

6-5: RECREATIONAL RESORTS

A. GENERAL PROVISIONS

1. Declaration of Legislative Intent

The intent of this section is to establish guidelines which will facilitate approval of recreational resorts.

2. Scope

The owner or owners of a tract of land containing the required amount of land as set forth in the zones in which recreational resorts are permitted may construct a recreational resort thereon by complying with the regulations and standards of this section:

a. Requirements Minimum.

The requirements of this section shall be the minimum requirements for the preparation, submission, and recording of all plans, plats, and supporting documents relating to recreational resorts.

b. All Regulations Essential.

All of the regulations relating to recreational resorts are the minimum regulations that are needed to carry out the purpose and intent of the large scale developments chapter of this ordinance.

c. Standards May Be Increased.

The County Commission may increase the standards where it is determined that such increased standards are necessary in order to insure that the resort will mesh harmoniously with adjoining or nearby uses of property and are necessary to carry out the intent of the this chapter.

d. Exemption from Rules of Property.

The rule of property known as the rule against perpetuities and the rule of property known as the rule restricting unreasonable restraints on alienation shall not be applied to defeat any of the provisions of this ordinance or any declaration, bylaw, or other document executed in accordance with this ordinance.

B. PERMITTED USES

Uses permitted in recreational resorts shall be limited to the following:

1. One-, two-, three-, and multiple-family dwellings, including residential condominium projects; sleeping apartments; and manufactured homes.
2. Residential accessory structures.
3. Residential facilities for handicapped persons and residential facilities for elderly persons.

4. Recreational and cultural areas and facilities, including, but not limited to, ski lifts and trails; ice skating rinks; swimming pools; tennis courts; central horse stables, arenas, and corrals; golf courses; outdoor theaters; playgrounds; hunting preserves; rifle and shotgun shooting ranges; and landscape parks.
5. Cafes, restaurants, sporting goods stores, clothing stores, camera and curio shops, gasoline service stations, and similar retail stores which are cognate to the recreational resort
6. Horse rental and trail-ride outfitter headquarters.
7. Camping and picnic facilities.
8. Recreation vehicle courts and commercial campgrounds, subject to the standards for such uses as set forth in zoning section 3-51-C.
9. Driveways, streets, parking areas, common storage areas, ponds, landscape features, and similar uses and structures.
10. Public, primary or secondary schools, approved by a school district or state charter and when adequate safety services and infrastructure is provided as required for a school structure.

C. PROCEDURE

Any person, firm, or corporation wishing to obtain approval to construct a recreational resort shall follow the procedure outlined in zoning section 6-1-E.

D. APPLICATION REQUIREMENTS

The application shall consist of the following elements.

1. Application Form and Fee

A standard conditional use permit application form may be obtained from the Planning Commission staff and shall be completed and submitted with the required fee.

2. Developmental Impact Statement

A developmental impact statement shall be prepared on forms furnished by the Planning Commission staff and shall be used as the basis for determining the layout, density, drainage pattern, types of sewage treatment facilities, and other features of the development.

3. Layout Map

A layout map (which may consist of several sheets and may be in blueprint or other non-reproducible form) shall be drawn to a scale of not smaller than one inch equals one hundred feet (1"=100'), or as determined by the Planning Director, and shall show the following:

- a. Type of development.
- b. Name and address of developer.
- c. Name and address of designer.
- d. Date.

- e. North point, scale, and vicinity map.
- f. Township, range, and section lines.
- g. Zone boundaries and designations.
- h. Boundary of the development.
- i. Name and address of adjacent property owners.
- j. Contour intervals as required by the Plan Coordinating Committee.
- k. Location of all existing buildings and structures within the bounds of the development and within 1000 feet from the boundaries thereof.
- l. Location of existing public utility easements, railroads, street locations and names, power lines, culverts, drain pipes, drainage channels, flood channels, areas where ground water rises periodically to within five feet of the surface of the ground, and areas within the bounds of the development which would be covered in the event of a 100 year flood.
- m. Existing water mains--location and size.
- n. Existing sewer mains--location and size.
- o. Proposed lot and location layout for the development, including lots, building sites, open space, parks, recreational facilities and structures.
- p. Number of dwelling and/or sleeping units within each building used for dwelling and sleeping purposes.
- q. Proposed streets and roads--location and identification.
- r. Cross-section of streets (same as county standards).
- s. Location of proposed pedestrian walkways.
- t. Proposed power lines, bridges, utilities, and utility easements.
- u. Proposed sewage lines--location and size.
- v. Proposed water lines--location and size.
- w. Place of sewage disposal.
- x. Intended source of water.
- y. Garbage collection points.
- z. Proposed fire hydrants.
- aa. Proposed street lights and flood lights.
- bb. Landscape layout.
- cc. Irrigation system layout showing how water will be handled.
- dd. Preliminary sketches and renderings for all primary buildings in sufficient detail to permit an understanding of the style of the development.
- ee. Any additional information which the Plan Coordinating Committee may require.

4. Overall Schematic Plan

Where a developer owns or controls more land than he wishes to develop immediately, the Planning Commission or County Commission may require that a schematic plan of the whole area be submitted, in which case the developer shall indicate on such plan the portion to be developed immediately and the portion to be held for future development.

5. Tabulations

A list of tabulations shall be submitted which shows:

- a. Total number of acres in the proposed development.
- b. Total number of lots or building sites.

- c. Number of lots for one- and two-family detached dwellings.
- d. Number of lots for multiple-family dwellings.
- e. Total number of dwelling and sleeping units, contained in sleeping apartments, bunkhouses, lodges, and similar group housing.
- f. The percentage of each of the proposed dwelling types.
- g. The number of square feet of area to be occupied by commercial establishments.
- h. The number of off-street parking spaces.
- i. The number of square feet of development area to be used for off-street parking.
- j. The number of square feet of development area to be devoted to roadways.
- k. Percentage of area to be devoted to open space (twenty-five percent minimum).
- l. Percentage of the development area to be covered by buildings, roofs, driveways, and other material that prevents the infiltration of surface water into the soil.
- m. The design capacities of each of the activities within the recreational resort and the total capacity of all activities.
- n. An estimate of the average and maximum daily and monthly number of users, according to activity, and all activities combined.

6. Engineering Drawings

The following engineering drawings shall be submitted:

- a. Detailed engineering plans pertaining to the location and size of proposed water and sewer lines, fire hydrants, utilities, curbs and gutters, streets, drainage systems and structures, irrigation system plans, and other improvements.
- b. A plan and profile of all streets.
- c. A detailed engineering study and plan of flood protection measures to be taken for both on- and off-site storm and flood water.
- d. An engineered grading plan meeting the requirements of Chapter 70 of the Uniform Building Code for any ponds, or any cuts and fills over 5000 cubic yards.
- e. Any other engineering drawings required by the County Surveyor in order to determine compliance with the Utah County development standards ordinance or the zoning ordinance.

7. Documentation

The application shall include the following documents which shall be prepared in accordance with Utah County standards and forms:

- a. Executed articles of incorporation and bylaws of the property owners' association (these must be filed before the plat is recorded).
- b. (delete)
- c. An executed (except by Utah County) open space preservation agreement and an executed maintenance agreement among the developer, the property owners' association, and Utah County, based on the Utah County format. (These must be recorded at the time the plat is recorded.)
- d. A recent policy of title insurance or preliminary report of title verifying the owners who executed the owners' dedication on the plat have sufficient control to effectuate the dedication without boundary exceptions.
- e. A water right issued by the State Engineer for a permanent source of water which meets Utah County standards. (Or if the source is a municipality, district, or water company with an approved system, then a binding agreement to a permanent hookup to deliver water in the required quantity).
- f. A statement from a professional engineer licensed to practice in the State of Utah attesting that the proposed source of water (including water from municipal, district, or water company systems) has been tested and found to comply with Utah County standards for flow, pressure and delivery, and that the project, municipal, district, and/or water company storage and delivery system, based on his calculations, will meet Utah County standards when the project is complete. (Exception: Where a well is proposed to deliver the water, and the well has not yet been drilled, in lieu of testing the engineer shall study well logs in the area and state his opinion whether the well will be able to provide the required water supply; the plat shall contain a written condition that no building permit for a dwelling or other occupied building will be issued until the well is drilled and found to produce the required flow of water.) The engineer's statement and calculations shall be reviewed for accuracy by the County Surveyor.
- g. A covenant, agreement, deed or other binding instrument permanently attaching the water rights to the building sites of the development.
- h. A statement from the appropriate agency accepting responsibility for the disposal of all surface drainage water wherever such drainage water is directed into canals, drainage channels, streets, etc., rather than by on-site disposal.
- i. An itemized estimate from the developer's engineer, verified by the County Surveyor, of the cost of installing all required improvements in the development.
- j. The surety bond instrument, or other bond agreement; or, in the case of a cash bond to be delivered to Utah County, a statement from the bank or other financial institution as to the availability of funds. (A draft copy of the surety bond instrument or agreement may be submitted, but the executed document must be presented to the County Commission or its designee before the plat is recorded).
- k. A statement from the County Health Department certifying that the proposed water supply and sewage disposal system conforms to the pertinent state and county health regulations.
- l. A statement from the County Surveyor certifying that the proposal conforms to the pertinent

provisions of the Utah County development standards ordinance and the road and other improvement standards of the zoning ordinance.

m. A statement from the County Fire Marshal certifying that the proposal conforms to the pertinent regulations of the adopted county fire codes and the fire-protection provisions of the zoning ordinance.

n. The proposed "public offering statement" required by the "Utah Land Sales Practices Act" in Subsection p of Section 57-11-6 of the Utah Code Annotated 1953; or when not required by said act, a substitute information sheet concerning the lot owners' rights and obligations that is prepared in accord with Utah County standards, for dissemination to potential purchasers.

o. [A tax clearance is needed as per Utah Code Annotated, 1953, as amended, Section 17-27-804]

8. Plat

The plat shall be a reproducible tracing drafted in black drawing ink, in a workmanlike manner, on a medium approved by Utah County. Said plat shall be drawn in accordance with county standards at a scale of one inch equals one hundred feet (1"=100') or as directed by the Planning Director, and shall show the following:

- a. The boundaries of the development and the location of all required survey monuments.
- b. The location of all lot and setback lines, and/or building site areas, and the identifying numbers for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The type, location, and extent of all easements.
- e. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any limitations or conditions of approval which are written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission.
- g. The following certifications:
 - i. The certificate of survey accuracy by the surveyor or engineer preparing the plat.
 - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
 - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
 - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature of the County Clerk.

v. Other certifications if required by the County Commission.

E. STANDARDS AND CONDITIONS

All recreational resorts shall conform to the following standards and conditions.

1. Design

- a. The plans shall be prepared by a design team consisting of an architect, a landscape architect, a civil engineer or land surveyor, and an attorney, all of whom shall be licensed to practice in the State of Utah. The County Commission may waive the requirement for participation of one or more members of said design team where, in its opinion, the nature of the development does not require the services of said member(s).
- b. There shall be architectural unity and harmony within the development and with the surrounding area.
- c. The plan shall provide for the clustering of housing facilities, retail commercial centers, and parking areas; and all clusters shall be situated on land which is appropriately suited for such development.
- d. Clustering and spacing of dwelling units and other structures shall foster adequate fire protection and a restful and uncrowded environment.
- e. A significant proportion of the dwelling units in the development shall be other than detached one-family dwellings.
- f. The suitability and capability of soils, the enhancement of aesthetic and scenic values, the convenience of access, the preservation of bodies of water, the topography, and other significant features shall guide the design of the development.

2. Landscape Plan

- a. All areas not covered by buildings, structures, automobile parking spaces, driveways, or by designated standing space for people shall be landscaped with a combination of ground cover, shrubs, and trees which shall be maintained in accordance with good landscape practice. The plan shall include both existing and proposed landscape areas and shall specify the general types of plants and architectural features to be used. One inch or more of topsoil shall be placed on all exposed slopes. Wire mesh, burlap, or other material shall be used whenever necessary, as determined by the Building Official, to stabilize the soil and allow plants to grow.
- b. The installation of permanent sprinkler systems may be required by the Planning Commission in order to provide irrigation for planted areas within the clusters.
- c. A fuel break having a minimum width of at least one hundred feet shall be maintained around the clusters. The fuel break shall be accomplished by thinning the native vegetation, removing the dead plant material, and replacing the highly flammable vegetation with irrigated areas and fire-resistant plants.

3. Open Space, Parks, Playgrounds, and Facilities

- a. At least twenty-five (25) percent of the area in a recreational resort shall be designated as natural open space for the common use of the occupants and patrons of the development. The land covered by vehicular roads, off-street parking, yard areas around the dwellings, and service buildings shall not be included in the area used to meet the open space requirement.
- b. As assurance that the designated area will remain as open space, the owner shall execute an open space preservation agreement with the county in which the owner agrees for himself, his successors and assignees to refrain from constructing dwellings or other structures on the designated open space areas throughout the life of the development.
- c. All flood plain areas and floodways, if any, shall be included as part of the common open space.
- d. Construction and maintenance of all common areas and facilities shall be provided by the resort owner except, costs may be proportionately shared by the resort owner and the property owners' association where lots or condominium units which are part of the approved resort are to be sold.

4. Size

The minimum acreage required to qualify for a recreational resort shall be twenty (20) acres.

5. Density of Housing Facilities Within the Resort

a. Number of Units Permitted.

The maximum number of dwelling units and sleeping apartments permitted within a recreational resort shall be determined by the slope of the land within the development according to the following schedule:

- i. One dwelling unit or sleeping apartment per 1 acre having a slope of 10 percent or less;
- ii. One dwelling unit or sleeping apartment per 10 acres having a slope of more than 10 percent but less than 30 percent;
- iii. One dwelling unit or sleeping apartment per 20 acres having more than 30 percent slope. The determination of slope within a development shall be based upon a detailed slope analysis. The slope analysis shall be conducted using the contour maps prepared by the U.S. Geological Survey; however, other more detailed maps may be used when approved by the Planning Director.

b. Development Credits Increased.

The number of dwelling units or sleeping apartments permitted within a recreational resort may be increased by the transfer of residential development credits from lands located within an adjacent CE-1 Critical Environmental Zone, subject to the following conditions.

i. The land from which the development credits are transferred:

- (A) Is situated entirely within the CE-1 Critical Environmental Zone;
- (B) Is located contiguous to the recreational resort or within two miles of land included within the boundary of the development;

(C)Is in the same ownership as the development; and
(D)Will be shown on the plans and documents as part of the open space area of the development and subject to the open space preservation agreement.

ii. The number of residential development credits received shall be at the rate of one dwelling unit (or sleeping apartment) per each full fifty (50) acres of land in the CE-1 zone covered by the transfer of development credits agreement.

iii. There is sufficient developable area within the development to accommodate the increased number of dwelling units or sleeping apartment units and meet the common open space requirement.

iv. Whenever the terms of this ordinance shall permit or authorize a property owner to transfer development credits, such transfer shall be accompanied by agreement made on the part of the owner indicating the extent of the credit transfer and agreeing to refrain from construction of dwellings or other buildings or from exercising any of the entitlements so transferred. Said agreement shall be made between the owner (and his heirs and assignees) and the County Commission, shall be recorded in the office of the County Recorder, and shall remain in effect until it has been revoked by action of the County Commission following a public hearing thereon.

c. Development Clusters.

All dwellings and sleeping apartment structures shall be located within a designated development cluster. The dwellings and sleeping apartments may be situated in one or more buildings provided, however, that clusters which contain building lots for detached one- and two-family dwellings shall contain not less than five (5) separate lots or sites (except for recreational resorts having fewer than five building sites for the entire development), and each lot within a cluster should contain a location for a dwelling which meets the standards of this ordinance. No dwelling shall be constructed on an area which exceeds thirty (30) percent slope as shown on the detailed slope analysis if sewage or septic waste is disposed of in the soil.

d. Density and Building Lot Size within Clusters.

Within a cluster, individual building lots for detached one- and two-family dwellings shall be not less than ten thousand (10,000) square feet nor more than one (1) acre in size, except that larger lots may be approved by the Utah County Commission, when it can be shown that the larger lot sizes will maintain clustered development sites and not substantially increase off-site improvements.

e. Spacing of Clusters.

No dwelling within a cluster shall be located closer than one thousand (1,000) feet to a dwelling within another cluster, except that where, because of unique topographic or other natural condition such a separation would not be possible, the County Commission may approve a closer spacing. Individual clusters shall be surrounded by a fuel break which shall be part of the designated open space.

6. Non-housing Facilities Within Resorts

Neither the design capacity nor the actual use of facilities within a recreational resort which are classified as being other than dwellings shall degrade or be permitted to degrade the natural environment or cause the natural environment to be degraded; such determination shall be made by the

County Commission upon receiving the recommendations by the Planning Commission.

7. Paved Road Access

All recreational resorts shall abut on and shall have access to a hard-surfaced public street that is part of the paved county or state road network. However a recreational resort which is an extension of a previously approved plat which has a hard-surfaced road system may obtain paved road access through said prior plat.

8. Street System

a. All public streets within the development shall conform to the requirements of subsections a through h of zoning Section 6-3-E-5, which are incorporated herein.

b. Maintenance service roads that serve maintenance operations and emergency access within the development shall meet the following requirements:

- i. The road surface width shall be twelve (12) feet.
- ii. The road shall be graded, surfaced, and constructed to a minimum engineering design standard for "H-20" loading in accordance with A Policy on Geometric Design of Highways and Streets (1990) by the American Association of State Highway and Transportation Officials (AASHTO), or its equivalent counterpart in subsequent editions.
- iii. The road grade shall not exceed fifteen (15) percent.
- iv. The road may not be used for access to residential and commercial structures. The road boundary, type and use limitation shall be shown on the development's recorded plat.

c. All other roads within the development shall meet the following requirements:

- i. The roads shall conform to the street design standards for recreational resorts adopted by the Utah County development standards ordinance.
- ii. The road grade shall not exceed eight (8) percent.
- iii. The road shall be constructed in a location or in a manner which produces no slope face which exceeds the critical angle of repose.
- iv. Each road shall have a paved driving surface which is at least twenty (20) feet wide and which consists of a three (3) inch thick asphaltic surface over a six (6) inch crushed gravel base and suitable sub-base; the paved driving surface shall be centered on a thirty (30) foot wide easement that is shown on the development's recorded plat.
- v. Any road curve shall have a centerline radius of forty-five (45) feet or more.
- vi. Each intersection shall bear permanent road signs sufficient in design for easy identification of street names by operators of emergency vehicles and other motorists.
- vii. The maximum length of any dead-end road or cul-de-sac street shall be six hundred (600) feet.

Exception to 1 through 7 above: When the structures served by the roads are completely protected by an approved fire sprinkler system and when roads cannot be installed as required due to topography, waterways, excessive grades, and similar practical difficulties, the County Commission may approve an exception if the following criteria are met:

- viii. The road grades shall not exceed twelve (12) percent.
- ix. The exception is necessary to eliminate extra cuts, fills, or circuitous routes.

- x. No section of road which exceeds a grade of eight percent is longer than one thousand (1,000) feet.
- xi. Police, fire, ambulance, snow removal, and other essential services can be provided at an equal level of quality or can be enhanced by additional design features.
- xii. Engineering design drawings are approved by the Utah County Engineer.

9. Sidewalks, Paths, and Trails

- a. Sidewalks shall not be required except where needed for convenience or erosion control in high pedestrian traffic areas, as determined by the County Commission based on the recommendation of the Planning Commission.
- b. As a means of protecting the vegetation, all paths and trails for both pedestrian and equestrian travel shall be clearly marked upon the ground and shall be either graveled or hard surfaced as required by the County Commission.

10. Drainage System Plan

The drainage system plan shall show the following:

- a. An analysis of the nature and extent of hazard from floods originating off the premises and a plan indicating how such flooding hazard will be accommodated within the development. (Said analysis and plan may be waived by the County Surveyor when ample information already exists for the area.)
- b. An analysis of the nature and extent of the drainage and flood problems which will be created by the development, including an analysis of the amount of water generated as a result of the covering of absorption areas and a plan indicating how the drainage and flood waters will be accommodated.
- c. The location and size of any ditches, culverts, drains, sumps, percolation basins, curbs and gutters, and other proposed structures and facilities.
- d. A method of handling all runoff on site when an existing storm water system is not available.
- e. A statement of acceptance of the drainage waters from the appropriate agencies where excess surface drainage from the development will flow into an irrigation channel or into a public street or otherwise be directed off the premises.
- f. A method of covering, fencing, or similar safety treatment of canals and waterways traversing the development.

11. Water Supply

The property within all plats shall be provided by the developer with perpetual water rights meeting the following standards:

- a. Culinary-quality water for use inside the dwelling shall be provided to each parcel at a flow rate of at least .015 cubic feet per second per dwelling unit and a quantity of at least .45 acre-feet per year per dwelling. Where the development is not limited to dwelling use alone, culinary-quality water shall be provided for occupied structures other than dwellings in the amount determined by the County Commission after receiving an engineering study of water use from the developer and the advice of the

planning commission.

i. Water for maintaining landscaping and fuel-breaks around dwellings and occupied structures shall be provided to each parcel at the rate of at least 1 acre-foot per year per dwelling or building site, which water shall be available between April 30 to October 1 annually.

ii. Water for irrigation shall be provided at a rate of at least 1.5 acre-feet per acre per year for the entire area of each lot beyond the first 10,000 square feet of area, which quantity of water must be appurtenant to each lot, and must be available from April 30 to October 1 annually. [Water for the first 10,000 square feet of area of each lot is supplied by the requirements of subsections (1) and (2) immediately above]. The irrigation water quantity requirement is met even if the water rights from some sources are restricted as to coverage, such that the water cannot be applied to the entire area of the lot, if the irrigation water quantity requirement of at least 1.5 acre-feet of irrigation water per each acre of area of each lot (less the 10,000 square feet) is satisfied.

Exception to part 'ii' above: The County Commission may increase or decrease the required quantity of irrigation water from 1.5 acre-feet per acre per year based upon the findings of an engineering study, prepared, and signed by an engineer licensed in the State of Utah, conducted in the preparation of the irrigation plan if the County Commission finds that less water is needed to establish and to meet the green plant needs of alfalfa due to a water table that is sufficiently near the surface on an annual growing season basis to allow such reduction. The engineering study shall determine the quantity of water needed to establish and to maintain alfalfa, in the green condition, having a low flammability, and shall identify the high water table by area and depth below natural grade.

b. Water Quality

i. Culinary water use inside the dwelling provided by a public water system.

A public water system must be approved by the Utah County Health Department.

ii. Culinary water use inside the dwelling provided by individually owned wells for each lot.

The Utah County Health Department shall sample a representative water source from within the proposed development boundaries as a requirement prior to County Commission approval. A minimum of at least one sampling shall be obtained per proposed large scale development; where a large scale development is for an area larger than 160 acres, the number of samples shall be one per 160 acres or fraction thereof. The County Commission may require additional samples where it finds the geology or other on-site conditions warrant additional samples to determine the water quality is satisfactory throughout the entire area of the subdivision. A sampling consists of (a) two satisfactory microbiological samples taken on two consecutive days. Samples must be taken at least 8 hours apart; (b) inorganic contaminants, and (c) turbidity. Water testing costs shall be paid by the developer. To be acceptable as the source of culinary water, this sample shall meet primary drinking water standards as outlined above and be approved by the Utah County Health Department. Written approval must be obtained prior to placement on the County Commission agenda. The recorded plat shall contain a written condition that no building permit will be issued for a single family dwelling or other occupied structure until the individual water supply has been sampled and found to meet primary drinking water standard as outlined above by the Utah County Health Department.

c. Types and Duration of Rights

- i. Reliable wells, springs, and surface sources, whether from a public water system or a private water supply, may be used to meet the water requirements.
- ii. The water rights must be tied to each lot to be served in perpetuity, so that the lots and rights cannot be transferred separately, by protective covenant, enforceable plat restrictions, or other legally binding instrument.
- iii. The developer must present an engineering study demonstrating that the standards of this ordinance for water rights and water systems will be met.
- iv. Where water rights are to be supplied by a municipality, district, water company or other supplier which serves users outside as well as inside the development, the study shall show that the supplier can meet its commitments outside the subject development while meeting the standards of this ordinance within the development.
- v. Where the water rights are to be supplied by a municipality or other entity which is prohibited from divesting itself of its water rights in perpetuity, a legal analysis shall be submitted showing how the commitment for perpetual commitment of water is binding.

12. Water System

- a. All large scale developments having one or more lots or platted building sites under five (5) acres in area shall have a central water system which shall supply water for culinary use and which shall supply water meeting the supply and flow requirements for fire protection.
- b. The water system shall have a storage facility which has a capacity to meet peak hourly culinary use, based on state health department standards, plus a minimum fire protection storage of 120,000 gallons. The storage capacity shall be proportionally increased if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development, or if irrigation water is to be stored in the culinary - fire protection storage facility.
- c. The culinary - fire protection facility shall be designed and located so as to produce a gravity-induced fire flow of 1000 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary or irrigation use. The delivery rate and duration amount shall be proportionally higher if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development.
- d. Water mains in the culinary/fire protection system supplying fire hydrants, dwellings, and any irrigation needs, shall be sized according to an engineering study to adequately supply those uses, but in no case shall they be less than six (6) inches in diameter (no less than 8 inches in diameter if supplying a fire hydrant on a dead-end run longer than four hundred feet in length).
- e. Irrigation systems need not have a central storage facility, but must be designed to provide the water flows determined by the irrigation plan to be necessary during the growing season (April 15 to October 15).
- f. Irrigation systems are not required for more than one-quarter acre surrounding the dwelling, except in the RA-5, RR-5, and TR-5 Zones, where the entire lot is to be included in the irrigation plan.

13. Sewage Disposal

Each recreational resort shall be served by a central sewage disposal system or by individual wastewater disposal systems which are approved by the County Health Department. If sewage cannot be disposed of through an approved existing central sewage treatment plant or by individual wastewater disposal systems, a suitable system must be provided by the developer and approved by the County Health Department.

14. Fire Protection

- a. Fire hydrants shall be installed at intervals in such a manner that no lot or dwelling unit or building for human occupancy will be more than 250 feet distant from the closest hydrant, measured along the street.
- b. Roofs and exteriors of buildings shall be of fire resistant materials as approved by the Utah County Building Official.
- c. In addition to maintaining the fuel break around the development clusters, all highly flammable weeds and plant material shall be removed and shall be kept removed from within 50 feet of all buildings. The flammable weeds and plant material shall be replaced with less flammable materials as directed by the Utah County Fire Marshal.
- d. The County Commission may require additional fire protection facilities or policies when recommended by the Utah County Fire Marshal to conform to adopted fire codes or standard fire protection policies.
- f. The resort owner shall maintain the hydrants, fire equipment boxes, fuel breaks, and all other fire-fighting facilities in a functional condition (except in one-family dwelling areas with a property owner's association, where said association shall maintain the hydrants, fire equipment boxes, fuel breaks, and other facilities).

15. Off-street Parking

- a. At least two off-street parking spaces shall be provided for each dwelling unit, unless the County Commission determines that less off-street parking is sufficient under the circumstances; however, under no conditions shall less than one off-street parking space be provided for each dwelling unit.
- b. Additional off-street parking spaces shall be required for other uses, as set forth in Section 3-14 of the Utah County Zoning Ordinance.

Exception: The developer may submit a comprehensive parking plan, which plan, if approved, replaces the requirements of Section 3-14 of the Utah County Zoning Ordinance for uses other than dwelling units, provided that all of the following requirements are satisfied:

- i. The plan is reviewed by the Utah County Fire Marshal, the Utah County Engineer, and the Utah County Planning Department prior to review of the plan by the Planning Commission.
- ii. The plan is reviewed by the Planning Commission and recommendation for approval or disapproval

is made by the Planning Commission to the County Commission.

iii. The plan is approved by the County Commission.

iv. Off-site parking, shuttle parking and bus or rapid transit pick- up/egress stops are encouraged.

v. The developer shall submit, with the proposed comprehensive plan an opinion addressed to Utah County, from a licensed professional engineer, specializing in traffic engineering, retained by developer, stating that the plan adequately meets the criteria for automotive and pedestrian safety and adequately meets the parking needs of the development and use.

vi. The plan shall meet the requirements of the ADA, Americans with Disabilities Act.

vii. Failure to comply with an approved comprehensive parking plan shall be considered a Class C misdemeanor.

16. Utilities

a. All new electric power lines in the development cluster areas shall be installed underground.

b. Easements of not less than ten (10) feet in width shall be required for all utility lines, the location of which may vary depending upon the design of the development.

c. No structure shall be placed within the designated easements except utility structures.

17. Location Requirements for Manufactured Homes and One- & Two-family Dwellings

The location of all buildings and structures to be placed in the recreational resorts shall be shown on the plat as building footprints, along with the building's proposed use.

Exception: where the developer elects to plat separate lots for manufactured homes, or one- or two-family dwellings, general setback lines, rather than building footprints, may be shown on the final plat, along with the specified use. Setback distances shall conform to the following standards:

a. Front Setback.

All buildings shall be set back at least thirty (30) feet from the outside edge of any roadway of the development that serves two or more dwelling units and at least thirty (30) feet from the right-of-way line of any public street (a greater setback may be required by zoning section 3-16).

b. Side Setback.

All dwellings shall be set back from the side property line a distance of at least fourteen (14) feet. The minimum side setback for accessory buildings shall be the same as for all buildings. The side setback from any street shall be not less than thirty (30) feet for both main and accessory buildings (unless a greater setback is required by zoning section 3-16).

c. Rear Setback.

All dwellings and other buildings shall be set back from the rear property line a distance of at least fourteen (14) feet (unless a greater setback is required by zoning section 3-16).

18. Exposed Slopes on Individual Driveways

All cut or fill slopes made in the process of constructing driveways from the development roads to private dwellings shall be less than the critical angle of repose of the soil in which the cut or fill is made.

F. REQUIRED IMPROVEMENTS

All improvements which are required under the terms of this ordinance shall be shown on the layout map or recorded plat. Such improvements shall be constructed by the developer in accordance with the Utah County development standards ordinance and inspected by the County Surveyor. For recreational resorts, the required improvements are the following:

1. Streets and driveways.
2. Street signs.
3. Both off-site and on-site water mains.
4. Both off-site and on-site sewer mains; also sewage disposal facilities where applicable.
5. Fuel breaks and fire hydrants.
6. Permanent survey monuments.
7. Underground electrical and telephone utility lines.
8. All facilities, systems, and structures proposed for the development as shown on the final plan, including fences, walls, and parking areas.
9. Drainage and flood control structures and facilities.
10. Landscaping and restoration of exposed surfaces.
11. Sprinkling or irrigation systems.
12. Other essential improvements if required by the County Commission.