior to construction of any Infrastructure Improvements not included in a Building Permit review or

Operating Permit Review and approval. A MIDA Infrastructure Permit is not required for Infrastructure Improvements located on single family residential building lots.

Infrastructure Construction Plans shall be reviewed for technical compliance with these Standards, the approved MDP, the approved Subdivision Plat, and the approved Site Plan where applicable. Infrastructure Improvements may be constructed in advance of building construction where such infrastructure is required to support phased development of the project area.

B. Infrastructure Improvement Permit Submittal Requirements:

A PDF copy of the Infrastructure Plans and other information, required as part of the Infrastructure Permit Application, shall be shown graphically and by note on plans. All sheets shall contain general identification data such as; a title that includes the name of the development, parcel name and/or number and its location by number of section, township, range and county; name, address and official seal of the registered professionals preparing the Plans; scale, north arrow and date of the Site Plan preparation; legend showing all symbols, line types, hatching and abbreviations; and the “Call Before You Dig” symbol and telephone number where appropriate. All mapped data for the same plan shall be drawn accurately at the same standard engineering scale, having no more than one hundred (100) feet to an inch. Information previously submitted as part of a Site Plan of Subdivision Approval does not need to be duplicated in the Infrastructure Permit process. The lists below are comprehensive lists, and not all items are required for each permit. The MIDA Staff shall determine which data is required based on the nature of the type of infrastructure being permitted and shall provide the applicant with a list of required information and items for each permit.

1. Existing Conditions Data:

- a. Existing topography 2’ intervals and slopes 30%,25-30%. 20-25%. 10-20%, and 0-10% shall be shown. The portrayal of the topographic data shall be in accordance with the current National Mapping Standards and the American Society of Photogrammetry and Remote Sensing (ASPRS) standards.
- b. Location, widths, and names of existing streets (with grades and cut, fill and Retaining Walls shown), railroads, utilities, any and all easements, public areas, permanent structures to remain including water wells, taxing entity boundaries,

municipal corporation lines, and any and all existing features within or adjacent to the Project area.

- c. By note, the acreage of the area or lot.
 - d. Boundaries of the Project area shall show dimensions as found in a minimum standard ALTA/ACSM Land Title Survey. The survey for the subject property shall be prepared in accordance with the standard of practice for boundary surveys in the State of Utah.
 - e. By note, names and addresses of adjoining property owners, leaseholders, and buildings within 300 feet of the exterior site boundary.
 - f. Vicinity map legible with major street names and highlighted subject property.
 - g. Geotechnical report with an evaluation of the overall site, with Construction recommendations.
 - h. Global slope stability prepared by a licensed geologist (as applicable)
2. Proposed Conditions Data (as applicable):
- a. Street layout, right-of-way easement width(s), utilities, utility easements, street cross-sections, proposed names of streets, street numbers, alleys, pedestrian ways, easements, roads to be dedicated to the public use and connections to adjoining properties.
 - b. The identification of snow storage, garbage storage, access and screening, fire access/lanes around buildings.
 - c. The identification of service areas including loading docks
 - d. Designation of all land to be dedicated or reserved for public use with the use indicated.
 - e. Materials: hardscapes, plazas, Retaining Walls and other site elements.
 - f. Typical Project area dimensions to scale; dimensions of all corner Project areas and Project sections of streets; each phase numbered individually; total number of phases;
 - g. Location, width, and use of easements;
3. Demolition Plan: Indicate structures, vegetation, site elements and other facilities to be removed or abandoned. Illustrate area of impact.
4. Roadway Plan:

a. Roadway Plan:

- i. Existing and proposed horizontal road design layout.
- ii. Existing Conditions Data typically shown.
- iii. scale no greater than 1"=40'.
- iv. All existing and proposed utilities. These include but are not limited to sanitary sewer, culinary water, water meters, service laterals, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communication lines, cable television lines and streetlights.
- v. Extend 100 feet each way showing existing improvements.
- vi. Grading Plan including contours, profile grade, and spot elevations at critical locations, as determined by MIDA Staff.
- vii. Percentage of grade around curb returns at intersections with direction arrows.
- viii. Centerline Stationing.
- ix. Existing edge of asphalt spot elevations.
- x. Key map for sheet orientation relative to overall project.
- xi. benchmark.
- xii. Define curb type, pedestrian plan showing sidewalk location and ADA access.

b. Roadway Profile:

- i. Appropriate vertical scale.
- ii. Extend profile lines 100 feet each way showing existing improvements.
- iii. Existing ground profile at proposed profile grade line.
- iv. Proposed profile grade line with grade information, slope, VPI, VPC, CPT, etc. Include elevations at points of interest.
- v. All necessary vertical curve information.
- vi. Elevations at left or right side of sheet.
- vii. Existing and proposed profile elevations at 50-foot intervals along the top or bottom of profile view.

- viii. Existing and proposed culinary and or secondary water, storm drain and sanitary sewer. Include pipe length, material, and size. Include manhole size, rim elevation, and any grate elevations.
 - ix. Indicate pipe crossings and clearance between utilities pipe edge to pipe edge.
 - x. utility profiles for utilities outside proposed right of way areas.
- 5. Utility Plan Requirements: All proposed utilities must meet the requirements of the utility provider. All utility lines, except for high- powered transmission lines, shall be buried within the MIDA Project Area.
 - a. Existing and proposed horizontal site design layout.
 - b. Utility Plan elements shall be drawn to scale.
 - c. Locate all existing and proposed utilities. These include, but are not limited to, sanitary sewer, culinary water, water meters, service laterals, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communication lines, cable television lines, streetlights, etc.
 - d. Illustrate relationship of utilities to each other with dimensions.
 - e. Provide “will serve” letters from governmental entities providing services, such as, water, sewer and fire protection, and applicable public utilities.
 - f. Descriptive Data Required:
 - i. Name, right-of-way easement lines, courses, lengths, width of all streets, alleys, transit, pedestrian ways and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.
 - 1. All drainage ways, utilities and facilities to be dedicated to service entities or to remain private shall be shown on the plan.
 - 2. All existing and proposed easement usages shall be properly labeled.
- 6. Grading and Drainage Plan Requirements:
 - a. Existing and proposed contour information per national mapping standards at 2 ft. contour intervals.
 - b. Existing and proposed storm drain facilities.

- c. Existing and proposed detention facilities and details.
 - d. Drainage report that covers hydrologic and hydraulic calculations shall be provided for the drainage collection system, detention facilities, and outlet works.
 - e. Roadway and parking lot percentage of grade with directional arrows of surface flow.
 - f. Percentage of grade around curb returns at intersections with directional arrows of surface flow.
 - g. Retaining walls complete with spot elevations, type of wall, and cross section details.
 - h. Indicated areas of 30% or greater slopes.
 - i. Provide Flood Plain and Wetland information.
 - j. Include contours, profile grade, and spot elevations at critical locations and throughout all parking areas.
 - k. Proposed and existing drainage easements, with dimensions, elevations and typical sections, as needed;
 - l. Design benchmark(s).
 - m. Evidence of compliance with the State of Utah Division of Water Quality as may be required relative to the design and operation of any proposed storm water system. Also, the Applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP). A Notice of Intent (NOI) in compliance with the State of Utah Division of Water Quality requirements will be required prior to the disturbance of any portion of the site.
7. Soil and Erosion Control Plan Requirements. Applicants shall provide the following:
- a. Existing and proposed horizontal site design layout.
 - b. Applicable existing conditions data typically shown.
 - c. Existing and proposed storm drains.
 - d. Existing and proposed detention facilities and details.
 - e. Drainage patterns.
 - f. Indicate best management practices and details for each to be used as outlined in the SWPPP.
 - g. Limits of disturbance delineation and acreage

8. Traffic Signing and Striping Plan Requirements:

- a. Existing and proposed horizontal site design layout.
- b. Stop bars, cross walks, painted messages or arrows, stop signs, street signs and any additional signs as warranted by the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD).
- c. Traffic striping or tape for all lanes.
- d. Proposed signal loops if required.
- e. Proposed signal light if required.
- f. Lighting and Signage Plan:
- g. Streetlights and all outside lighting (compliant with the provisions of Section 4.22 of these Standards).
- h. Street signs, directional signs, kiosks, etc.

9. Landscape and Trails Plan:

- a. Landscape plan with species, sizes and quantities.
- b. Indicate screening of mechanical equipment.
- c. Trail cross sections showing materials and connectivity to any adjacent public trails
- d. Open space/plazas and associated materials.
- e. Show wildland and urban interface defensible zones on landscape plan.

10. Irrigation Plan

- a. Head layout, and associated equipment locations.
- b. Evidence of compliance of the design and operation of any irrigation system that is proposed as part of the Project area.

C. Completeness of MIDA Infrastructure Improvement Permit Application.

Upon receipt of the MIDA Infrastructure Improvement Permit Application with all required data as provided herein, the Executive Director shall , within fifteen (15) Working Days of receipt: (i) determine the Application as complete, (ii) the Application is consistent with and as contemplated by an approved MDP, Site Plan and/or Subdivision Plat, as applicable, and (iii) the proposed Infrastructure Improvement facilitates the MIDA Project Area and its development. If the Executive Director determines that he or she is unable to provide any of the foregoing certifications, the Executive Director shall provide Applicant with written notice that the MIDA

Infrastructure Improvement Permit Application is incomplete and identify in reasonable detail those items that the Executive Director determines to be incomplete or otherwise needed for the Executive Director to make the requisite determinations. The Executive Director shall provide notification to the Applicant and the Reviewers the same date that the Application is deemed to be complete.

D. Approval Process; Standard of Review.

1. The Executive Director shall transmit the Infrastructure Improvement Permit Application to Reviewers and such other entities that have jurisdiction or interest in the proposed project for their review and recommendations. Reviewers have fifteen (15) Working Days to review the Infrastructure Improvement Permit Application and submit their comments, findings, engineering errors, safety concerns, or required revisions to the Applicant through to MIDA's designated permitting and plan review platform.
2. If required, Applicant shall complete all corrections and re-submit plans and additional documentation to the Reviewers through the designated permitting and review platform.
3. Reviewers have ten (10) Working Days for each subsequent review of the MIDA Infrastructure Improvement Permit Application and shall upon completion of each such re-review submit their comments, findings, engineering errors, safety concerns, or required revisions, if any, to the Applicant through the designated permitting and plan review platform.
4. MIDA Infrastructure Improvement Permit approvals are Administrative Approvals under these Standards. The Executive Director shall issue a MIDA Infrastructure Improvement Permit to the Applicant following of receipt of the Reviewers' approval. Upon receipt of an approved MIDA Infrastructure Improvement Permit, the Applicant may initiate the work permitted by the Permit.
5. The MIDA Staff shall schedule an inspection of Infrastructure Improvement Permit work as soon as possible, but in any event not more than three (3) Working Days after Applicant's request. A MIDA Infrastructure Improvement Permit shall be deemed filed and closed upon certification of an approved final inspection.

2.05 Grading Permits

A. Permit Requirements:

1. Unless explicitly exempted under Section 2.06(B) hereof, a Grading Permit is required for any project in the MIDA Project Area that:
 - a. Grades, fills, excavates, stores or disposes of 350 cubic yards or more of soil or earth material; or
 - b. Clears and grades or performs any pre-construction activity with ground disturbance of a half-acre or more of land.
- B. Exemptions: Unless otherwise required by these Standards, the following grading may be done without obtaining a permit:
 1. Minor projects without cuts or fills, each of which is less than five feet in vertical depth at its deepest point measured from the existing ground surface, and which meet all of the following criteria:
 - a. Less than three hundred fifty (350) cubic yards of graded material in a single area, within a two-year period. In calculating the graded material quantity, excavation material used as fill material will not be counted twice.
 - b. Does not create a non-permanent unstable or erodible slopes over 40% grade,
 - c. Does not encroach onto sewage disposal systems including leach field areas, and
 - d. Provides for completion of soil disturbing activities within a continuous period of forty-five (45) days;
 2. Grading done by or under the supervision, assignment or construction control of a public agency (such as VCP remediation);
 3. Excavations of less than three hundred fifty (350) cubic yards for soil or geological investigations by a geotechnical engineer, civil engineer, or engineering geologist. All excavation must be restored within 45 days.
 4. Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its approved condition.
 5. Performance of emergency work necessary to protect life or property when an urgent necessity arises. The Person performing such emergency work shall notify MIDA promptly of the problem and work required and shall apply for a permit within ten (10) calendar days after commencing such work.
- C. Concurrent Permits: A Grading Permit may be obtained prior to or concurrently with all other permits contemplated by these Standards, including but not limited to a Site Plan

and Subdivision Plat. Any grading prior to the approval of a Site Plan or Subdivision Plat, including grading with an approved Grading Permit, shall be done at the sole risk of the Applicant.

D. Application Contents: The Applicant shall submit a Grading Permit Application and fee, as established by MIDA, to the Executive Director. The Application shall include the following which shall be submitted to MIDA through MIDA's designated permitting and review platform:

1. PDF file of Grading Permit Application Form
2. Signed Statement of Applicants responsibility
3. A fee, as established by MIDA
4. PDF copy of Grading plans. Plans shall be prepared by a licensed civil engineer in conformance with these Specifications and shall include the following:
 - a. A vicinity map indicating the site location;
 - b. A map indicating where within the approved MDP (and, if applicable, approved Site Plan and approved Subdivision) the site is located;
 - c. topography shown in 1 ft contours;
 - d. All planimetric features including but not limited to: water wells, streams, canals, irrigation laterals, private ditches, washes, ponds, and all existing utility main lines (size and owner);
 - e. Location, widths, and names of all planned and existing streets, railroads, utilities, any and all easements, public areas, permanent structures to remain including water wells;
 - f. By note, the acreage of the area or lot;
 - g. Scale, north arrow and date of the submittal;
 - h. A delineation of the area to be cleared and grubbed;
 - i. A statement of the quantity of material to be excavated, the quantity of material to be filled, whether such excavation or fill is permanent or temporary, and the amount of such material to be imported to or exported from the site;
 - j. A statement of the estimated starting date, grading completion date, and when site improvements will be completed;

- k. The location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity;
 - l. Existing and proposed horizontal design layout.
 - m. Applicable existing conditions data typically shown.
 - n. Existing and proposed detention facilities and details.
 - o. Drainage patterns.
 - p. Indicate best management practices (BMP) and details for each to be used as outlined in the SWPPP.
 - q. Limit of disturbance delineation and acreage.
 - r. A description of measures designed to control dust and stabilize the Construction site road and entrance;
 - s. A description of the location and methods of storage and disposal of Construction materials; and
 - t. Geotechnical engineering or engineering geology reports used in the development of the above information.
 - u. Water Pollution Prevention Plan (SWPPP) as required by the State of Utah.
- 5. PDF copy of on-site drainage shed map to scale with calculations.
 - 6. PDF copy of off-site drainage shed map encompassing site to scale with calculations.
- E. Security:
- 1. Prior to issuance of the permit, the Applicant (or the Applicant's designee) shall provide, if required by MIDA, the Grading Completion Assurance in an amount estimated by the Applicant's Engineer and approved by the Executive Director to be the cost for stabilizing the activity site if the site is abandoned or work is stopped during the performance of the activity described in the permit. A Completion Assurance shall not be required for infrastructure being funded by MIDA.
 - 2. The Grading Completion Assurance shall be released to the Applicant (or the Applicant's designee, as the case may be) upon either:
 - a. Issuance of a certificate of completion, provided no administrative or legal action against such Grading Completion Assurance has been commenced prior to that

date and the permittee has complied with the applicable provisions of these Standards; or

- b. relinquishment of the permit by the holder thereof to MIDA, provided no administrative or legal action against such Grading Completion Assurance has been commenced prior to that date and the permittee has complied with the provisions of the Permit.

F. Review and Approval of Grading Permit.

1. Upon the submission of the required information, Reviewers shall have fifteen (15) Working Days to review the Grading Permit Application and submit their comments, findings, engineering errors, safety concerns, or required revisions to the Applicant through to MIDA's designated permitting and plan review platform.
2. If required, Applicant shall complete all corrections and re-submit plans and additional documentation to the Reviewers through the designated permitting and review platform.
3. Reviewers have ten (10) Working Days for each subsequent review of the Grading Permit Application and shall upon completion of each such re-review submit their comments, findings, engineering errors, safety concerns, or required revisions, if any, to the Applicant through the designated permitting and plan review platform.
4. MIDA Grading Permit approvals are Administrative Approvals under these Standards. The Executive Director shall issue a Grading Permit to the Applicant following receipt of the Reviewers' approval. Upon receipt of an approved Grading Permit, the Applicant may initiate the work permitted by the Permit.
5. The MIDA Staff shall schedule an inspection of Grading Permit work as soon as possible, but in any event not more than three (3) Working Days after Applicant's request. A Grading Permit shall be deemed filed and closed upon certification of an approved final inspection.

- G. Term: A Grading Permit shall be effective on the date of issuance, and shall remain in force for one year, unless suspended or revoked by the Executive Director for cause, or voluntarily relinquished by the permittee. Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the activity. Two extensions of twelve months each may be granted by the Executive Director.

- H. Modification of Approved Plans. Proposed modifications of an approved Grading Permit shall be submitted to MIDA through the designated permitting and review platform for written approval. All necessary submittal information shall accompany any proposed modification. The modification shall be compatible with any approved Master Development Plan.
- I. Right of entry: As a condition of the permit, the property owner shall grant MIDA a right of entry for the duration of the Grading Permit until after final inspection.
- J. Seasonal Requirements: Implementation of erosion and sediment control plans shall be based on the season of the year and the stage of Construction at forecasted periods of rainfall and heavy storms. Erosion and sediment control plans shall allow for possible changes in Construction scheduling, unanticipated field conditions, and relatively minor changes in grading. Modifications to plans may be required after initial plan approval.

2.06 Building Permits

- A. Building Permit and Footings and Foundation Only Permit Application: A Subdivision Plat approval (when applicable) and Site Plan (when applicable) approval (and a Conditional Use permit, if applicable) shall be required for vertical building Construction before a building permit or Footings and Foundation Only Permit can be issued by MIDA. The Applicant shall submit a building permit or footings and foundations only permit Application and fee, as established by MIDA, to the Executive Director's designee.
- B. The authority for reviewing proposed plans and inspections in shall be as follows:
 - 1. UTNG Property, except UTNG Property which has been leased to MIDA or upon which MIDA is providing for the development or redevelopment of the property or a structure: The Utah Division of Facilities Construction and Management (DFCM) shall review the construction plans and provide inspections for construction projects, after consultation with the Utah National Guards Construction and Facilities Management Office (CFMO) on the UTNG Property.
 - 2. Non-Military Property, including UTNG Property which has been leased to MIDA or upon which MIDA is providing for the development or redevelopment of the property or a structure:: MIDA shall designated a separate entity (the "Designated

Entity”) as MIDA’s review and inspections for all matters related to building permit and footing and foundation permit applications, plan review, inspections and the issuance of certificates of occupancy, except as may otherwise be set forth in these Standards. MIDA may, at its discretion, replace the Designated Entity and designate another entity to perform these functions. An applicant may propose a professional and qualified third-party company be the Designated Entity to provide for building inspection services for a specific development. Such designation is subject to approval by MIDA in its sole discretion.

- C. Building Permit and Footing and Foundations Only Permit Application Submittal
Requirements: All building permit and footing and foundation only permit Applications shall be submitted directly to the on forms supplied by the Designated Entity and approved by MIDA. Fees shall be paid directly to the MIDA or to the Designated Entity in accordance with the fee schedule adopted by MIDA. The materials required to be submitted with the Application shall be designated by the Designated Entity for building permits and footing and foundation only permits issued through the Designated Entity.
- D. Completeness: Upon receipt of the building permit or footing and foundation only permit Application, with all required data as required by the Designated Entity, the Designated Entity shall within ten (10) Working Days of receipt: (i) determine the Application as complete; or (ii) provide Applicant with written notice that the Building Permit Application is incomplete and identifying in reasonable detail those items that the Designated Entity determines to be incomplete. The Designated Entity shall process the Building Permit or footings and foundation only permit Application in accordance with the review and inspection process and timelines by which they normally conduct reviews, if the Designated Entity is a governmental entity; or by time set by MIDA by executive order if a non-governmental Designated Entity.
- E. Building Permit Approval: The Designated Entity shall, on behalf of MIDA and with MIDA’S approval, issue a building permit to the Applicant within two (2) Working Days of receipt the Reviewer's Approval and MIDA’s approval. Upon receipt of an approved building permit, the Applicant may initiate Construction on the project approved in the building permit Application. The granting of a building permit does not presume to give authority to violate or cancel the provisions of any applicable state or local law regulating

Construction or the performance of Construction, including but not limited to requirements for a Certificate of Occupancy. Structure use or partial use is unlawful without a Certificate of Occupancy or a Temporary Certificate of Occupancy.

- F. Expiration: A building permit shall expire if Construction is not commenced within one hundred eighty (180) days from the date the building permit was issued, or if the work authorized by such building permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. The MIDA Executive Director is authorized to grant, in writing, one or more extensions of the foregoing one hundred eighty (180) day periods, for periods of not more than one hundred eighty (180) additional days each. The extension shall be requested in writing and justifiable cause demonstrated. A building permit shall expire if Construction is not completed and a Certificate of Occupancy or Letter of Completion (which may be a temporary Certificate of Occupancy or Letter of Completion) is not obtained within five (5) years from the date the building permit was issued. The Executive Director may, for good cause shown, extend the building permit expiration date for a period of time not to exceed one (1) additional year.

2.07 Conditional Use Permits

Conditional Use

- A. Conditional Use Application: A Conditional Use approval is required prior to the Construction of a Conditional Use within the Project Area. The Applicant shall submit the Conditional Use Application and fee, as established by resolution of MIDA to the Executive Director. Applications shall not be reviewed without the written consent of the property owner. The burden of proof for all Applications shall be the responsibility of the Applicant. Conditional Use Applications may be approved or denied by the DRC.
1. An Applicant may submit a Conditional Use Application at the same time it submits a Subdivision Plat and/or Site Plan Application.
- B. Conditional Use Submittal Requirements: An Applicant seeking a Conditional Use approval shall submit an Application on the official form provided by MIDA with the

required documentation specified in these Design Standards as provided by MIDA.

Submittal requirements shall include, but not be limited to:

1. Legal description of the property;
2. Written consent of property owner;
3. The proposed use of the property; and a scaled diagram of the subject parcel and surrounding area.

C. Completeness: Upon receipt of the Conditional Use Application with all required data as provided herein, the Executive Director shall determine the Application as complete and shall affix the date of Application acceptance thereon within ten

(10) Working Days of receipt. The Executive Director shall provide notification to the Reviewers the same date that the Application is determined complete.

D. Conditional Use Review Standard:

1. A Conditional Use Application shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with these MIDA Development Standards. These conditions may include, but are not limited to:

- a. Requirements for setbacks, open spaces, buffers, Fences or walls, and landscaping to mitigate conflicts from visual, noise, lighting and similar impacts associated with the use;
- b. Dedication of street(s) or other public rights of way and control in location of access points and on-site circulation to mitigate traffic impacts from increased volumes or nature of traffic activity associated with the use;
- c. Regulations pertaining to hours of operation, methods of operation, and phasing of the development of the site to mitigate impacts to surrounding properties;
- d. Time limits on the duration of the permit to determine if the use, after a temporary period of operation, is materially detrimental or to evaluate whether changed conditions in the neighborhood effect the capability of the use to continue to adequately mitigate impacts to the surrounding area or the Project Area as a whole.

2. The requirements described in subsection D(1) above to reasonably mitigate anticipated detrimental effects of the proposed Conditional Use do not require elimination of the detrimental effects. A Conditional Use Application may only be denied if the reasonably anticipated detrimental effects of the proposed Conditional Use cannot be reasonably mitigated by the proposal or imposition of reasonable conditions.

E. Reviewers Action:

1. The Executive Director shall transmit the Conditional Use Application to the Reviewers for their review and recommendations. Reviewers have fifteen (15) Working Days to review the Conditional Use Application and submit the Reviewers report of findings to the Executive Director. Any subsequent required submittals shall be reviewed within ten (10) Working Days.

2. During this initial review period a written and dated letter from the Executive Director may be submitted to the Applicant requesting more information, data, illustrations, or clarifications solely based on the requirements of Section 2.04.B. If additional information is requested, the Executive Director may suspend the initial fifteen (15) Working Day review period. If the Applicant does not comply with the request for additional information within six (6) months, the Conditional Use application shall become null and void. Until such information is received by the DRC, the review period set forth in subsection 1 above shall be suspended.

a. If the Applicant believes that the request is unreasonable, the Applicant shall make a written appeal to the Executive Director for a determination as to the reasonableness of the request.

b. The Executive Director shall make a written determination within ten (10) Working Days of the appeal. The Executive Director's determination is final unless it is appealed to the MIDA Board within ten (10) Working Days of the determination.

c. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.

If a Reviewers report is not submitted within the review periods set forth in subsection 1 above (including any suspensions as set forth above), the Application will advance to DRC for action without the report.

F. DRC Action:

1. The Conditional Use Application and Reviewers report shall be given to the DRC for review and consideration.

a. The Conditional Use Application shall be placed on the next DRC agenda.

b. The DRC shall consider the Conditional Use Application and any recommendations by the Reviewers.

2. During this review a written and dated letter from the DRC may be submitted to the Applicant requesting more information, data, illustrations or clarifications solely based on the requirements of Section 2.04.B. If the Applicant does not comply with the request for additional information within six (6) months, the Conditional Use application shall become null and void.

a. If the Applicant believes that the request is unreasonable, the Applicant shall make a written appeal to the MIDA Board for a determination as to the reasonableness of the request.

b. The MIDA Board shall make a final determination within forty (40) Working Days of receiving the appeal.

3. The DRC shall make its decision within forty (40) Working Days of the DRC meeting, during which the Application was considered. The DRC may extend the time period for consideration if it determines that more time or additional information is needed.

4. If the Conditional Use conforms to the requirements of the Conditional Use Review Standards and is in accordance with the Project Area Plan including fulfilling the purposes and intent described therein as determined by the DRC, the DRC shall approve or approve with conditions the Application. If the Conditional Use does not conform to the requirements of the Conditional Use Review Standards or is not in accordance with the Project Area Plan and its purpose and intent, then the DRC shall request revisions and re-submittal of the Conditional Use Application or deny the Conditional Use Application.

5. Any Conditional Use decision by the DRC may be appealed, in writing, to the MIDA Board. The appeal must be received by MIDA within ten (10) Working Days of the date of the DRC decision.

a. The MIDA Board shall make a final determination on the appeal within forty (40) Working Days of the receipt of the appeal.'

b. Upon conclusion of any appeal, if the Conditional Use has not been approved, the Applicant shall submit a new Conditional Use Application with associated fee as adopted by the MIDA Board if the Applicant wishes to reapply.

G. Conditional Use Approval: After the Conditional Use Application has been approved by the DRC:

1. The approval of the Conditional Use Application by the DRC shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by MIDA, including, but not limited to, a building permit, certificate of occupancy and Site Plan approval.

2. The approval of the Conditional Use Application by the DRC shall be final and effective ten (10) Working Days from the date of the decision, unless an appeal is filed to the MIDA Board.

3. Upon the expiration of the ten (10) Working Day appeal period, the Executive Director will provide the Applicant with a Conditional Use permit, unless an appeal has been filed to the MIDA Board.

H. Expiration: A Conditional Use permit shall be valid for one (1) year, unless (a) a building permit is issued and Construction has actually begun within that period and is thereafter diligently pursued to completion, or (b) a temporary or final Certificate of Occupancy is issued and a use commenced within that period, or (c) a longer time is requested and granted by the DRC. At such time that all conditions and requirements set forth for the Conditional Use Permit have been implemented and satisfied, the approved Conditional Use Permit shall be deemed exercised, and the Conditional Use Permit approval

shall run with the land. The approval of a proposed Conditional Use by the DRC shall authorize only the particular use for which it was issued.

I. Revocation: A Conditional Use permit may be revoked by the MIDA Board Chair after review by the MIDA Board. The MIDA Board shall meet and review the matter prior to recommending the revocation of a Conditional Use permit. Any recommendation of the Reviewers and the DRC and any final decision by the MIDA Board to revoke a Conditional Use permit shall require a finding of one or more of the following:

1. The Conditional Use is a nuisance or is detrimental to the public health, safety or welfare and such detrimental effects cannot be reasonably mitigated;
2. The Conditional Use permit was obtained by fraud;
3. The Conditional Use for which the permit was granted has been materially altered;
4. The Conditional Use for which the permit was granted has ceased or has been suspended for six (6) months; or
5. The conditions of the Conditional Use permit have not been complied with, after notice to the Applicant by MIDA and the Applicant's failure to cure such lack of compliance within thirty (30) days (or the Applicant's failure to undertake such cure within such thirty (30) day period and thereafter diligently prosecute it to completion).

J. Status of Conditional Use Permit: A Conditional Use permit granted pursuant to provisions of this Section shall run with the land and continue to be valid regardless of ownership of the site or structure subject to the Conditional Use permit Application, so long as it operates within the conditions, stipulations and terms of the Conditional Use permit approval.

K. Modification of Conditional Use Permit: A request to modify, expand or otherwise change an approved Conditional Use permit, not in substantial conformance with the approved permit, shall be reviewed and processed according to provisions of this Section as a new Conditional Use permit Application.

2.09 Fees / Municipal Services

- A. Fees charged by MIDA for all permits and or approvals required by this chapter shall be established by an executive order issued by the Executive Director and shall be consistent with Utah law. Fees shall be paid prior to the review of any application by MIDA.
- B. MIDA and any MIDA subsidiary shall not be required to pay fees for any Infrastructure related to the provision of Municipal Services by MIDA, whether constructed or owned by MIDA or whether constructed or owned by a Utility Provider or private party. This subsection B does not exempt the Utility Provider or private party who requests approval of, or constructs such infrastructure, from the required fees

3. CHAPTER THREE — LAND USE REGULATIONS

This chapter establishes the permitted land uses, operational standards, and land use requirements applicable to development within the Project Area. Land use regulations are intended to ensure that energy generation facilities, data centers, manufacturing operations, supporting infrastructure, mixed use areas and agricultural areas are developed in a coordinated manner that supports safety, operational efficiency, and compatibility between uses.

Land use regulations in this chapter govern how land may be used and operated after approval of a MDP, if required, Subdivision Plat, Site Plan, and Infrastructure Improvements under Chapter Two.

3.01 Purpose

The purpose of this Chapter is to establish land use regulations that support the development of the land within the Project Area, while protecting public safety, infrastructure capacity, and operational efficiency.

These regulations are intended to:

- A. Facilitate development of land within the Project Area.

- B. Support military and industrial uses, including but not limited to manufacturing, research and development, defense and similar related industries which support America's military industrial base such as energy, power, resource extraction, microelectronics, etc.
- C. Ensure safe integration of major infrastructure systems including electrical transmission, gas pipelines, and transportation corridors.
- D. Maintain compatibility between industrial areas and publicly accessible areas.

All land uses within the Project Area shall comply with the requirements of this Chapter and the approved MDP, if an MDP is required.

3.02 Permitted, Conditional Uses, and Prohibited Uses

The permitted, Conditional and Prohibited uses for various properties within the Project Area are set forth in Chapter 8 of these standards.

3.03 Use Exceptions

The DRC may allow minor use exceptions where such exceptions are determined to be consistent with the intent of the approved MDP, if any, and do not create operational or use conflicts with surrounding infrastructure or uses.

Use exceptions may include temporary operational uses or minor accessory uses supporting permitted uses.

3.04 Variances

Applications: Applications for a variance shall be filed with the Executive Director. Variance Applications shall contain the following information:

- A. A description of the requested variance, together with a designation of that section of these Standards from which relief is being requested and a written description of the reason the variance is being requested;
- B. An accurate plan to scale and shown on a legal survey prepared by a licensed surveyor, if appropriate, indicating the manner in which the variance will be applied and its effect upon adjacent properties; and
- C. A filing fee as established by MIDA.

D. Public Meeting: Upon receipt of a complete Application as determined by MIDA Staff, a meeting shall be set with the DRC for the next available meeting date.

E. Requirements for Granting Variance: The DRC may grant a variance, by majority vote, only if all of the following conditions are met:

i. Literal enforcement of the MIDA Development Standards would cause an unreasonable hardship for Applicant that is not necessary to carry out the general purpose of the MIDA Development Standards;

ii. There are special circumstances attached to the property;

iii. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the MIDA Project Area;iv.

iv. The variance will not substantially affect the MIDA Project Area and will not be contrary to the public interest; and

v. The spirit of the MIDA Development Standards is observed and substantial justice done.

F. Unreasonable Hardship:

In determining whether or not enforcement of the MIDA Development Standards would cause unreasonable hardship, the DRC Board may not find an unreasonable hardship unless the alleged hardship:

1. Is located on or associated with the property for which the variance is sought; and
2. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood;
3. .In determining whether or not enforcement of the MIDA Development Standards would cause unreasonable hardship, the DRC may not find an unreasonable hardship if the hardship is self-imposed.

G. In determining whether there are special circumstances attached to the property, the DRC may find that special circumstances exist only if the special circumstances:

1. relate to the hardship complained of; and
2. Deprive the property of privileges granted to other properties in the Project Area.

H. Burden of Proof: The Applicant shall bear the burden of proving that the conditions justifying a variance have been met. The concurring vote of not less than a majority of the MIDA Board shall be required to grant a variance.

- I. Variance Applicability: Variances run with the land.
- J. Use Variance: The MIDA Board may not grant use variances.
- K. Additional Requirements: In granting a variance, the MIDA Board may impose additional requirements on the Applicant that will:
 - 1. Mitigate any harmful effects of the variance; or
 - 2. Serve the purpose of the standard or requirement that is waived or modified.

3.03 Buildings

Buildings/Structures and Improvements

- A. Any building, structure or Infrastructure Improvement constructed or erected shall be designed by a licensed professional in their area of expertise, as required by state law and shall conform to all applicable codes.
- B. All buildings and signage shall follow the Design Standards found in Chapter 4, “Design Standards” of these Standards except as may be specifically excluded as set forth in other sections of these Standards.
- C. No building or structure shall be constructed, reconstructed, materially altered or moved, except after the issuance of a Building Permit pursuant to Section 2.07 of these Standards (unless said building or structure is otherwise exempted by Utah law).

3.04 Nuisance Factors and Hazards

- A. All uses and operations within the Project Area shall be conducted in a manner that minimizes adverse impacts on surrounding properties, infrastructure systems, and public safety. Development shall comply with applicable federal, state, and local regulations governing industrial operations, environmental protection, and occupational safety.

Operations shall be designed and managed to prevent the creation of nuisance conditions including, but not limited to:

- 1. Excessive noise or vibration beyond applicable industry standards
- 2. Uncontrolled emissions of smoke, dust, fumes, gases, or particulate matter
- 3. Excessive heat, glare, or electromagnetic interference
- 4. Hazardous materials releases or unsafe storage conditions

5. Light spillover or glare affecting adjacent properties or transportation corridors
- B. Facilities involving industrial processes, energy generation, or manufacturing shall comply with recognized industry standards and regulatory frameworks including, where applicable:
 1. Occupational Safety and Health Administration (OSHA) standards
 2. National Fire Protection Association (NFPA) codes
 3. Environmental Protection Agency (EPA) regulations
 4. Applicable state and federal environmental and air quality regulations

Where necessary to protect public safety and operational reliability, the DRC may require mitigation measures including screening, buffering, operational controls, or additional safety setbacks.

- C. MIDA may avail itself of all remedies available to abate any nuisance or public nuisance. Any act which constitutes a nuisance or a public nuisance under the Laws of the State of Utah may be addressed by MIDA. Activities that emit offensive or objectionable noise, vibration, smoke, odors, dust or gases, air pollution, water pollution or generate heavy truck traffic (other than approved uses) are not permitted. Precautions shall be taken in all operations against radiation, radioactivity, fire and explosion hazards.
- D. Activities conducted on the premises shall comply with all applicable MIDA, state and federal laws, regulations and permits.
- E. Use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable by a reasonable person at the property boundary.

4. CHAPTER FOUR— GENERAL DESIGN STANDARDS

4.01 Purpose

The purpose of this Chapter is to establish site development standards governing the layout, placement, operational compatibility, and performance of Development Activity within the Project Area.

These standards are intended to:

- A. Ensure safe and efficient development of energy infrastructure

- B. Protect critical infrastructure operations
- C. Coordinate development with regional infrastructure systems
- D. provide a predictable development framework for a region.

4.02 Setbacks/Yard Requirements

Setbacks and yard requirements are intended to ensure adequate space for safety, infrastructure corridors, maintenance access, and operational buffers associated with energy, industrial, and technology facilities.

A. General Setbacks

Unless otherwise approved through an MDP or Site Plan, the following minimum setbacks shall apply:

1. Front yard setback: 25 feet
2. Side yard setback: 15 feet
3. Rear yard setback: 15 feet

B. Infrastructure Corridor Setbacks

Utility corridors for electrical transmission lines, gas pipelines, fiber infrastructure, or similar utilities shall maintain clear access zones sufficient for maintenance and operational safety.

C. Buffer Areas

The DRC may require additional buffer areas between manufacturing or industrial facilities and adjacent roadways, residential or mixed-use areas, agricultural areas, or public access areas where necessary to mitigate operational impacts on adjacent uses.

4.03 Screening

- A. Screening may be required to reduce visual impacts of equipment, storage areas, and service yards located adjacent to roadways, residential, agricultural areas, or public access areas.
- B. Screening methods may include fencing, walls, berms, landscaping, or architectural screening integrated into building design.

4.04 Access and Parking

- A. Adequate vehicular access and parking shall be provided for all development.

Parking requirements shall be determined based on operational needs of each facility and may include employee parking, service vehicle parking, and staging areas for equipment.

4.05 Pedestrian Walkways

- A. Pedestrian circulation shall be provided where necessary to safely connect buildings, and parking areas.
- B. Pedestrian walkways are not required where pedestrian access is restricted or limited for safety or security reasons.

4.06 Maximum Height of Structures

Structures within the Project Area shall be regulated as follows:

- A. General Building Height

Buildings shall not exceed one hundred twenty (120) feet in height, measured from the average final grade on four sides of the structure, unless otherwise approved by the DRC.

4.07 Landscaping Requirements

Landscaping within the Project Area shall be designed to enhance site appearance, control erosion, and provide buffering where appropriate while recognizing the operational needs of energy and industrial facilities.

Landscaping requirements may be reduced within military areas where vegetation could interfere with operations, equipment, utilities, or maintenance operations.

Landscaping may be required along adjacent roadways, residential, mixed-use areas, agricultural areas, public access areas and employee-accessible areas when and where determined to be appropriate by the DRC.

4.08 Security Perimeters within Military, Manufacturing or Industrial Areas

Military, Manufacturing and/or Industrial buildings, infrastructure facilities and land may maintain controlled security perimeters.

- A. Security perimeters may include, but are not limited to:
 - 1. Fencing systems
 - 2. Vehicle barriers
 - 3. Controlled access points
 - 4. Surveillance systems
 - 5. Buffer areas

4.09 Buffers

Buffers may be required to separate military, manufacturing and/or industrial uses from other types of adjacent development.

- A. Buffers may consist of:
 - 1. Landscaped berms
 - 2. Security fencing
 - 3. Open space corridors
 - 4. Utility corridors

4.010 Emergency Access

All development shall provide adequate emergency access.

- A. Emergency access routes shall:
 - 1. Provide access to all buildings and equipment areas
 - 2. Support fire apparatus access
 - 3. Support heavy equipment emergency response
 - 4. comply with Utah Fire Code access requirements

4.011 Outdoor Storage

Outdoor storage areas shall be located and screened to minimize visual impacts where feasible.

A. Outdoor storage may include:

1. Construction materials
2. Equipment staging areas
3. Fuel storage tanks
4. backup generator systems

All fuel storage shall comply with all applicable state fire and safety regulations.

4.012 Stormwater Management

Stormwater systems shall be designed to prevent flooding, protect infrastructure systems, and maintain water quality and shall comply with the standards established in these Standards or required by the MIDA Engineer.

4.013 Lighting Design Standards

Objective: The objective of these standards is to accommodate 24/7 operations while also reducing light pollution, glare, and lowering light levels that are generated from light sources within the Project Area. Consistent with the adopted MIDA Project Area Lighting Zone Map, these requirements are intended to protect the health and welfare of all persons within the Project Area, prevent inappropriate and poorly installed outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of potentially harmful sky glow, and preserve the naturally dark sky for the benefit of residents, workers, wildlife, and the environment.

Key considerations in applying these Standards include:

Outdoor uses of Artificial Light At Night (“ALAN”) often include inappropriate and bright sources of light that cause an unsafe reduction in human visual performance.

Excessive, unnecessary, and misdirected ALAN contributes to Light Pollution and wastes energy resources that would, if corrected, generate tangible cost savings.

Increased use of ALAN contributes to an escalation of Light Pollution, thus increasing the brightness of the night sky by 10% annually and rendering the current night sky orders of magnitude (often hundreds of times) brighter than the natural and original sky background.

Light Pollution from ALAN is known to cause adverse effects on the health and well-being of birds, wildlife, nocturnal ecosystems, vegetation, and under certain circumstances, human health.

The Five Principles for Responsible Outdoor Lighting:

- A. Useful: Use light only if it is needed.
- B. Targeted: Direct light so it falls only where it is needed.
- C. Low Level: Light should be no brighter than necessary.
- D. Controlled: Use light only when it is needed.
- E. Color: Use warmer color lights where possible.

Terms and Definitions

The following are terms and definitions used in this section:

ANSI – American National Standards Institute.

ANSI/IES Lighting Standards: Applicable outdoor lighting standards and metrics include but are not limited to:

RP-2: outdoor retail spaces

RP-6: outdoor sports and recreational areas

RP-7: outdoor industrial areas

RP-8: roadway and parking facilities

RP-40: port terminals

RP-43: outdoor pedestrian areas

ALAN (artificial light at night): Light created from human technology, rather than a naturally occurring process. It is also known as anthropogenic lighting.

Backlight: For an exterior Luminaire, Lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the Luminaire. For Luminaires with symmetric distribution, Backlight will be the same as front light.

BUG: A Luminaire classification system that classifies Backlight (B), Uplight (U), and Glare (G).

Candela (cd): The unit of measure for luminous intensity.

CCT (correlated color temperature): The measured color appearance of light emitted by a light source described using a nominal value stated in kelvins (K). Lower CCTs (1800 K to 2200 K) appear very warm or amber. Medium CCTs (2700 K to 3000 K) appear “warm white,” similar to standard incandescent bulbs. High CCTs (4000 K and higher) appear “cool white” or “blue.”

Curfew: A time defined by the authority when outdoor lighting is reduced or extinguished.

Footcandle: The unit of measure expressing the quantity of light received on a surface. One footcandle is the Illuminance produced by a candle on a surface one foot square from a distance of one foot.

Fully Shielded: A Luminaire designed or shielded in such a manner that no light is emitted, either directly or indirectly, at or above a horizontal plane running through the lowest light-emitting part of the Luminaire.

Glare: Lighting entering the eye directly from Luminaires or indirectly from reflective surfaces that causes visual discomfort or reduce visibility.

IDA: International Dark-Sky Association

IES (Illuminating Engineering Society): An ANSI-recognized Standards Development Organization.

Illuminance: Measured in LUX or Footcandles, the total Luminous Flux incident at a point on a surface.

LCS Zones: The zones described in the IES Luminaire Classification System.

LED: Light emitting diode.

Light Level: The maintained Luminance or Illuminance value.

Light Pollution: ALAN traveling into areas where it is not needed or wanted. This can be in the form of Light Trespass, Glare, or atmospheric Sky Glow.

Light Trespass: ALAN illuminating past property lines without permission. Unless specified otherwise, light trespass limits are measured at any location along a property line both horizontally at the ground plane facing upward and vertically at 1.5 meters (5ft) above grade with the meter aimed toward the light source in question.

Lighting Zones: A mapping system describing the luminous environment and related lighting conditions based on land uses and expected tasks. These range from natural and intrinsically dark zones to very bright zones. May be abbreviated as “LZ.” The Lighting Zones are adopted from the Dark Sky International/Illuminating Engineering Society Model Lighting Ordinance dated June 15, 2011.

Lumen (lm): A unit of measure of the Luminous Flux of a light source.

Luminaire: A complete lighting unit, including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination. The plural is Luminaires.

Luminance: The intensity of light emitted from a surface per unit area in a given direction.

Luminous Flux: A measure of the power of visible light produced by a light source, measured in lumens.

Lux (lx): The SI (International System of Units) metric system unit of measure for Illuminance.

MIDA Project Area Lighting Zone Map: A map approved by the Project Area Director that outlines the boundaries of the Lighting Zones within the Project Area. Areas shall be categorized and added to the Map at the time the MDP or Site Plan if no MDP is required, for the property being developed is adopted.

Mounting Height: The height of the photometric center of a luminaire above grade level.

Nadir: A downward vertical vector directly beneath a luminaire, opposite to zenith.

Nighttime Hours: The time between 10:00 PM and sunrise, or 7:00 AM (whichever comes



earlier).

Non-essential: Lighting that is not directly associated with the physical safety of motor vehicle and pedestrian threats, including but not limited to: landscape lighting, illuminated signage or advertising after business hours, façade lighting, vacant sports fields, and seasonal lighting.

Seasonal Lighting: Outdoor or site lighting that is portable, temporary, decorative, and used in connection with holidays and traditions. This includes but is not limited to string lighting, icicle lighting, and lighted inflatables, none of which are intended for general illumination.

Security Lighting: Illumination used specifically to protect people, property, and infrastructure from criminal threat.

Shielding: A Luminaire design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.

Sign Copy: The area of a sign occupied by letters, numbers, graphics, or other content intended to inform, direct, or otherwise transmit information.

Sky Glow: The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night **Sky**

Uplight: For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

Vertical Illuminance: Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

- A. Applies to all new, replaced, or modified outdoor lighting. Pre-existing non-conforming lighting is legal until a new Site Plan, exterior remodel, or fixture replacement triggers full compliance.
- B. Exemptions From Lighting Standards
 1. Lawful: Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal or state) than MIDA, including but not limited to:
 2. Navigational lighting systems regulated by the Federal Aviation Administration.
 3. Any contradictory provision of the Utah State Construction Code, Utah Department of Transportation illumination requirements, or applicable health code.

4. Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
5. Safety: Luminaires installed for the benefit of public safety, including but not limited to:
6. Security Lighting as determined by a government public safety agency with jurisdiction within the MIDA Project Area.
7. Permitted: Temporary lighting approved and permitted by MIDA for Special Events, festivals, and community benefit, provided the permitted lighting still meets light trespass requirements and does not add further disruption to ecological migration or habitat.
 - a. Traffic control signals and devices, including changeable copy message boards used for traffic control purposes.
 - b. Temporary emergency lighting in use by law enforcement or government agencies, or at their direction.
 - c. Temporary construction lighting, subject to the curfew set forth in Section 4.06(F)(5) of these Standards, except as otherwise explicitly permitted pursuant to the terms of the applicable construction permit.
8. The lighting of flags, including but not limited to Federal, State or military flags; provided, that the light is a narrow beam aimed and shielded to illuminate only the flag. Flag lighting should use appropriate illumination levels to light the flag, while at the same time fulfilling the purposes of this section. Flags on poles over 20 feet above ground level shall be illumined only from above. This may be achieved by utilizing a luminaire attached to the top of the flagpole. The luminaire shall comply with all provisions of these Standards and the total output from any luminaire mounted on top of a flagpole shall not exceed 800 lumens.
9. Temporary construction, emergency, or MIDA-permitted special-event lighting (subject to curfew and trespass limits).
10. Essential security and operational lighting (perimeter, access control) that has been approved as part of the Site Plan for the Property and meets all shielding, trespass, and lumen limits.

Prohibitions

ALAN must not interfere with the safe movement of motor vehicles. Any lighting that distracts or disables the vision of a motor vehicle operator (e.g., excessively bright or rapid blinking,

flashing, and/or motion video) or contributes to traffic control confusion (e.g., sources resembling or imitating traffic or railroad signals) is prohibited.

Beacons and searchlights, except for emergency use by authorized first responders.

Uplighting of any type including by not limited to lighting which is used to illuminate building or other structures, except as may be otherwise authorized in these Standards.

Outdoor Lighting Requirements

All outdoor lighting proposed within the project area shall follow a consistent, transparent, and technically sound design process to ensure full compliance with these Standards

Legal: All outdoor Luminaires and Luminaire installations shall comply with federal and state law; and these Standards; applicable energy and building codes; product safety labeling; and shall be subject to the appropriate permit and inspection requirements thereof.

Light Level: Lighting installed for an outdoor use shall follow the MIDA Project Lighting Zones. See Section I for the MIDA Project Area Lighting Zone Map and Section J for applicable Lighting Zone Tables.

Dimmable modules are approved to meet light levels and still offer the ability to increase light levels in an emergency situation.

Lights that are clustered must meet the required light level and trespass guidelines outlined within this section.

Distribution: Unless otherwise specified in this section, Luminaires shall be Fully Shielded) and full cut-off (see Section N – Full Cut-Off Examples).

Exceptions:

Directional Luminaires used for façade illumination which are shielded and aimed to hit their target such that the light is contained by architectural elements, and ensure compliance with trespass limitations as outlined within these Standards.

Trespass: Unless otherwise specified in this section, Light Trespass shall meet the following:

Luminaire light sources shall not be visible from federal or state designated wilderness, or habitat and Light Trespass shall measure no greater than 0.1 Lux.

All outdoor light fixtures, including security lighting, and outdoor seasonal lights, shall be aimed and shielded so that illumination shall be confined to the property boundaries where the source is located.

Light Trespass onto commercial property from commercial property is allowed in LZ1 and LZ2 zones, but shall not measure greater than 1 Lux.

Curfew: Non-essential outdoor lighting, including but not limited to landscape and decorative lighting elements, shall be extinguished during Nighttime Hours. Non-essential outdoor lighting that is intended to be illuminated during Nighttime Hours may be approved on a temporary basis as part of a Special Event permit or may be approved by the DRC as a Conditional Use.

Controls: Luminaires activated by motion detection shall automatically turn off or return to their dimmed state no more than 5 minutes after activity is no longer detected.

Spectrum: Unless otherwise specified in this ordinance, the maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

Exception: CCT exemptions are allowed if a public safety need is documented.

Residential Luminaire Criteria:

Output: Luminaire total light output shall not exceed 1,000 lumens.

Uplight: No more than 50 lumens are allowed between 90 and 180 degrees above Nadir (i.e., LCS zones UL and UH combined). The light source shall not be visible from the horizontal plane that passes through the lowest light-emitting part of the Luminaire.

CCT: The light source CCT shall not exceed nominal 3000 K.

Dimming: The Luminaire shall be dimmable to 10% or less of its full light output rating.

Commercial Luminaire Criteria:

Uplight: The following are maximum percentages of total Luminaire Lumens, or maximum Lumen amounts, allowed between 90 and 180 degrees above Nadir, inclusive (i.e., LCS zones UL and UH combined):

Luminaires emitting 1,000 lumens or less: A maximum of 5 Lumens total is allowed.

Luminaires emitting more than 1,000 lumens: No more than 0.5% of the total Luminaire Lumen output is allowed, up to a maximum of 50 Lumens.

High angle light: For Luminaires whose lowest light emitting surface is more than 4 feet above the ground the following maximum percentages of total Luminaire Lumens are allowed between 80 degrees and 90 degrees from Nadir (i.e., LCS zones FVH and BVH combined):

Luminaires with a Type V or Type VS light distribution: No more than 5% of the total Luminaire Lumen output is allowed.

Luminaires with all other distribution types: No more than 3% of the Luminaire's total Lumen output is allowed.

Height of Luminaires:

Pole mounted: The maximum mounting height of Luminaires shall be fourteen (14) feet from finished grade, unless the DRC or MIDA Board requires a lower height as part of the project approval.

Right-of-Way: Luminaires shall be mounted at the lowest practical height that ensures roadway, pedestrian, and bicycle safety while maintaining compliance with the requirements of these Standards. Heights shall be appropriate for the roadway classification, context, and designated Lighting Zone as shown on the Project Area Lighting Zone Map (Section 4.22(I) of these Standards). All Luminaires shall be fully shielded and mounted so that the optical center of the fixture does not exceed the height required for uniform illumination and dark sky performance.

Parking Lot: The maximum mounting height of Luminaires shall be twenty (20) feet from finished grade, unless the DRC or MIDA Board requires a lower height as part of the project approval.

Non-pole mounted: Outdoor Luminaires installed on commercial and residential development sites in the MU and A Zones shall be mounted at the lowest height necessary to meet functional, safety, and security needs while maintaining compliance with the requirements of these Standards. Heights shall correlate with the applicable Lighting Zone as shown on the Project Area Lighting Zone Map, with more restrictive limits applied in lower-intensity zones. All Luminaires shall be fully shielded and mounted so that the optical center of the fixture does not exceed the height required for uniform illumination and dark sky performance.

Parking Lot Lighting

All exterior lighting within parking areas shall comply with the requirements of this section 4.22 and be consistent with Lighting Zones of the MIDA Project Area Lighting Zone Map . All lighting must demonstrate full compliance with the applicable zone limitations on total Lumens, Uplight, Glare, and spectral output. Luminaires shall be full-cutoff (zero Uplight) and meet current IDA Luminaire recommendations, including applicable CCT limits, BUG ratings, and shielding criteria.

Sign Lighting

Signs may be unlighted, lighted externally, lighted internally or back-lit, but in any case must meet the requirements of this section and be consistent with the MIDA Project Area Zone Map . Internally illuminated signs shall use semi-opaque materials for sign copy such the the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Pure white materials are permitted for copy and logo portions of the sign, but are prohibited for any other portion of the sign. Sign backgrounds shall be made of completely opaque material. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighting for signs must have stationary and constant lighting. Electronic Message signs and Variable Message Signs are prohibited, except for traffic control message signs as described in Section D(5) above, and informational signs related to parking or operational signs .

Externally Illuminated Signs:

Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads, or into the night sky.

Lighting for externally illuminated signs must be mounted at the top of the sign (or within a reasonable distance of the top of a building-mounted sign as determined by the size and location of the sign) and directed downward, including free-standing monument-style signs.

Standards for Internally-Illuminated Signs – Lighting is visible on both sides of the sign:

Only sign copy areas and logos may be illuminated on an internally-illuminated sign.

Internally-illuminated signs shall use semi-opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non-copy portions of the sign (e.g., background and graphics) shall be made of completely opaque materials.

Standards for Back-Lit Signs – Only one side of the Sign is lit:

Back-lit signs shall be designed such that the light source is not visible.

Back-lit signs shall be designed such that harsh, direct illumination does not emanate out of the sign. Rather, the back-lighting shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around the sign copy are allowed.

Landscape Lighting

Landscape lighting, including decorative lighting in trees and vegetation, and festoon lighting, is permitted in plazas, walkways, and public areas for safety and to enhance the patron’s nighttime experience as long the lighting is consistent with the MIDA Project Area Lighting Zone Map. Along pathways and sidewalks (where practical), foot lighting shall be utilized in lieu of light poles. Landscape Luminares shall be concealed within the landscaping in a manner that allows the lighting to blend in and create a natural feel, whether in the day or night. All landscape lighting shall be full cut-off directing the light downward (see Section M – Full Cut-Off Fixture Examples).

Permitting

Submittal: Whenever a Site Plan, Infrastructure Permit, or building permit is submitted to MIDA for review under these Standards, an outdoor lighting plan must be submitted, or previously approved, that is applicable to the subject of the Site Plan review, Infrastructure Permit review or building permit review. A preliminary outdoor lighting plan may be submitted at Site Plan and then finalized before the issuance of a Building Permit for a structure or an Infrastructure Permit for site infrastructure improvements, as may be applicable.

Calculation Method: The outdoor lighting plan shall include:

Luminaire identification (model number) or equal equivalent, installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site that could affect the lighting outcome.

Site plan and Illuminance calculation plots demonstrating conformance with these Standards, including, but not limited to the sports lighting luminous-intensity Light Trespass limit.

Review: Review of the lighting plan shall be part of the standard review for, as applicable, a Site Plan, Infrastructure Permit, and building permit as those reviews are described in Chapter 2 of these Standards. The reviewers shall have the authority to refer an application to the MIDA Project Area lighting standards compliance consulting engineer.

Appeals: Any appeals related to decisions regarding outdoor lighting shall be made as part of the review processes described in the Site Plan, Infrastructure Permit or building permit sections set forth in Chapter 2 of these Standards.

Project Area Lighting Zone Map

Lighting Zone (LZ) Guidelines

LZ0: No Ambient Lighting
Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.
LZ1: Low Ambient Lighting
Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.
LZ2: Moderate Ambient Lighting
Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.
LZ3: Moderately High Ambient Lighting
Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.
LZ4: High Ambient Lighting

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

Full Cut-off Fixture Examples

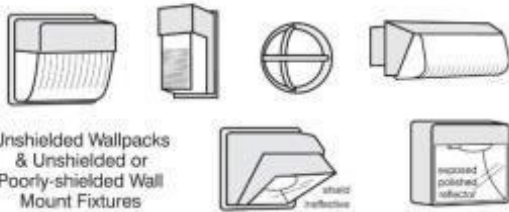
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

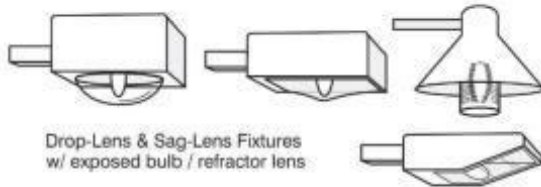
Fixtures that produce glare and light trespass



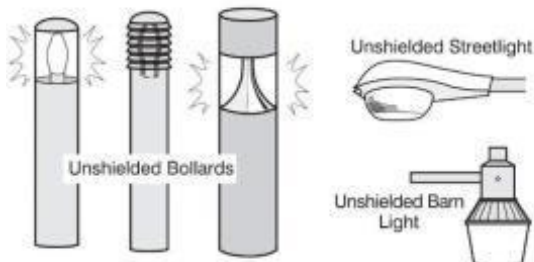
Unshielded Floodlights or Poorly-shielded Floodlights



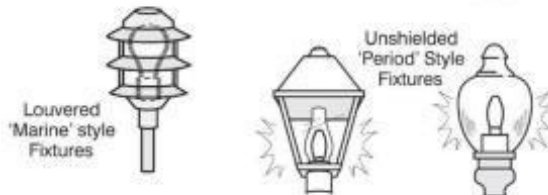
Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



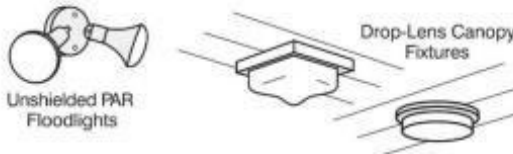
Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens



Unshielded Bollards



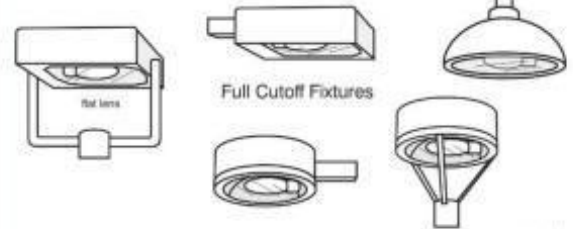
Louvered 'Marine' style Fixtures



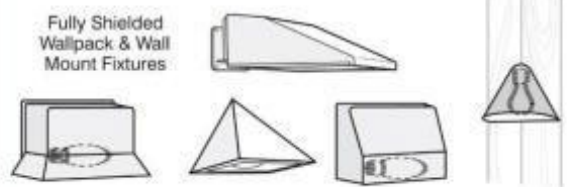
Unshielded PAR Floodlights

Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



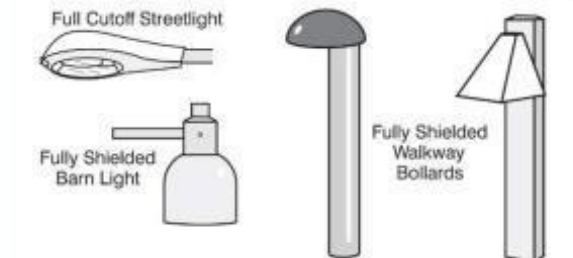
Full Cutoff Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



Fully Shielded Fixtures



Full Cutoff Streetlight

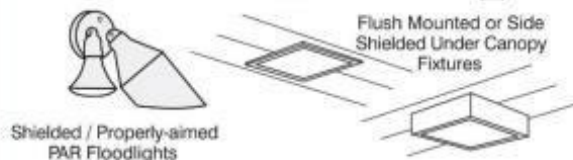
Fully Shielded Barn Light

Fully Shielded Walkway Bollards



Fully Shielded Decorative Fixtures bulb shielded in opaque top

Fully Shielded 'Period' Style Fixtures bulb shielded in opaque top



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

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Lighting Zone Tables

Table A – Allowed Total Initial Luminaire Lumens Per Site for Non-residential Outdoor Lighting, Per Parking Space Method

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B – Allowed Total Initial Luminaire Lumens Per Site for Non-residential Outdoor Lighting, Hardscape Area Method

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

Table B – Lumen Allowances, in Addition to Base Allowance

	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Tables C – Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

Table C-1 – Maximum Allowable Backlight (BUG) Ratings

TABLE C-1	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

* For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center-line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C-2 – Maximum Allowable Uplight (BUG) Ratings

TABLE C-2	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C-3 – Maximum Allowable Glare (BUG) Ratings

TABLE C-3	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D – Performance Method Allowed Total Initial Site Lumens

Lighting Zone	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

May be used for any project.

Table E – Performance Method Additional Initial Luminaire Lumen Allowances

All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1,000	2,000	4,000	6,000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF

Table E – Performance Method Additional Initial Luminaire Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF

Table E – Performance Method Additional Initial Luminaire Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table F – Maximum Vertical Illuminance at any point in the plane of the property line

Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G – Residential Lighting Limits

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not allowed	420 lumens	630 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not allowed	315 lumens	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not allowed	Not allowed	1,050 lumens	2,100 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not allowed	Not allowed	1,260 lumens	2,100 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not allowed	Not allowed	525 lumens	525 lumens	525 lumens

* Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in the luminaire.

5. CHAPTER FIVE — SIGNAGE

5.01 Signage Purpose and Intent

The purpose of this section is to regulate signage within the Project Area in a manner that supports wayfinding and operational identification while maintaining public safety and visual order. Signage standards are intended to accommodate uses within the Project Area.

5.02 Definitions

For purposes of this Chapter, common sign terminology shall follow standard planning and engineering definitions including monument sign, wall sign, wayfinding sign, directional sign, and temporary construction sign.

5.03 Permitted Signs

- A. The following signs are permitted subject to Site Plan approval:
1. Monument signs identifying campuses, major facilities and commercial facilities
 2. Wall signs mounted to buildings
 3. Wayfinding and directional signage
 4. Security and operational signage
 5. Temporary construction signage
 6. Traffic control signs

5.04 Sign Construction Standards

All permanent signs shall be constructed of durable materials and designed to withstand environmental exposure typical for the area and its surrounding uses.

5.05 Maintenance

All signs shall be maintained in safe condition and good repair. Damaged or deteriorated signs shall be repaired or removed.

5.06 Signs Not to Constitute a Traffic Hazard

Signs shall not obstruct visibility at intersections or create confusion with traffic control devices.

5.07 Prohibited Signs

- B. The following signs are prohibited:
1. Signs creating traffic hazards or distract drivers
 2. Flashing or strobe lighting unrelated to operational safety
 3. Signs obstructing required sight distance at intersections or curves
 4. Pole signs

5.08 Sign Approval

All permanent signage shall be reviewed as part of the Site Plan approval process.

6. CHAPTER SIX - ROADWAY DESIGN STANDARDS

6.01 Purpose

This Chapter establishes roadway design standards necessary to support the land uses within the Project Area.

6.02 Definitions

Roadway terminology shall follow accepted transportation engineering definitions, with deference to those found in the AASHTO and UDOT standards.

6.03 General Standards

- A. All roadway design shall conform to the following as applicable:
 - 1. American Association of State Highway and Transportation Officials ("AASHTO") Green Book on Roadway Geometry
 - 2. Utah Department of Transportation ("UDOT") standard specifications and details.
 - 3. MUTCD (11th Edition, Rev. 1, December 2025 or subsequent edition) traffic control.
 - 4. Americans with Disabilities Act Standards + Public Right of Way Accessibility Guidelines ("PROWAG").
 - 5. Utah State Fire Code fire apparatus access and water supply.

6.04 Roadway Design

Roadway design shall be in compliance with the AASHTO Green Book of Roadway Geometry and the UDOT Standard Specification and Details.

6.05 Emergency Access

Landowners shall provide for the emergency access routes to be maintained throughout the Project Area.

7. CHAPTER SEVEN - UTILITY DESIGN STANDARDS

7.01 Energy Interconnection Infrastructure

Facilities requiring electrical interconnection shall coordinate with regional transmission providers.

7.02 Fire Flow Requirements

Industrial fire protection systems shall be designed to provide adequate fire flow for industrial facilities and shall be approved by the fire department or district with jurisdiction over the property.

8. PROPERTY SPECIFIC DESIGN STANDARDS

8.01 UTNG Property

A. Permitted Uses

The following uses are permitted on UTNG Property within the Project Area, subject to compliance with these Standards and approval of the MDP, if applicable, Subdivision Plat, Site Plan, and Infrastructure Improvements. Permitted uses may include, but are not limited to:

1. Telecommunications infrastructure
2. Military or defense related uses
3. Industrial and manufacturing related uses
4. Energy storage facilities and systems, including battery storage or other energy storage technologies
5. Fuel infrastructure supporting permitted uses
6. Security infrastructure, including fencing
7. Industrial buildings
8. Logistics infrastructure
9. Medical and health facilities and hospitals
10. Environmental compliance facilities
11. Electrical substations, switching yards, and electrical interconnection facilities, and electrical transmission and distribution infrastructure

12. Manufacturing and industrial or manufacturing production facilities
13. Aerospace, defense, energy, industrial, electronic, power systems, and technology manufacturing
14. Research and development laboratories and technology buildings and infrastructure
15. Utility infrastructure including water, wastewater, stormwater, telecommunications, fiber systems, and water treatment and supply systems
16. Maintenance facilities and equipment service yards supporting permitted uses
17. Logistics facilities supporting permitted uses
18. Equipment yards
19. Administrative, operational, and support offices associated with permitted uses
20. Strategic Mineral extraction facilities and uses and pits, that comply with state law permitting requirements.
21. Retail, hotel, hospitality, recreation, mixed-use, residential.
22. Food and beverages and other uses that directly support the primary permitted use.

B. Conditional Uses

The following uses may be permitted on UTNG Property within the Project Area, subject to the issuance of a Conditional Use Permit as set forth in these Standards. Conditional Uses shall demonstrate compatibility with surrounding development, infrastructure capacity, operational safety standards, and the land use designations established in an approved MDP or Site Plan, if applicable.

1. Hazardous material processing or storage facilities, subject to compliance with state and federal regulation
2. Logistics or freight terminals serving energy or industrial operations
3. Temporary construction staging yards associated with major infrastructure or industrial projects
4. Specialized research or testing facilities involving industrial processes

C. Prohibited Uses

The following uses are prohibited on UTNG Property within the Project Area due to incompatibility with the permitted or conditional uses allowed on such land.

1. Landfills, solid waste disposal facilities, or waste transfer stations not directly supporting permitted uses and operations.

2. Uses not identified as a Permitted or Conditional Use.

8.02 Non-Military Property

D. Permitted Uses

The following uses are permitted on all Non-Military Property located within the Project Area, subject to compliance with these Standards. Permitted uses may include, but are not limited to:

1. Telecommunications infrastructure
2. Military or defense related uses
3. Security infrastructure, including fencing
4. Logistics infrastructure
5. Healthcare facilities
6. Research and development laboratories and technology buildings and infrastructure
7. Utility infrastructure including water, wastewater, stormwater, telecommunications, fiber systems, and water treatment and supply systems
8. Administrative, operational, and support offices associated with permitted uses
9. Private business offices
10. Retail, hotel, hospitality, recreation, mixed-use, residential.

E. Conditional Uses

The following uses may be permitted on all Non-Military Property located within the Project Area and which are subject to compliance with these Standards. And subject to the issuance of a Conditional Use Permit as set forth in these Standards. Conditional Uses shall demonstrate compatibility with surrounding development, infrastructure capacity, operational safety standards, and the land use designations established in an approved MDP, if applicable.

1. Commercial businesses.
2. Industrial or manufacturing facilities.

F. Prohibited Uses

The following uses are prohibited on all Non-Military Property in the Project Area. due to incompatibility with the permitted or conditional uses allowed on such land.

1. Landfills, solid waste disposal facilities, or waste transfer stations not directly supporting permitted uses and operations.

- 2, Adult businesses and uses.
3. Uses not identified as a Permitted or Conditional Use.

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2026-19

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN MIDA AND THE NORTH DAVIS FIRE DISTRICT

WHEREAS, the Military Installation Development Authority (“MIDA”) is an independent, nonprofit, separate body corporate and politic of the State of Utah, created pursuant to Chapter 1, Title 63H, Utah Code Annotated 1953, as amended (the “MIDA Act”); and

WHEREAS, pursuant to the MIDA Act, MIDA created the Falcon Hill Project Area, which includes certain property in and around Hill Air Force Base; and

WHEREAS, pursuant to the MIDA Act, MIDA exercises exclusive police power within the Falcon Hill Project Area and may enter into agreements with political subdivisions of the State for the provision of municipal services within a project area; and

WHEREAS, on or about July 1, 2016, MIDA entered into an Interlocal Cooperation Agreement (the “Original Agreement”) with the North Davis Fire District (the “District”) for the provision of fire protection, emergency rescue medical services, fire code enforcement, and development plan review services within the Phase 1 MIDA Service Area at the Falcon Hill Project Area; and

WHEREAS, since the execution of the Original Agreement, Hill Air Force Base has relocated its security fence, and MIDA has assumed jurisdiction over additional property within the Falcon Hill Project Area beyond the original Phase 1 Service Area; and

WHEREAS, the Parties now desire to amend the Original Agreement to (a) extend the term for an additional ten (10) years, through June 30, 2036, (b) expand the Service Area to encompass the entire Falcon Hill Enhanced Use Lease (EUL) boundary, consistent with the service area change provisions of Section 5 of the Original Agreement, and (c) establish a new compensation structure for the District’s services within the expanded Service Area; and

WHEREAS, the MIDA Board has reviewed the proposed First Amendment to the Interlocal Cooperation Agreement (the “First Amendment”), a copy of which is attached hereto as Exhibit 1, and has determined that approval and execution of the First Amendment is in the best interest of MIDA and the Falcon Hill Project Area;

NOW, THEREFORE, BE IT RESOLVED BY THE MIDA BOARD as follows:

Section 1. Approval. The First Amendment to the Interlocal Cooperation Agreement between MIDA and the North Davis Fire District, in substantially the form attached hereto as Exhibit 1, is hereby approved.

Section 2. Authorization. The Executive Director, or designee, is hereby authorized and directed to execute and deliver the First Amendment on behalf of MIDA, with such minor and conforming changes as the Executive Director, in consultation with MIDA General Counsel, may determine to be

necessary or appropriate, and to take all other actions and execute all other documents necessary or convenient to carry out the intent and purposes of this Resolution.

EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED by the MIDA Board this 20th day of August 2026.

Military Installation Development Authority

J. Stuart Adams
Chair

Attest:

Records Officer

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2026-20

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY ("MIDA") BOARD APPROVING A DONATION OF \$100,000 TO THE USS UTAH COMMISSIONING COMMITTEE, A 501(c)(3) NONPROFIT ORGANIZATION, IN SUPPORT OF THE COMMISSIONING OF THE USS UTAH (SSN-801)

WHEREAS, the Military Installation Development Authority ("MIDA") is an independent, nonprofit, separate body corporate and politic of the State of Utah, created pursuant to Chapter 1, Title 63H, Utah Code Annotated 1953, as amended (the "MIDA Act"); and

WHEREAS, pursuant to the MIDA Act, MIDA is a political subdivision and public corporation of the State of Utah whose purpose is to facilitate the development of land within a project area or on military land associated with a project area, including the ongoing operation of facilities within a project area; and

WHEREAS, pursuant to Section 63H-1-201(3)(e), Utah Code, MIDA has the power to sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal property; and

WHEREAS, the USS Utah (BB-31) was a Florida-class dreadnought battleship commissioned on August 31, 1911, which served the United States Navy with distinction through the Mexican Revolution, the First World War, and as a training and target ship in the years preceding the Second World War; and

WHEREAS, on the morning of December 7, 1941, while moored at Berth Fox-11 off Ford Island at Pearl Harbor, the USS Utah (BB-31) was struck by two Japanese aerial torpedoes in the opening minutes of the surprise attack, causing the vessel to capsize and sink, resulting in the loss of 58 crewmen, including Chief Watertender Peter Tomich, who was posthumously awarded the Medal of Honor for his heroism in remaining below decks to ensure the boilers were secured and his shipmates could escape; and

WHEREAS, the hull of the USS Utah (BB-31) remains at Pearl Harbor to this day as a designated National Historic Landmark and memorial, often referred to as "The Forgotten Ship of Pearl Harbor," and stands as a solemn reminder of the sacrifice of those who served aboard her; and

WHEREAS, the USS Utah (SSN-801) is a Virginia-class nuclear-powered fast attack submarine currently under construction at the General Dynamics Electric Boat shipyard in Groton, Connecticut, and is the second United States Navy vessel to bear the name of the State of Utah; and

WHEREAS, the Secretary of the Navy announced the naming of SSN-801 as the USS Utah on September 28, 2015, at a ceremony in Salt Lake City, Utah, and the Navy specifically selected hull number "801" to correspond with the historical telephone area code of Utah; and

WHEREAS, the keel of the USS Utah (SSN-801) was laid on September 1, 2021, and the vessel was christened on October 25, 2025, with the commissioning expected in the first half of 2027, at which time the submarine and her crew of approximately 135 officers and enlisted personnel will enter active service in the United States Navy's submarine fleet; and

WHEREAS, the USS Utah Commissioning Committee (the "Committee") is a 501(c)(3) nonprofit organization established to inform the people of Utah about the USS Utah and its role in protecting our nation, to support the commissioning of the vessel, to provide financial support for educational, ceremonial, operational, and quality-of-life enhancements not provided by the Navy, and to promote lasting relationships between the people of Utah and those who serve aboard her namesake ship; and

WHEREAS, the Committee's mission directly supports military readiness, community engagement, and the enduring connection between the State of Utah and the military installations and personnel that MIDA was created to serve; and

WHEREAS, MIDA's donation to the Committee is consistent with MIDA's core statutory purpose of supporting military installations and the military personnel associated with them, and furthers the public interest by strengthening the relationship between the State of Utah and the United States Navy; and

WHEREAS, the MIDA Board has determined that a donation of One Hundred Thousand Dollars (\$100,000) to the Committee is an appropriate and authorized expenditure of available funds in furtherance of MIDA's military support mission and is in the best interest of MIDA and the State of Utah;

NOW, THEREFORE, BE IT RESOLVED BY THE MIDA BOARD as follows:

Section 1. Findings. The MIDA Board hereby finds and determines that: (a) the USS Utah Commissioning Committee is a 501(c)(3) nonprofit organization whose mission is consistent with MIDA's statutory purpose of supporting military installations and military personnel; (b) a donation to the Committee furthers MIDA's core functions and powers as described in Section 63H-1-201, Utah Code, by supporting services and activities for use by a military installation and its personnel; and (c) the donation is an appropriate and authorized expenditure of MIDA funds.

Section 2. Approval of Donation. The MIDA Board hereby approves a donation in the amount of One Hundred Thousand Dollars (\$100,000) to the USS Utah Commissioning Committee, a 501(c)(3) nonprofit organization, in support of the commissioning of the USS Utah (SSN-801) and the Committee's related educational, ceremonial, and community engagement activities.

Section 3. Authorization. The Executive Director, or designee, is hereby authorized and directed to effectuate the donation approved in Section 2, and to take all other actions and execute all other documents necessary or convenient to carry out the intent and purposes of this Resolution, with such minor and conforming changes as the Executive Director, in consultation with MIDA legal counsel, may determine to be necessary or appropriate.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED by the MIDA Board this 20th day of August 2026.

Military Installation Development Authority

J. Stuart Adams
Chair

Attest:

Records Officer