Title 9 – Land Management Code

Chapter 12

DESIGN STANDARDS FOR CONSTRUCTION AND DEVELOPMENT

9-12-1: PURPOSE:

To enhance our mountain community, the regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the regulations appearing elsewhere in this title. (Ord. 08-016, 8-12-2008)

9-12-2: LOT STANDARDS:

A. Minimum Area, Dimensions: The minimum area and dimensions of all lots shall conform to the requirements of the zone district in which the lot is located.

B. Frontage: Except as otherwise provided herein, all lots or parcels created by subdivision shall have frontage upon a dedicated street improved to standards hereinafter required. Land designated as public right of way shall be separate and distinct from lots adjoining such right of way and shall not be included in the area of such lots.

C. Developable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon. A subdivision shall not create lots and no building permit shall be issued for any lots that would make building or access impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions, except where such lots are suitable and dedicated for a common open space, private utility or public purpose.

D. Side Lines: The side lines of all lots, so far as possible, shall be at right angles to each street on which the lot faces, or approximately radial to the center of curvatures. Exceptions may be made to this requirement for considerations such as solar orientation, grades, line of site or other traffic safety issues.

E. Corner Lots: Corner lots for residential use shall be platted wider than interior lots in order to permit conformance with the required front setback requirements along all streets bordering such lots.

F. Lot Lines: A town or zoning boundary line shall not divide a lot. Lot lines shall be made along such boundary lines. Zoning boundaries shall generally follow the lot lines and centerline of the public right of way.

G. Lot Numbers: Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision with no omissions or duplications; no block designations shall be used. Phased subdivisions shall maintain continuous numbering throughout all phases.

H. Number Of Dwelling Units Permitted: The number of dwelling units shall be in compliance with chapter 7 of this title.

I. Area Of Lot: The area within a lot shall not be considered as providing a yard or open space for any other building or lot.

J. Minimum Area Maintained: No area needed to meet the minimum width, yard area, coverage, parking or other requirements of this title for a lot or building may be sold or leased away from such lot or building for the purpose of installing any kind of structure.

K. Contiguous Lots: Except as otherwise provided in this title, all lots must be contiguous.

L. Frontage On Private Streets: Lots with frontage on private streets shall only be allowed by conditional use within a planned unit development with an approved master development plan and subject to all applicable requirements of this title and other applicable ordinances. (Ord. 08-016, 8-12-2008)

9-12-3: DEVELOPMENT DESIGN AND LAYOUT:

A. Hazardous Site Conditions Avoided: The design of the development shall avoid or fully mitigate hazardous site conditions (unstable slopes, geologic faults, seismic zones, wildland fire, avalanche or flood potential, etc.).

B. Drainage: Drainage from individual lots shall be coordinated with the general storm drainage pattern for the area and shall avoid conveying to adjacent lots runoff flows higher than historic patterns.

C. Centrally Located Recreation Facilities: Recreation facilities should be located central to all residents of the development whenever possible.

D. Access: All lots should have reasonable access to open space, trails, park land or recreation facilities that are set aside for either development use or use by the general public.

E. Trails And Open Space Access: Access to public trails and open space abutting the property shall be provided.

F. Extension Of Infrastructure: Public utilities, streets and other public infrastructure shall extend to the farthest border of the development to allow for future development to continue.

G. Maintenance Of Common Facilities: Maintenance of common facilities must be accomplished through CC&Rs, a homeowners' association, a separate maintenance agreement, or some other perpetual agreement to ensure that sufficient funds are collected for this purpose.

H. Layout: The layout of lots should provide desirable settings for structures by making use of natural contours, maintaining views, affording privacy, and providing protection from wind, noise and vehicular traffic.

I. Development Design: Development design should provide for efficiency in the installation and provision of all public and private utilities and services.

J. Preservation Of Features: Where trees, groves, waterways, scenic points, historic spots or other town assets and landmarks exist, as determined by the town, every possible means shall be provided to preserve these features. The development is encouraged to maintain a minimum of twenty percent (20%) of the lot area in natural vegetation in order to preserve the natural environment and topography or demonstrate to the Planning Commission satisfaction that an alternate plan will satisfy this intent. Undisturbed natural vegetation areas that are shown on the approved plan shall be properly marked and protected against damage.

K. Placement Of Buildings: The placement of buildings shall be designed to preserve the natural terrain, drainage, existing topsoil, tree groupings, large trees and large rocks as much as possible so as to screen the building and parking areas from public view.

L. Removal Of Hazardous Materials: Trees, brush, deadfall, natural vegetation or combustible materials shall be removed and maintained at least fifteen feet (15') from structures as a defensible space for firefighting purposes. Additional area may be required by the public safety department. Fire resistant plant materials may be planted in the defensible space as approved by the public safety department.

M. Building Placement: Building placement should be considerate of the following:

1. Preserving views of nature, creating a comfortable pedestrian environment with outdoor spaces that do not feel "boxed in" from tall buildings surrounding the space that create a "canyon effect";

2. Sun and shade areas to enhance the seasonal experience, and make best use of environmental conditions for snow melting, outdoor seating areas and building efficiency;

3. Service and delivery areas should be screened from public areas and provide sufficient room for vehicular movement;

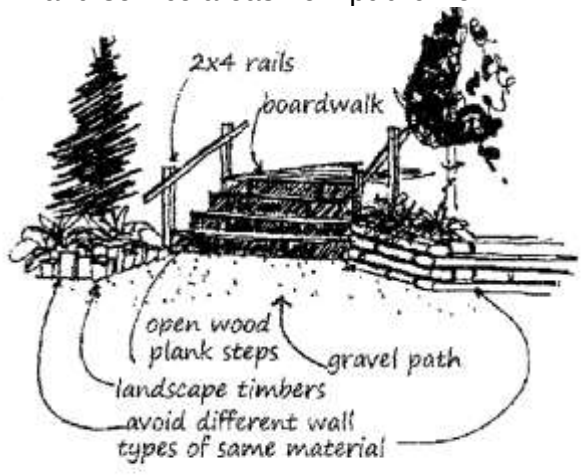
4. Pockets and enclosures are encouraged to create "outdoor rooms" adjacent to buildings, pedestrian traffic and recreation areas. These spaces should blend with the topography, have varied floor heights to add interest, incorporate vegetation and plantings, and incorporate both open and covered space for multi-seasonal use. (Ord. 08-016, 8-12-2008)

9-12-4: CONSTRUCTION ON SLOPES EXCEEDING TWENTY FIVE PERCENT:

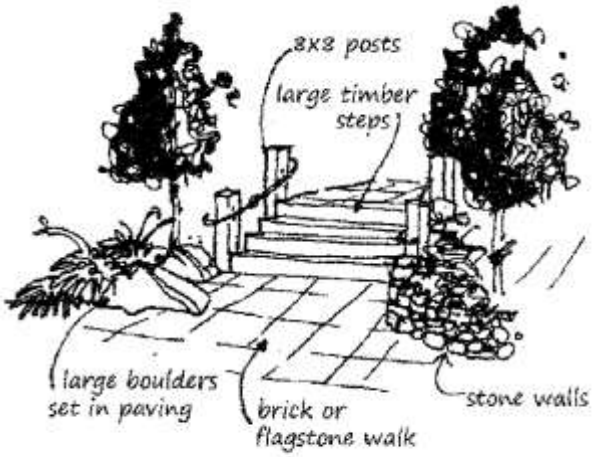
Lots with the building or disturbance area identified on slopes of twenty five percent (25%) (14 degrees) to forty percent (40%) (21.8 degrees) warrant especially close review to assure that all grading, retaining wall, cut/fill and road/driveway grade standards will meet the requirements of this title and currently adopted building codes. Construction or lot disturbance shall not take place on slopes exceeding forty percent (40%) (21.8 degrees), except for lots legally subdivided prior to the adoption date hereof. The design shall minimize lot disturbance and removal of existing vegetation, and provide erosion protection. (Ord. 08-016, 8-12-2008)

9-12-5: LANDSCAPING AND FENCES:

A. Purpose: Development shall attempt to blend with the natural terrain and to preserve drainage/waterways, existing topsoil, tree groupings, large trees and rocks. Landscaping design shall provide for new trees, shrubs and vegetation to screen buildings, parking lots and service areas from public view.



UNDESIRABLE LANDSCAPE MATERIALS



DESIRABLE LANDSCAPE MATERIALS

B. Landscaped Areas Of Development:

1. Shall incorporate natural, informal landscape design, rather than formal, geometric patterns.

2. Create buffer zones between adjacent uses and screen parking, service and equipment areas from view within and between developments through the use of extensive tree, shrub and natural grass planting.

3. Preserve natural vegetation, rock outcroppings and other natural features to blend the new development to the natural environment.

4. Incorporate paths, trails and gathering areas into the natural environment and use materials that blend with the area, such as timbers, pavers, colored concrete, boulders, etc.

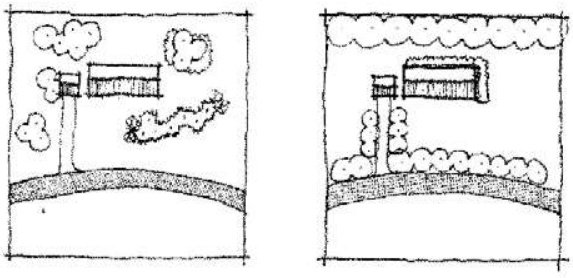
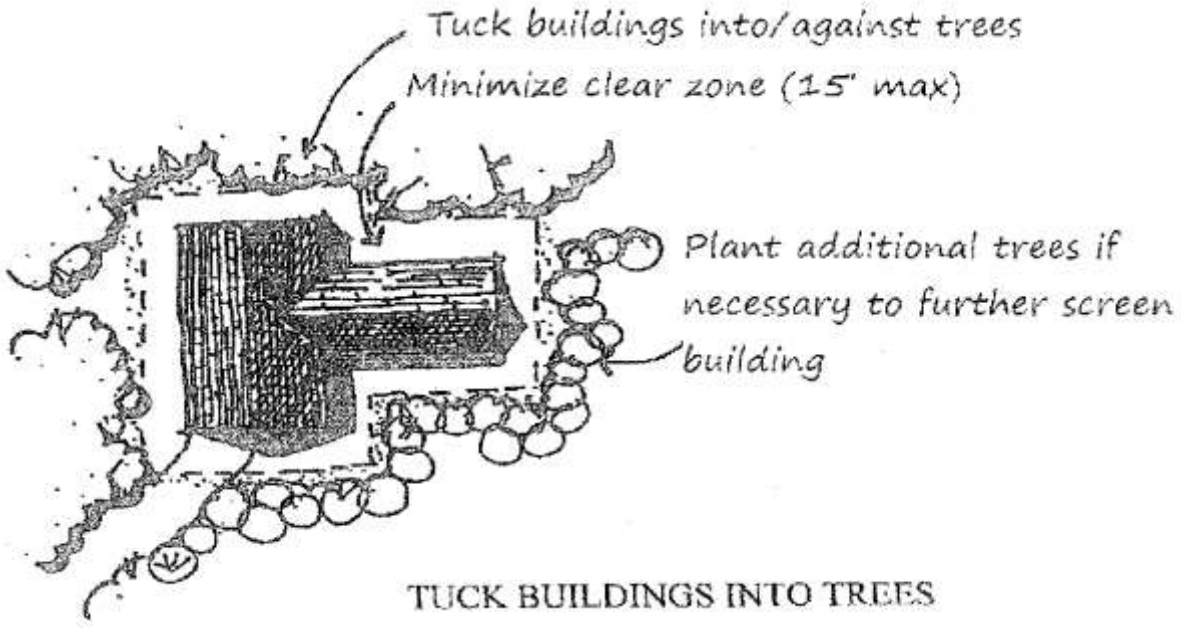


Figure 11.1: Informal planting (left) is preferred. Formal planting (right) is discouraged in Brian Head.



TUCK BUILDINGS INTO TREES

C. Fences: Fences and gates should be avoided to preserve a sense of openness and continuity. When fences are implemented for landscaping, safety, animal containment, or privacy they shall comply with the following:

1. Fences and gates shall be set back at least ten feet (10') behind the building front facade.

2. Perimeter fencing of a property is prohibited without specific Planning Commission approval.

3. Fences shall not exceed four feet (4') in height, except where required for safety reasons (swimming pool and attractive nuisances) or where necessary to meeting screening requirements or where not visible from off site. (Ord. 08-016, 8-12-2008 amd Ord. 15-018, 12-8-2015)

4. Fence materials shall be wood, timbers, rock or materials indigenous to the area. Wrought iron fencing should be used primarily at swimming pools and painted or treated to blend in with the surrounding environment or building facade.

5. Vegetation should be planted in and around fencing to soften the appearance except where no visible from off site. (Ord. 08-016, 8-12-2008 amd Ord. 15-018, 12-8-2015)

6. Inappropriate wall and fence materials are railroad ties, stucco, chain-link, concrete blocks and vinyl. Use of these or similar materials must be consistent with the General Plan and approved by the Planning Commission. (Ord. 08-016, 12-2008, amd Ord. 16-007, 12-8-2016).

9-12-6: LIGHTING:

It is the intent of this section to encourage lighting practices and systems which will minimize light pollution, glare and light trespass, and will conserve energy while maintaining nighttime safety, utility, security and productivity. All light fixtures, including security lighting, except streetlamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source.

A. Building And Yard Lighting: Outdoor lights shall be designed and installed to reduce and eliminate light pollution, shall be conducive to preserving night sky quality, and to the following standards:

1. Yard lighting fixtures and lamps may be selected by the property owner. To reduce light pollution, the fixtures shall be mounted to the building or of a pole type that directs light towards the ground and focuses on the object to be lit. The fixture shield shall provide a sharp cutoff to prevent spillover lighting of the surrounding area and/or the sky.

2. Such fixtures shall be located to prevent or avoid damage from roof snowshed or snow removal equipment. The lighting fixture shall be located between twelve feet (12') and six feet (6') in height above finished grade of the public sidewalk, walking surface or driveway.

3. Each fixture shall be not more than two hundred fifty (250) watts per fixture (standard incandescent bulb, or equivalent luminance florescent bulb), and fixtures shall be spaced sufficiently to provide adequate light as required by the building code.

4. Parking lot lights, yard lights, or both, may be required for multi-family, commercial and industrial projects. The Planning Commission shall review the proposed lighting plan of a project to determine that it meets the minimum lighting requirement for safety while maintaining sensitivity to night sky preservation.

B. Subdivision Lighting:

1. Subdivision plans shall provide for the minimum lighting of all street intersections and cul- de-sacs over three hundred feet (300') in length.

2. At the option of the town, additional streetlights along the public right of way may be required. Said streetlights, when required, shall conform to the streetlight requirements of this chapter and the town public works standards.

3. In commercial, industrial and all other nonresidential subdivisions, streetlights, yard lights, or both, shall be required. The town shall have the discretion to determine the appropriate lighting for each subdivision. Said streetlights and yard lights shall conform to the requirements of this section.

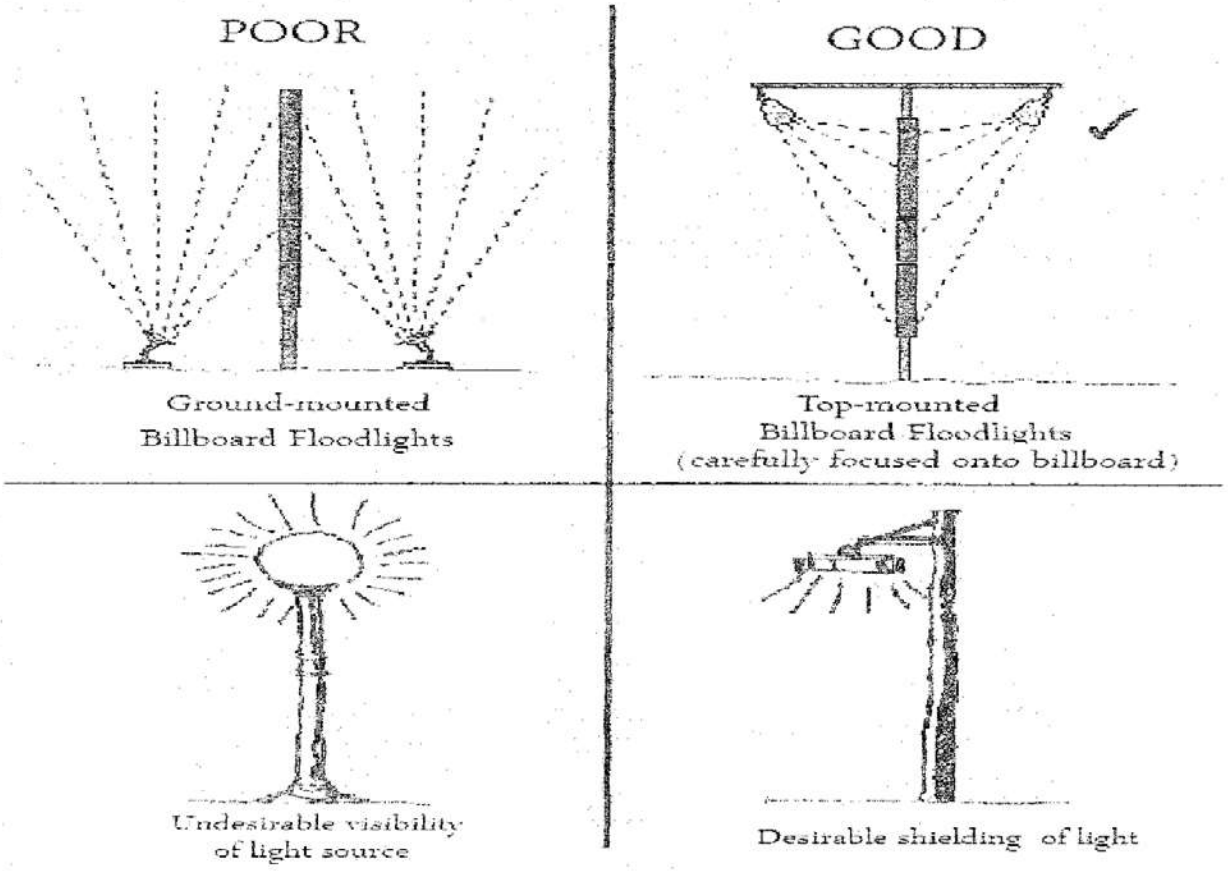
4. Subdivision plans shall include the location, height and overhang of each light.

5. Subdivision plans shall include the size of lights in watts and type of luminator, and where practicable, the most energy efficient luminators shall be used.

6. Subdivision plans shall include a drawing or photograph of the typical streetlight and standard proposed and the location of energy meter, switches, cutoffs, etc., if any.

Exception: The subdivision lighting requirements noted in this subsection shall not apply where it has been determined by the town that such lighting would adversely affect the Cedar Breaks Monument, and where a written agreement to that effect has been reached between the Town Council, Planning Commission, and the Cedar Breaks Monument staff.

EXAMPLES OF SOME COMMON LIGHTING FIXTURES



(Ord. 08-016, 8-12-2008)

9-12-7: BUILDINGS:

A. Purpose: All buildings and structures are to blend into and be in harmony with surrounding natural vegetation patterns and landforms of the mountain setting. Buildings are to be located to minimize tree removal and site disturbance, while being oriented to the outdoor lifestyle and weather and climate conditions. Buildings are to be constructed primarily of natural and indigenous building materials while minimizing the use of manmade materials such as stucco, plastic and metal to locations such as windows, trim, roofing and areas subject to weather damage. Existing structures are encouraged to remodel or modify their appearance to comply with the following requirements.

B. Architectural Design And Style: Buildings should implement a rustic composition such as the craftsman, historic mountain lodge, log cabin or national park style architecture that will blend with the mountain setting, as well as topography, landscape and natural environment found in and around that site. These styles include gabled roofs, exposed rafters and beams, and multi-paned windows reflective of a sturdy structure. Building materials shall include large wooden beams and timbers, stone covered columns, chimneys, and foundation and exterior wall materials reflecting simple, rustic design.

C. Height:

1. Building heights are specified in each zone district.

2. Public and quasi-public utility buildings, when authorized in a district, may be erected to a height greater than the zone district height limit by obtaining a conditional use permit.

3. No dwellings shall be erected to a height less than one story above grade, unless specifically designed and approved as an earth sheltered structure.

D. Mass, Scale And Composition:

1. Building mass and scale should be sensitive to the site and surrounding structures in the neighborhood so as not to stand out or draw attention away from the natural environment.

2. Rooflines, foundations and walls shall have steps, offsets and architectural features to follow existing slopes and reduce mass. Multi-unit structures should appear to be a cluster or collection of individual masses so as not to create the appearance of stacks or rows of identical "products".

E. Roofs:

1. Single and double gabled roofs are permitted with hips and sheds used on smaller sections, secondary roofs or dormers. Flat roofs are discouraged.

2. Wood shake shingles are prohibited.

3. Roof pitches should range between four to twelve (4:12) and twelve to twelve (12:12).

4. Valleys, dormers, rain gutter and associated roof features should be designed with consideration to retention of snow on the roof. Care should be taken to avoid ice dams and snow sliding that may damage roofing materials or landscaping and building elements below. Special consideration should be given to protecting public entries, patios and balconies, where the weight of falling snow may damage such structures and endanger human life.

F. Exterior Walls:

1. Exposed foundations under four feet (4') in height may be rubbed or finished in natural grey color. Walls over four feet (4') must be covered in stone, wood or similar materials to blend with the rest of the structure, and must be resistant to snow piling and water damage.

2. Building wall finish shall include full log or log faced siding, stone (cultured or natural), wood shingles, horizontal wood or cement board siding (textured to simulate wood grain), board and batten siding. Consistent with the rustic composition architectural style as identified in subsection B. Stucco, milled wallboard, brick, non-reflective metal, vinyl siding or similar material should be used in limited quantities and not as a predominant exterior wall covering. Reflective metal is not permitted. (amd. Ord. 16-007, 12-8-2016).

G. Colors:

1. Exterior building colors should be subdued, complementary colors found in the natural landscaping. Browns, greys and greens are encouraged for large mass areas. Trim colors of golds, reds, blues and greens in darker shades found in or around the site are permissible as long as they blend with the overall building design and do not create a strong contrast. Buildings or building materials that stand out against the landscape because of color or light reflection are prohibited.

2. Roof colors should resemble natural earth tone hues that blend with the surrounding landscape. Reflective materials shall not be used. Bright red, bright blue, bright green, bright white, bright cream or similar colors that stand out from the surrounding landscape, or draw attention to the structure, shall not be used.

H. Windows And Doors:

1. Large glass surfaces should have features (structural or grid) that break the window up into multi-pane units.

2. Large windows and doors should be recessed and/or shaded by eaves, overhangs, decks or similar architectural features that reduce glare and reflection.

3. Window and door frame colors shall comply with subsection G of this section.

4. Glass shall not create a mirrored finish, but may be treated or coated to control solar heat gain.

5. Windows and doors should be trimmed or framed by wood, timber, wood shutters, stone or wood lintels and sills that are of a scale, color and mass that reflect styles such as the craftsman, historic mountain lodge, log cabin or national park style architecture.

I. Design Factors: Snow loads, fire standpipes, provisions for handicapped, elevator emergency requirements, footing specifications and house address: Requirements for these design factors are defined in the building codes currently adopted by the state, with specific design criteria available from the town building department. Building addresses shall be assigned by the town. (Ord. 08-016, 8-12-2008)

J. Accessory Structures: A non-habitable structure, subordinate to and located on the same lot with a primary structure, the use of which is clearly incidental to that of the main building or to the use of the land, and which is not attached by any part of a common wall or common roof to the main structure. In addition to meeting requirements A through H of this Section, accessory structure must meet the following requirements:

1. Must be detached from the primary structure and have a minimum of ten feet (10') of clearance from other structures.

2. Cannot be used as a habitable space.

3. Structure cannon be located within the setback (notwithstanding, setback exceptions that apply to the primary structure as outlined in chapter 7 of this title, in the applicable zone, also apply to accessory structures).

4. Must meet snow load requirements.

5. Required to have footings or foundation for accessory structures over 450 square feet.

6. Structures being used as a garage for vehicle storage must meet all applicable International Building Code requirements.

7. No more than three (3) accessory structures are allowed on a single lot of up to one (1) acre. Additional accessory structures may be allowed on lots larger than one acre, not to exceed two (2) accessory structures per additional acre.

8. Except for a building accessory to an agricultural use, the footprint of an accessory structure must not exceed fifty percent (50%) of the footprint of the primary structure. In no case shall an accessory structure exceed 3,000 square feet in footprint.

9. Maximum height of accessory structures in limited by the area of the structure as follows:

   a. 0 – 200 square feet, 12 feet maximum height.

   b. 201 – 400 square feet, 16 feet maximum height.

   c. 401 – 1,000 square feet, 19 feet maximum height.

   d. 1,001 – 1,500 square feet, 25 feet maximum height.

e. 1,501 square feet and above, maximum height determined by Planning Commission review, but shall in no case exceed thirty feet (30').

(Ord. 15-018, 12-8-2015)

f. If the proposed accessory structure sits at a lower elevation than the primary structure, an addition of one foot (1') of height may be allowed for each one foot (1') of elevation difference up to five feet (5') of additional height following a determination of the Planning Commission that the height of the accessory structure does not conflict with the General Plan or detract from the intended character of the zone.

g. Under no circumstances shall an accessory structure exceed 80% of the height of the primary structure.

(Ord. 17-006, 8-8-2017)

9-12-8: CONSTRUCTION DEBRIS REMOVAL:

All building/construction sites shall provide debris removal sufficient to facilitate the regular cleanup and removal of construction debris from the site. The debris container or containment area must prevent debris from being blown off the property and screen the debris/garbage from public view or maintain the material in a neat orderly manner. It may not become a fire hazard or nuisance to the public or attract vermin. Failure to comply with this section may result in the suspension of building permits, fines or other such appropriate penalties. (Ord. 08-016, 8-12-2008)

9-12-9: ROADS:

A. Road Layout And Geometry:

1. The design and arrangement and construction of all roads, public and private (unless otherwise provided), shall be in conformance with the town public works standards, the provisions of this title, and the town design standards.

2. Road systems shall provide efficient internal circulation and reasonable access to public highways, minimize congestion and unsafe conditions, and be in conformance with the town General Plan.

3. The arrangement of roads shall provide for the continuation of roads between adjacent properties when the continuation is necessary for the convenient movement of traffic, pedestrians, emergency or maintenance vehicles, or the efficient provision of utilities. Proposed streets shall be continuous and in alignment with existing planned or platted streets with which they are to connect.

4. Roads shall be designed in compliance with applicable codes to provide emergency access and egress for residents and occupants; which should encourage two (2) or more points of access to a development or neighborhood wherever possible.

5. Where the potential traffic impacts on the existing street systems are considered to be great, or in the case of unique circumstances concerning topography or street layout, the subdivider may be required to prepare a detailed engineering study of the road system.

6. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. No intersection may be closer than one hundred fifty feet (150') to any other intersection as measured from the centerlines of the intersections.

7. Where a road does not extend to the boundary of the development and its continuation is not required, its terminus shall provide for a cul-de-sac or turnaround as required by the town public works standards or applicable building codes.

8. Protection strips reserved to control or restrict access to a property shall be utilized only where the reserve strip is deeded to and accepted by the town.

9. Public or private roads must provide legal access to each building lot within the subdivision.

10. Curbs, gutters and sidewalks shall be of a type approved by the town public works standards on any existing or proposed street adjoining a lot on which a building is to be constructed or remodeled, or on which a new use is to be established. All materials and workmanship shall be sensitive to appearance and durability, due to a harsh weather climate. Such curbs, gutters and sidewalks may be required as a condition of building or use permit approval.

11. Excessively long and straight streets which are conducive to high speed traffic shall be prohibited.

12. Every cul-de-sac and permanent dead end street shall comply with the following requirements:

    a. End at a turnaround area having a radius no less than fifty feet (50') and be of hard surface material;

    b. Not exceed eight hundred feet (800') in total length, unless additional turnaround areas (each having at least a 50 foot radius) are also provided at intervals of no less than eight hundred feet (800') throughout the length of such cul-de-sac or permanent dead end street.

    c. Hammerhead turnaround areas may be allowed in special circumstances when recommended by the public safety department and approved by the land use authority.

13. Temporary dead end streets, intended as access to future development parcels, shall be a minimum of one lot depth in length and shall meet all of the other requirements for permanent dead end streets set forth in subsection A12 of this section.

14. Driveways, mailboxes, fire hydrants and all other obstructions at such turnaround areas shall be designed in such a way as to provide an area for snow storage.

15. Road edges shall be:

a. Finished and landscaped to eliminate raw cuts in the land;

b. Cuts shall be graded to provide for vegetation, without damaging existing vegetation and trees;

c. Re-vegetated on road edges and cuts;

d. Constructed to support a vehicle;

e. Riprapped and graded to reduce erosion in drainage ways;

f. Constructed to provide driveway and road swales or culverts to protect intersections.

16. Retaining soils on roadways shall comply with section 9-12-11 of this chapter.

B. Road Grades:

1. Road grades shall be in compliance with the town public works standards, the building codes currently adopted by the state and this code.

2. All road grades greater than twelve percent (12%) (6.8 degrees) shall be submitted for approval to the land use authority with the recommendation of the town staff.

3. Intersections, switchbacks, hammerheads and cul-de-sacs shall not exceed a four percent (4%) grade. Roadway sections extending from these areas shall not exceed ten percent (10%) for a distance of at least two hundred feet (200').

4. Roadway sections exceeding ten percent (10%) (5.7 degrees) shall be no longer than four hundred feet (400') in length and at the bottom of such section shall be provided a straight "braking section" less than ten percent (10%). The length of the braking section must be at least one-half ($^1/_2$) of the length of the roadway that exceeds the ten percent (10%) (5.7 degrees) grade.

C. Private Road Maintenance: A maintenance plan must be established to the satisfaction of the Town Manager, or designee, before a private road may be approved. The plan shall define private road construction, surface material and schedule of maintenance, and ensure that sufficient funds will be available to maintain the road.

D. Street Names:

1. Street names shall be proposed by the developer and/or citizen and approved by the land use authority, with the recommendation of town staff. (Ord. 08-016, 8-12-2008, amd Ord. 15-018, 12-8-2015)

2. Developers or citizens are encouraged to do an investigation of local history regarding the names and references to geological and historical features located in the

subdivision and, wherever possible, to incorporate the historical names and references into the names and designations of streets. (Ord. 08-016, 8-12-2008)

3. The town may change the name of a street without petition or after petition by a property owner under the following conditions:

    a. A notice of the hearing is:

        i. Published;
            a) In a newspaper of general circulation in the county once per week for four consecutive weeks before the hearing; and

            b) On the Utah Public Notice Website created in Section 63F-1-701 UCA, for four consecutive weeks prior to the hearing; and

        ii. Posted in three places for four consecutive weeks prior to the hearing; and

        iii. Mailed to all owners of property abutting the town road.

4. All street names must be coordinated with the appropriate county official. (amd. Ord. 15-018, 12-8-2015)

9-12-10: DRIVEWAYS:

The following shall apply to all driveways connecting the public right of way to a private or public parking lot or structure:

A. When Approval Required: Driveways exceeding one hundred fifty feet (150') in length and/or twelve percent (12%) (6.8 degrees) grade must be approved by the director of public safety and/or designee.

B. Driveway Standards:

Standards	Residential Single-Family Dwelling (SFD)	Commercial (All Others)
Minimum width	16 feet (4 or fewer units)	20 feet (one-way); 24 feet (two-way)
Maximum width at street line	24 feet	36 feet
Maximum number of driveway accesses per lot	1 per each 100 feet of frontage (or fraction thereof), maximum 2 interior, 3 corner	1 per each 200 feet of frontage (or fraction thereof)
Driveway angle to street	45 degree - 90 degree	70 degree - 90 degree

Snow storage	Maintain clear view at intersection	Maintain clear view at intersection
Drainage	May not drain to road surface	To approved storm drain collection system
Retaining walls	May extend into public right of way with town staff approval	May extend into public right of way with town staff approval

(Ord. 08-016, 8-12-2008, amd Ord. 16-007, 11-8-2016)

C. Surface Material: Hard surface is required in commercial and multi-family residential zones. Other materials that make the surface effectively hard but aren't asphalt or concrete may be used with the approval of the Planning Commission. All weather surface may be used for overflow parking (parking in excess of the requirement) as well as in all other zones. (Ord. 16-007, 11-8-2016)

9-12-11: CUTS, FILLS AND RETAINING WALLS:

A. Purpose: Because of the dramatic visual impact of cuts, fills and retaining walls in the town, and the public safety factors that may arise with significant cuts and fills in unsuitable soils, cuts, fills and retaining walls shall be designed to mitigate visual impact and ensure safe soil retention.

B. Cuts And Retaining Walls: Cuts, fills and retaining walls shall conform to the following criteria:

1. Un-retained cuts shall not exceed one (1) slope unit vertical for each two (2) units horizontal (50 percent slope) (unless a steeper slope is designed by a state licensed engineer) and must be re-vegetated to prevent erosion.

2. Any single retaining wall or retaining mechanism, within the same plane, exceeding twelve feet (12') in height or one hundred feet (100') in length of exposed wall shall be reviewed by the Planning Commission.

3. Up to three (3) terraced cuts may be created under a terraced cuts retaining system, so long as each wall is separated by a minimum four foot (4') setback (measured from face to face) for visual relief and re-vegetation. Total maximum height of a terraced retaining system exceeding eighteen feet (18') in height shall be reviewed by the Planning Commission as part of the approval process. In cases where re-vegetation will be detrimental to the structural integrity of the wall, the applicant shall propose and implement design strategies to create visual relief or contrast to enhance the appearance and mitigate the mass of the wall. (amd. ord. 15-018, 12-8-2015)

4. Retaining wall height shall be measured as the exposed face of a single wall or combined faces of a terraced retaining system.

C. Measuring Cut/Fill Heights: Cuts and/or fills shall be measured vertically at natural grade from the lowest to the highest point of disturbance.

D. Retaining Wall Appearance: Retaining walls and/or retaining systems shall be constructed of decorative, natural or rustic materials, such as stone or heavy timbers. Concrete or masonry materials (including split face block) may be used when structural design requirements exceed natural material capabilities. Walls shall be colored or tinted and have a surface texture to blend with the surrounding soil or rock colors, and must be approved by the Town Manager, or designee, before excavation permits shall be granted.

E. Retaining Wall Design: All retaining walls greater than four feet (4') in height shall be designed by a professional engineer or architect licensed in the state for the loads imposed on it. Plans shall be submitted at the preliminary plan stage to demonstrate that the hillside above any proposed cut will remain stable after the proposed cut/fill and retaining system, if any, has been completed.

F. Re-vegetation/Erosion Control:

1. All cut and fill slopes must be naturalized and re-vegetated within one growing season after the cut or fill is made.

2. Cuts and fills should be naturalized by rounding edges, placing boulders in natural fashion and planting native plants, including trees, brush and ground cover, to match surrounding areas. A landscape/re-vegetation plan in compliance with the town design standards shall be submitted to the town staff for review with the cut/fill design plans.

3. All re-vegetated areas must be maintained and replanted as necessary to control erosion and maintain the aesthetic value of the site.

4. Foot bridges and private vehicle bridges shall be reviewed and approved by the building department in conjunction with the single-family dwelling approval per chapter 8 of this title. (Ord. 08-016, 8-12-2008)

9-12-12: BRIDGE AND TUNNEL REGULATIONS:

The design of bridges and/or tunnels shall conform to the following regulations:

A. Design Plans: All bridges and tunnels must be detailed in design plans submitted to the Planning Commission for its review and comply with chapter 8 of this title, as applicable.

B. State Code Compliance: Highway bridge abutments shall comply with state code.

C. Retaining Wall Applicability: All wing walls and bridge abutments shall be constructed in conformity with the retaining wall section of this code (section 9-12-11 of this chapter). (Ord.08-016, 8-12-2008)

D. Exception: Foot bridges and private vehicles bridges shall be reviewed and approved by the building department in conjunction with the single family dwelling approval per Chapter 8 of this title and shall be review and approved by the building department. (Ord. 15-018, 12-82-15)

9-12-13: WATERWAYS, DRAINAGES AND FLOOD HAZARD AREAS:

Special attention shall be given to ensure that development is setback sufficiently from waterways, drainages and flood hazard areas to prevent erosion, flooding and damage to development and the waterways per state and federal standards. Such features should be constructed to give a natural "streambed" appearance to the waterway or drainage area by making small meanders, placing rocks of various sizes (pebbles, cobble, rocks and boulders) in the streambed and banks, and planting clumps of trees and shrubs along the outside edge.

A. Design Storm:

1. As each site is unique for elevation and time of concentration, the following website can be used for determining the precipitation intensity, currently found at: http://hdsc.nws.noaa.gov/hdsc/pfds/sa/ut_pfds.html

2. The use will input the latitude and longitude for the particular site and choose "precipitation intensity" from the drop down menu on screen (the user will verify the elevation is within acceptable limits for the project area).

3. If a storm distribution is being utilized for the stormwater design, a standard SCS type II distribution should be used. This distribution shows approximately fifty (50) to seventy five percent (75%) of total rainfall to occur in a brief period (approximately 2 hours), which is typical of the intense short duration storms experienced in the town area.

B. Detention Ponds: On site detention ponds are to be sized for the 100-year 24-hour storm.

C. Stormwater Conveyance: Stormwater conveyance pipes are to be sized based on a 10-year 24-hour storm.

1. Pipes will be sized using a rainfall intensity determined by the time of concentration for the applicable drainage basin with a minimum pipe size of fifteen inches (15").

2. The time of concentration will be estimated using the soil conservation service technical release 55 (SCS TR-55) method. SCS TR-55 method uses three (3) distinct runoff patterns in a watershed: a) sheet flow; b) shallow concentrated flow; and c) channel flow. Sheet flow occurs in the upper reaches of a watershed and persists for a maximum of three hundred feet (300'). Minimum time of concentration to be used for design shall be five (5) minutes.

   After flowing in sheets, water then typically becomes less sheet like and more concentrated. Following shallow concentrated flow, water typically collects in natural or manmade channels (U.S. soil conservation service, 1986).

D. Other Permits: Below is a list of other permits that may be required for construction projects in the town. This list is for informational purposes only and may not include all necessary permits, depending on the project location:

1. Utah pollutant discharge elimination system (UPDES) general permit for storm water discharges associated with construction activities. This permit is required for any land disturbance of one acre or greater. The permit requires submittal of a notice of intent (NOI) to the Utah division of water quality (DWQ) with appropriate fee, preparation of a stormwater pollution prevention plan (SWPPP) and erosion control plan. Additional information regarding this permit can be found at: http://www.waterquality.utah.gov/UPDES/stormwatercon .html

2. Utah stream alteration permit: This permit is required for any construction activity occurring along a creek or stream. The permit requires submittal of a stream alteration permit to the division of water rights with applicable design drawings and calculations. Additional information regarding this permit can be found at: http://nrwrt1.nr.state.ut.us/strmalt/default.asp

3. U.S. army corps of engineers (USACE) wetland permits. Potential wetlands need to be assessed and jurisdiction needs to be determined and approved by the USACE. Possible requirements are a wetland boundary delineation, drawings, meetings with the USACE and permits. (Ord. 08-016, 8-12-2008)

9-12-14: UTILITIES:

A. Purpose: The provisions of this section are intended to regulate utility installations within subdivisions and private improvements and not major utility installations relating to distribution lines, etc.

B. Construction: All utility connections and lines shall be installed underground. Before any installations are covered, material and service must be inspected and approved by the town or applicable utility. During the construction period, temporary power poles and lines shall be allowed within the boundaries of the construction project; however, such poles and lines must be removed before final certificate of occupancy for the project is granted.

C. Easements:

1. All utilities shall be placed within public road rights of way or specific rights of way or easements. Multiple use of a given easement is encouraged. The final plat shall note all easements, and associated construction drawings define the location of each utility.

2. Easements shall be provided at the rear and at least one side of each lot (so that they adjoin each other on common lot lines) or be provided in such a way as to demonstrate that utilities can be provided to each lot.

3. Recreational easements are required for all proposed motorized and non-motorized trails, ski runs or open space to promote recreational opportunities in the community, unless otherwise approved by the Planning Commission. Easements shall be required during land use approval (i.e., zone change, subdivision, building permit) for existing

trails, ski runs and open space established by historic use (see subsection 9-12-16B1 of this chapter).

4. Easement locations should be established to ensure the best use of the land and to provide corridors for utility services through raw land for the future development or subdividing of land according to the town general plan. (Ord. 08-016, 8-12-2008)

9-12-15: PARKING:

A. Purpose: There shall be provided at the time of erection of any main building, or creation of a land use, or at the time such buildings or uses are altered, enlarged, converted or increased in capacity, minimum off street parking space with adequate provision for ingress and egress by standard sized vehicles in accordance with the requirements of this section. Whenever feasible, parking shall be placed underground.

B. Parking Space Requirements: Parking spaces shall be determined in accordance with this section. Variations may be made to these provisions when justified by a parking study prepared by a licensed engineer and approval of the land use authority.

C. Required Number; Table: The off street parking spaces required for each use permitted by this code shall not be less than that found in table 1 of this subsection. When a computation of spaces results in a fractional number, the fractional part shall be computed as a whole space.

TABLE 1

OFF STREET PARKING SCHEDULE

Land Use	Number Of Parking Spaces Required
Bed and breakfast inn	1 per bedroom
Civic buildings and conference center	Determined by specific review
Commercial outdoor recreation, including skiing, biking, stables/riding academy	1 per 3 persons maximum rated capacity
Financial institution	3 per 1,000 square feet of leasable floor
Hospital or clinic	3 per bed or patient room
Hotel/motel (2 bed maximum per unit)	1 per guestroom, plus 1 per 500 square feet of interior common area
Indoor entertainment, recreation/theater	1 per 4 seats, or 5 per 1,000 square feet of floor area

Industry	1 per 500 square feet
Multi-family dwelling unit greater than 650 square feet, but less than 1,000 square feet	1.5 per dwelling unit
Multi-family dwelling unit greater than 1,000 square feet, but less than 2,500 square feet	2 per dwelling unit
Multi-family dwelling unit greater than 2,500 square feet	3 per dwelling unit up to 3,500 square feet and 1 additional stall for each 2,000 square feet, or fraction thereof
Multi-family dwelling unit not greater than 650 square feet	1 per dwelling unit
Office	1 per 300 gross square feet
Restaurant/food beverage establishment	1 per 100 gross square feet
Retail	1 per 200 gross square feet
Shopping center or complex of multi-tenant retail spaces	4 per 1,000 square feet of leasable floor area, plus 1 per 500 square feet of interior common area
Single-family dwelling unit and multi-dwelling unit up to 3 units	2 per dwelling unit, plus 1 additional stall per each 2,500 square feet, or fraction thereof, when a single dwelling exceeds 2,500 square feet

D. Combination Of Uses: Where there is a combination of uses on a lot, the required number of parking spaces shall be the sum of that required for each use. In cases where multiple uses are not in competition for the same parking space, relief may be granted by the land use authority.

E. Location Of Lot: The parking spaces required by this section shall be provided on the same lot or parcel as the use, or where the exclusive use of such is provided on another lot or parcel, not more than five hundred feet (500') radially from the subject lot and within the same or less restrictive zoning district.

F. Parking Stall Dimensions: Parking stall dimensions shall be in accordance with this subsection:

1. Width:

a. A minimum width of nine feet (9') shall be provided for each interior (protected from weather) parking stall and ten feet (10') for exterior parking stalls.

b. Exceptions:

i. Parallel parking stalls shall be permitted to be eight feet (8') wide.

ii. The width of a parking stall shall be increased ten inches (10") for obstructions (columns, walls, etc.) located on either side of the stall within fourteen feet (14') of the access aisle.

2. Length: A minimum length of twenty feet (20') shall be provided for each stall. Parallel parking stalls shall be a minimum twenty two feet (22') in length.

G. Design Of Parking Facilities: The design of parking facilities shall be in accordance with this subsection, subsection H of this section, and section 9-12-10 of this chapter for driveways connecting to the public rights of way:

1. Driveway Widths: Every parking facility shall be provided with one or more access driveways, the width of which shall be the following:

a. Private parking lot access at least sixteen feet (16'). (Ord. 08-016, 8-12-2008, amd Ord. 16-007, 11-8-2016)

b. Commercial driveways:

i. Twenty feet (20') for one-way enter/exit. (Ord. 08-016, 8-12-2008, amd Ord. 16-007, 11-8-2016)

ii. Twenty four feet (24') for two-way enter/exit.

2. Driveway And Parking Slopes:

a. Maximum Slope: The maximum slope of any driveway or ramp shall not exceed twelve percent (12%) (6.8 degrees). Transition slopes in driveways and ramps shall be provided in accordance with the standards set by the building official and the jurisdiction's engineer.

b. Exception: Where a ramp is covered or heated and will not be susceptible to snow or ice buildup, the ramp slope may not exceed sixteen percent (16%) (9.1 degrees) and shall provide sufficient landings at top and bottom of ramp to provide for safe starting and stopping.

3. Stall Accessibility: Each required parking stall shall be individually and easily accessible. No automobile shall be required to back onto any public street or sidewalk to leave any parking stall except in single family residential uses and where the parking stalls themselves are in the public right of way. All portions of a public lot or garage where the lot itself is not in the public right of way shall be accessible to other portions thereof without requiring the use of any public street. (Ord. 08-016, 8-12-2008, amd Ord. 16-007, 11-8-2016)

4. Screening: A buffer shall be created whenever a parking area with associated ramps and driveways abuts a public way. The buffer shall consist of a landscaped earthen berm, rock wall, vegetation or similar natural materials to complement the environment for a height of at least three feet (3'), or a width of at least ten feet (10').

H. Surfacing: Hard surface is required in commercial and multi-family residential zones. Other materials that make the surface effectively hard but aren't asphalt or concrete may be used with the approval of the Planning Commission. All weather surfaces may be used for overflow parking (parking in excess of the requirement) as well as in all other zones. Each parking lot and associated ramps and driveways shall be maintained in good condition and kept clear and in unobstructed and usable condition at all times. Responsibility for maintenance of the parking lot shall rest with the property owner. The parking lot shall provide adequate access to a street or alley. Parking spaces in excess of the minimum spaces required may be used for snow storage in winter (Ord. 08-016, 8-12-2008, amd Ord. 16-007, 11-8-2016)

I. Grading, Erosion Control And Existing Waterway Provisions: Parking lots shall be graded for proper drainage, with surface water diverted in such a way as to keep the parking area free of accumulated water or ice and to prevent erosion, and comply with requirements of section 9-12-13 of this chapter.

J. Snow Storage: All parking lots, sidewalks and other hard surface areas requiring snow removal shall provide twenty percent (20%) additional area to accommodate snow storage (15 percent for parking with snow melting equipment). Snow storage shall be provided on the subject property within the parking lot, adjacent landscaping or other area that allows for safe snow storage without damage to the structures or landscaping. (Ord. 08-016, 8-12-2008, amd Ord. 15-018, 12-8-2015)

K. Loading Spaces:

1. General: Loading spaces shall be provided on the same lot for every building in the commercial zones. No loading space is required if prevented by an existing lawful building. The building official/zoning administrator shall be authorized to waive this requirement on unusual lots.

2. Size: Each loading space shall have a clear height of fourteen feet six inches (14'6") and shall be directly accessible through a usable door not less than three feet (3') in width and six feet eight inches (6'8") high. The minimum area of a loading space shall be four hundred (400) square feet and minimum dimensions shall be twenty feet (20') long and ten feet (10') wide. (Ord. 08-016, 8-12-2008)

9-12-16: PUBLIC IMPROVEMENTS:

A. Design Standards:

1. Design and construction specifications for public improvements such as curbs, gutters, sidewalks, storm drainage, flood control facilities, water, sewer distribution systems

and fire protection shall be in accordance with the town public works standards as currently adopted, or other applicable codes.

2. The design for all such facilities which are or will be under the control of the town shall be submitted to the Town Manager, or designee, for review and approval. The design of streets, blocks, lots, open spaces and other design functions shall be consistent with the general plan and this title.

B. Required Improvements:

1. The subdivider shall improve all streets, trails, pedestrian ways or easements and water and sewer facilities in the subdivision necessary to service the subdivision, and enhance the recreational opportunities in the town, along with streets which abut, or serve access to, the subdivision. No improvement work shall be commenced until improvement plans and profiles have been approved by the Town Manager, or designee, and the town has approved the final plat of the subdivision. The final plat shall not be recorded in the office of the County Recorder prior to obtaining sufficient guarantee for improvements as provided in chapter 13 of this title.

2. Improvements shall be installed to permanent line and grade and to the satisfaction of the Town Manager, or designee, and in accordance with the standard specifications adopted by the Town Council. Cost of inspection shall be paid by the subdivider as outlined in the consolidated fee schedule.

3. Notwithstanding the fact that the land on which the improvements are or will be located is dedicated at the time of the recording of a plat, the subdivider shall be required to maintain all improvements until accepted by the town as provided for in section 9-9-6 of this title. (Ord. 08-016, 8-12-2008)

9-12-17: TRASH ENCLOSURES:

Trash dumpsters shall be as approved by the town. Dumpsters are encouraged to be screened from public view with vegetation or walls and located in an area accessible by the refuse vehicle and sensitive to limiting backing of the vehicle. If an enclosure is proposed, it shall comply with the building material requirements and be sensitive to the snow and ice accumulations common to the town. Trash dumpsters shall be purchased by the town with the cost being borne by the developer. The town shall require one dumpster for every twenty (20) single-family building lots or condo units, and one dumpster for every four thousand (4,000) square feet of commercial/office space, unless other rationale is justified on a case by case basis. (Ord. 08-016, 8-12-2008)

9-12-18: COMPLIANCE:

Any time a permit under chapter 8 or chapter10 of this title is applied for, the applicant shall demonstrate compliance with the provisions of this chapter as they relate to the work applied for. (Ord. 08-016, 8-12-2008)