

**BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH**  
**ORDINANCE NO. 12-18-2018, O2**  
**Subdivision Ordinance**

**AN ORDINANCE REPLACING TITLE 16 “SUBDIVISIONS” IN THE UINTAH COUNTY CODE;**

**Section 1. Purpose of Ordinance.** The purpose of this ordinance is to replace Title 16 “Subdivisions”.

**Section 2. Authority for Ordinance.** Section 17-27a-102 and 501 of the Utah Code Annotated (1953, as amended) which expressly mandates that the legislative body of each Utah County may enact land use ordinances.

**Section 3. Modification.** The Uintah County Code, Title 16, is hereby replaced as follows, to wit:

## **Title 16- Subdivision Regulations**

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## **Chapter 16.01- General Provisions and Administration**

### **16.01.010- Title**

This Title shall be known as the Uintah County Subdivision Ordinance, hereafter, "this title".

### **16.01.020- Purpose and Authority**

The Uintah County Commission adopts this title pursuant to the county land use development and management act, title 17, chapter 27a, Utah Code Annotated, 1953, for the purposes set forth therein. The maps and appendices to this title are a part hereof. The intent of this title is to provide a means of ensuring predictability and consistency in the use of land and individual properties and to implement the goals and policies of the Uintah County General Plan.

### **16.01.030- Definitions and Applicability**

For the purposes of this title, all terms shall have the same definitions as provided by section 17-27a-103, Utah Code Annotated, 1953, as amended or as in the Land Use Ordinances Administrative Manual.

For the purposes of this title "subdivision" means: Any land that is divided, re-subdivided or proposed to be divided into two or more lots, plots, parcels, sites, units, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms and conditions.

Subdivision includes: The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and, except as specified below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Subdivision does not include:

- A. A bona fide division or partition of agricultural land for agricultural purposes, as defined in Section 59-2-502 et seq., Utah Code Annotated, 1953, as amended, which results in all parcels complying with the lot size requirements of the zoning district in which they are located. Bona fide division for agricultural purposes does not include the division of any lands that are currently used, or will be used, for any nonagricultural purpose, such as any building, structure or improvement used as or associated with a single-family dwelling unit, recreational use, cabin, or other residential, commercial or industrial use. Any lot or parcel created pursuant to this provision shall not qualify for the issuance of a building permit or other development permit to establish a nonagricultural use; provided, a plat may be completed to create the lot for nonagricultural purposes, pursuant to the applicable platting process of this title, when the division complies with zoning and applicable development standards.
- B. A recorded agreement between owners of adjoining properties adjusting their mutual boundary, if:
  1. No new lot is created;
  2. each property identified in the agreement is unsubdivided land, including a remainder of subdivided land; and
  3. The adjustment does not result in a violation of applicable land use ordinances.
- C. A recorded document, executed by the owner of record:
  1. Revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or

2. Joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.
- D. A bona fide division or partition of land for the purpose of siting, on one or more of the resulting separate parcels:
1. An unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
  2. An unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility.
- E. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this subsection, as to the unsubdivided parcel of property or subject the unsubdivided parcel to this chapter.
- F. For the purposes of this chapter, "development" shall be, and shall mean: Any use or activity proposed for any land, lot, building or structure that requires the issuance of a building or other development permit, as required by the adopted building or land use codes of the county.

#### **16.01.040- Jurisdiction and Penalty**

This title shall govern and apply to the subdivision, platting and recording of all lands lying within the unincorporated area of Uintah County, Utah.

- A. No person shall subdivide any land, nor shall any building permit, other required development approval, or any other license or permit be issued for any lot or parcel of land which is located wholly, or in part, within the unincorporated area of Uintah County, except in compliance with this title, the Uintah County zoning ordinance, and all applicable state and federal laws.
- B. Any plat of a subdivision, or any survey description, filed or recorded without the approvals required by this title is deemed to be void, for the purposes of development or the issuance of a building permit, as required by section 17-27a-611 et seq., Utah Code Annotated, 1953, as amended.
- C. Any owner or agent of the owner of any land located in a "subdivision", as defined herein, who transfers or sells any land located within the subdivision before the subdivision has been approved and recorded, in the office of the Uintah County Recorder, consistent with the requirements of this title, and applicable state and federal requirements is guilty of a violation of this title, and section 17-27a-611 et seq., Utah Code Annotated, 1953, as amended, for each lot or parcel transferred or sold.
- D. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring lots, plots, parcels, sites, units, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions does not exempt the transaction from the requirements of this title and such action from the penalties or remedies provided by this title, the Uintah County Zoning Ordinance, or the laws of the state of Utah.
- E. Any person, organization, corporation, or other entity that violates any provision of this title shall be guilty of a Class C misdemeanor and is punishable by a fine, imprisonment, or both, as determined by a court of competent jurisdiction.

#### **16.01.050- Severability**

If any section, provision, sentence, or clause of this title is declared unconstitutional by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this title which shall remain in full force and effect.

#### **16.01.060- General Responsibilities**

- A. The developer shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The county shall process said plats in accordance with the regulations set forth herein.
- B. The Community Development Department shall review the plats for design; for conformity to the Uintah County General Plan and to the Uintah County Zoning Ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title.
- C. Proposed subdivisions shall be referred by the Community Development Department to the Development Review Committee and any other such county departments and special districts, governmental boards, bureaus, utility companies, or other agencies as is deemed necessary.
- D. The County Road Department shall make comments as to engineering requirements for street widths, grades, and alignments, whether the proposed public improvements are consistent with this title and other applicable ordinances and for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with the Community Development Department.
- E. The Development Review Committee will consist of representatives from the following county departments, agencies and companies: Uintah County Community Development, Uintah County Road Department, Tri-County Health Department, Uintah Fire Suppression Special Service District, applicable water and sewer district, applicable electricity provider, natural gas provider, communication companies, United States Postal Service and other agencies and organizations as deemed necessary by Uintah County. The Development Review Committee will review preliminary plat applications, and make a recommendation to the Planning Commission on design and engineering plan applications.
- F. The Planning Commission is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the Uintah County General Plan, this ordinance, the Uintah County Zoning Ordinance, and other pertinent documents. The planning commission shall approve, approve with conditions, or deny preliminary plat and design and engineering plan applications. The Planning Commission shall recommend approval, approval with conditions, or denial of the final plat application to the County Commission.
- G. The County Commission has final jurisdiction in the approval of subdivision plats; the establishment of requirements for and design standards of public improvements; and the acceptance of lands and public improvements that may be proposed for dedication.

**16.01.070- Site Preparation Work Prohibited**

No excavation, grading or regrading, or removal of vegetation for a proposed subdivision shall take place and no building permits shall be issued until a proposed subdivision has received approval from the County and the subdivision has been recorded in the office of the Uintah County Recorder or a bond for all required improvements has been approved and posted, as required herein.

## **Chapter 16.02- Sketch Plan**

### **16.02.010- Sketch Plan Required**

To promote efficiency in the subdivision review and approval processes of Uintah County, and to allow applicants the opportunity to present their initial subdivision proposals to the county, all applicants for subdivision approval shall present a sketch plan of the proposed subdivision to the zoning administrator or designee.

### **16.02.020- Sketch Plan Requirements**

The sketch plan is an informal discussion document only, designed to allow the identification of county policies, issues, application procedures, standards and other items that may be considered in the subdivision review and approval processes of Uintah County once a subdivision application is received. To achieve these objectives, and to promote and facilitate the identification of all items necessary for consideration by the applicant no specific submission requirements are identified. However, the applicant should provide, and the zoning administrator may require information necessary to identify all the relevant issues affecting the proposed subdivision.

### **16.02.030- Consideration and Effect of the Sketch Plan**

The zoning administrator, and other county staff as applicable, shall discuss the sketch plan with the applicant at a sketch plan review meeting. At this meeting, the zoning administrator and other county staff as applicable, and the applicant shall review and discuss the procedures anticipated for subdivision approval, the goals, objectives and policies of the Uintah County General Plan, the applicable standards of the Uintah County Zoning Ordinance, this chapter, and all other applicable local, state and federal requirements.

### **16.02.040- Properties in Non-Compliance**

The zoning administrator, or designee, shall determine whether the properties in question are in compliance during the sketch plan phase. Properties with non-compliant structures or current zoning/land use violations shall be required to come into compliance before a final plat application may be accepted.

### **16.02.050- Sketch Plan- Not an Application for Subdivision Approval**

- A. The sketch plan shall not constitute an application for subdivision approval, as provided and required by this title, and is in no way binding on the county or the applicant. Any discussion that occurs at the sketch plan review meeting shall not be considered any indication of subdivision approval or disapproval, either actual or implied.
- B. An application for subdivision approval shall only be considered filed with Uintah County upon the submission of all information and materials as required for a preliminary subdivision plat or minor subdivision, as contained in this title, and after a determination of subdivision application completeness by the zoning administrator, as required by Sections 16.12.070, 16.16.040, 16.20.110 and 16.24.070 of this title of the Uintah County Zoning Ordinance.

## Chapter 16.03- Preliminary Plat Application

### 16.03.010- Requirements for Preliminary Plat Applications

The following information is required for a complete preliminary subdivision application, unless the proposed subdivision qualifies as a minor subdivision, as contained in this title.

Items required for a complete preliminary subdivision application are:

- A. A preliminary plat application, provided by the zoning administrator, completed and signed by the owner(s), or authorized agent of the owner(s), of the land proposed to be subdivided.
- B. A preliminary subdivision plat shall be prepared by an engineer and/or land surveyor licensed in the State of Utah; working within their scope of licensure as defined by Utah State Code. The preliminary subdivision plat shall not be less than twenty-four by thirty-six inches. The applicant must submit three (3) paper copies of the plat. An electronic copy, in PDF format, of the preliminary plat shall be provided with the application. The zoning administrator may request additional copies, when needed.
- C. The Preliminary subdivision plat shall show the following:
  1. The layout of the proposed subdivision at a scale of not more than one inch equals to one hundred feet, or as recommended by the county surveyor;
  2. The proposed name of the subdivision and the section, township, range, principal median and county of its location;
  3. A title block showing:
    - a. Name and address of owner(s) of record and name and address of the licensed land surveyor and/or engineer responsible for preparing the preliminary subdivision plat,
    - b. Date of preparation of the preliminary subdivision plat and any revision dates;
  4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the county commission chair and/or the planning commission chair;
  5. North arrow, graphic and written scale and basis of bearings used;
  6. Tabulation of the number of acres in the proposed subdivision, showing the total number of proposed new lots and the areas of each lot. All proposed lots are to be numbered in a system acceptable to the zoning administrator;
  7. A vicinity map of the subdivision site at a minimum scale of one inch equals to two thousand feet;
  8. The legal description of the entire subdivision site boundary;
  9. Surveyed boundary of the proposed subdivision; accurate in scale, dimension and bearing, giving the location of and ties to a minimum of two monumented corners of the Public Land Survey System. This information shall provide data sufficient to determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners of record shall be shown;
  10. As required by the zoning administrator, on the preliminary subdivision plat or separate map, the topographic contour intervals, not greater than ten feet, for the entire subdivision site;
  11. The identification and location of known natural features on the subdivision site, including but not limited to, wetlands as identified by the U.S. Army Corps of Engineers, water bodies, flood ways and drainage ways, slopes exceeding thirty percent, and any other natural features as required by the zoning administrator, planning commission or county commission, including a tabulation of the acres in each;
  12. The location and dimensions of all existing buildings, existing property lines and fence lines;

13. The location of all existing platted lots within, or contiguous to the subdivision site;
  14. All rights-of-way and easements proposed to be created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given;
  15. All proposed new roads shall be shown, including the dimensions of all rights-of-way with typical cross sections. All proposed roads shall be designed to comply with the road standards of the county;
  16. Location and size of existing and proposed irrigation canals, ditches, and easements, as applicable, and existing and proposed storm drainage improvements for both surface and flood water;
  17. Location of existing and proposed power lines and power poles, telephone lines and easements, gas lines and easements, other utilities with necessary easements, equestrian, pedestrian and bicycle trails, existing livestock trails, and any farm areas or open space areas, including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set asides, and conditions, if any, of the dedication or reservation;
  18. Location of all existing drinking water source protection zones located on the subdivision site;
  19. As required by the zoning administrator, located on the preliminary plat or separate map, the identification of the required minimum building set-back lines for each lot;
  20. All plat notes identifying agricultural protection areas and other proposed, or required protective and restrictive covenants.
- D. A title report shall be provided with the preliminary subdivision application, prepared by a title company within thirty days of the date of submission of the preliminary subdivision application.
  - E. A development phasing schedule (if applicable), including the sequence for each phase, approximate size of each phase and proposed phasing of all private and public improvements.
  - F. Payment of the nonrefundable preliminary subdivision application fee and fire district fee, as established by the county commission.

#### **16.03.020- Other Information and Materials**

When the zoning administrator, planning commission or county commission deem necessary, the applicant may be required to provide other information, conduct studies and provide evidence indicating the suitability of the area for the proposed subdivision, including but not limited to, groundwater protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat and any other physical, public or private services, or environmental matters necessary to identify the suitability of the area for the proposed subdivision.

#### **16.03.030- Zoning Administrator to Determine a Complete Application**

Prior to scheduling the preliminary plat application for planning commission review, the zoning administrator shall determine the preliminary plat application is complete and contains all preliminary plat application materials as required by this title.

#### **16.03.040- Lack of Preliminary Plat Application Information**

- A. The lack of any information required for a preliminary plat application, as specified in this title, shall be cause for the zoning administrator to find the preliminary plat application incomplete.
- B. A zoning administrator determination of an incomplete preliminary plat application shall prohibit the planning commission from considering any material, items or other information related to the proposed subdivision. The zoning administrator shall notify the applicant of the required

information lacking from the preliminary plat application. The zoning administrator shall allow thirty days from the date of notification of an incomplete preliminary plat application for the applicant to provide the required information and provide a complete application to the county. If the preliminary plat application remains incomplete after thirty days from date of notification of an incomplete preliminary plat application, the zoning administrator shall return the incomplete preliminary plat application materials to the applicant.

#### **16.03.050- Preliminary Plat Approval- Procedures**

- A. Development Review Committee. The Development Review Committee, outlined in 16.01.060, will review all preliminary plat applications prior to the application going to the land use authority.
- B. Approval. Following the determination of a complete preliminary plat application by the zoning administrator, the zoning administrator shall schedule the preliminary plat application for consideration by the planning commission. The planning commission shall schedule a public hearing, providing at least ten (10) days' public notice, to receive comment on the proposed preliminary subdivision plat with notice of the public hearing:
  - 1. Being provided by the U.S. mail to all owners of record of real property adjacent to the lands proposed for subdivision;
  - 2. Posting in at least three public places within the county, at least ten (10) days prior to the public hearing;
  - 3. Publishing notice of the public hearing in a newspaper of general circulation within Uintah County, at least ten (10) days prior to the public hearing; and
  - 4. Providing a minimum of ten (10) days' notice to each affected entity.
- C. The planning commission shall consider the application and all materials submitted, input and comments received. The planning commission may approve or recommend the preliminary plat application as presented, approve or recommend the preliminary plat application with revisions and/or conditions, or deny or recommend denial of the preliminary plat application. The determination of the planning commission shall be accompanied by findings of fact. The land use authority may approve on-site and off-site improvements, facilities and amenities, provided one hundred percent by the applicant for subdivision approval determined necessary by the land use authority and accompanied by a finding of the land use authority that such on-site and off-site improvements, facilities and amenities are required to protect the public health, safety and welfare of the residents of the subdivision, or the existing residents of the county, including but not limited to:
  - 1. Road improvements, grading and hard-surfacing, bridges, culverts, road signs and lighting;
  - 2. Flood control areas and facilities;
  - 3. Culinary water facilities;
  - 4. Sanitary sewer facilities;
  - 5. Park, open space areas and facilities;
  - 6. Fire protection facilities, including fire hydrants and water storage facilities;
  - 7. Electrical power, telephone and other utility facilities;
  - 8. Fencing and livestock guards.

#### **16.03.060- Effect of Preliminary Plat Application Approval**

Approval of the preliminary plat application by the land use authority shall not constitute final approval of the subdivision by the county, but allows the applicant to proceed with the preparation of the design and engineering application followed by the final plat application and all required documents. A preliminary plat application approval by the land use authority shall not authorize the development of land or the issuance of any building permit for the subdivision site or any proposed lots.



**16.03.070- Effective Period of Preliminary Plat Approval**

The approval of a preliminary plat application shall be effective for a period of one year from the date the preliminary plat application is approved by the land use authority, at the end of which time the applicant must have submitted an engineering and design application for approval. If an engineering and design application is not submitted for approval within the one year period, the preliminary plat approval shall be void, and the applicant shall be required to submit a new preliminary subdivision application for review and approval, subject to the then existing provisions of the ordinance codified in this chapter, the Uintah County zoning ordinance and all other applicable local, state and federal requirements then in effect.

## 16.04- Design and Engineering Application

### 16.04.010- Requirements for Design and Engineering Application

The following information is required for a complete design and engineering application:

- A. A design and engineering application, provided by the zoning administrator, completed and signed by the owner(s), or authorized agent of the owner(s), of the land proposed to be subdivided.
- B. The design and engineering plans shall be prepared by a qualified engineer licensed in the State of Utah. The plans shall not be less than twenty-four by thirty-six inches. The applicant must submit three (3) paper copies of the plans. An electronic copy, in PDF format, of the design and engineering plans shall be provided with the application. The zoning administrator may request additional copies, when needed.
- C. The design and engineering plans shall show the following:
  1. The layout of the proposed subdivision at a scale of not more than one inch equals one hundred feet, or as recommended by the zoning administrator;
  2. The proposed name of the subdivision and the section, township, range, principal median and county of its location;
  3. A title block showing:
    - a. Name and address of owner(s) of record and name and address of the licensed engineer or firm responsible for preparing the plans,
    - b. Date of preparation of the plans and any revision dates;
  4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the planning commission chair, Uintah County road department, Uintah Fire Suppression Special Service District, Electrical utility provider, natural gas provider, water and/or sewer provider, STRATA Networks, United States Postal Service and Tri-County Health Department (when applicable);
  5. North arrow, graphic and written scale and basis of bearings used;
  6. Tabulation of the number of acres in the proposed subdivision, showing the total number of proposed new lots and the areas of each lot;
  7. Topographic contour intervals, not greater than ten feet, for the entire subdivision site;
  8. The identification and location of known natural features on the subdivision site, including but not limited to, wetlands as identified by the U.S. Army Corps of Engineers, water bodies, flood ways and drainage ways, slopes exceeding thirty percent, and any other natural features as required by the zoning administrator, planning commission or county commission, including a tabulation of the acres in each;
  9. The location and dimensions of all existing buildings, existing property lines and fence lines;
  10. The location of all existing platted lots within, or contiguous to the subdivision site;
  11. All rights-of-way and easements proposed to be created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given;
  12. All proposed new roads shall be shown, including the dimensions of all rights-of-way. A cross section of all roadways showing how they will be constructed. All proposed roads shall be designed to comply with the road standards of the county;
  13. Location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells proposed, active and abandoned, and springs used for culinary water, the location of percolation test holes and proposed septic systems and drain fields, as applicable, and the location of fire hydrants, and secondary water facilities, if proposed, shall be shown. All utilities must be stubbed to each property;

14. Location and size of existing and proposed irrigation canals, ditches, and easements, as applicable, and existing and proposed storm drainage improvements for both surface and flood water, including location, size and depth of storm drainage facilities. Storm drainage facilities must be designed and built to the 100 year 24 hour storm event;
  15. Location of existing and proposed power lines and power poles, telephone lines and easements, gas lines and easements, other utilities with necessary easements, equestrian, pedestrian and bicycle trails, existing livestock trails, and any farm areas or open space areas, including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set asides, and conditions, if any, of the dedication or reservation. This shall include any improvement plans for these areas, i.e. landscaping, irrigation, playgrounds, etc. ;
  16. Location of all existing drinking water source protection zones located on the subdivision site;
  17. As required by the zoning administrator, located on the preliminary plat or separate map, the identification of the required minimum building set-back lines for each lot;
  18. All plat notes identifying agricultural protection areas and other proposed, or required protective and restrictive covenants.
  19. plan, profile and typical cross-section drawings of the roads, bridges, culverts, sewers, and drainage structures;
  20. a grading and drainage plan indicated by solid-line contours superimposed on dashed-line contours of existing topography;
  21. the general location of trees over six inches in diameter measured at four and one-half feet above the ground, and in the case of heavily-wooded areas, an indication of the outline of the wooded area and location of trees which are to remain;
  22. proposed and existing sewage system layouts;
  23. water courses and proposed storm water drainage systems including culverts, water areas, streams, areas subject to occasional flooding, marshy areas or swamps;
  24. areas within the FEMA 100-year flood plain;
  25. Location and type of all required fences.
  26. Other items as required by the subdivision type.
- D. A development phasing schedule (if applicable), including the sequence for each phase, approximate size of each phase and proposed phasing of all private and public improvements.
- E. A geotechnical evaluation of the entire subdivision shall be conducted and the report shall be submitted. The geotechnical evaluation must be completed by a qualified engineer licensed in the State of Utah. All recommendations of the report must be followed unless county regulations are to a higher standard.
- F. A traffic study will be performed when there are more than 30 lots or units in the subdivision for the roads within the development and the access points where new roads tie into existing roads. The traffic study must be completed by a qualified engineer licensed in the State of Utah and must provide at least the following information:
1. estimated site-generated traffic;
  2. impact on the public street system and on the ultimate development;
  3. identify onsite and off-site improvements that might be needed as a result of the development;
  4. the relationship of the development to the surrounding roadway network;
  5. access location and design;
  6. interconnection and cross-access with adjacent properties; and
  7. on-site circulation and parking

- G. Payment of the nonrefundable design and engineering application fee, as established by the county commission.
- H. Other items as determined by the subdivision type.

#### **16.04.020- Improvements**

All improvements must be designed and constructed in compliance with the Uintah County design and construction standards and the standards of water and sewer providers, utility companies and other entities that are providing services to the subdivision.

#### **16.04.030- Other Information and Materials**

When the zoning administrator, planning commission or county commission deem necessary, the applicant may be required to provide other information, conduct studies and provide evidence indicating the suitability of the area for the proposed subdivision, including but not limited to, groundwater protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat and any other physical, public or private services, or environmental matters necessary to identify the suitability of the area for the proposed subdivision.

#### **16.04.040- Suitability of the Area for a Subdivision**

In addition to the information required in Sections 16.04.010, 16.04.020 and 16.04.030 of this chapter, the following information is required to be presented as part of the design and engineering application, necessary to establish the suitability of the site for the proposed subdivision. The cost thereof is the responsibility of the applicant.

- A. Soils Suitability. A geotechnical report, prepared by a geotechnical engineer, identifying the suitability of the soils in the proposed subdivision for development and building construction. The investigation and report by the geotechnical engineer shall be sufficiently comprehensive to identify whether the soils have characteristics that make them susceptible to volumetric changes, shifting, collapse, hydrocompaction, subsidence, or other engineering geologic problems (e.g., gypsiferous soil and rock, liquefaction, shallow bedrock, caliche, wind-blown sand, and soils susceptible to piping and erosion). The report must assess such structural characteristics of the soil and identify specific mitigation measures to address any soil limitations. Standard professional care shall be exercised when investigating and reporting on soil suitability, including disclosure of any geologic hazards encountered.
- B. Power and Other Utilities. A letter, or official comments, from the power company, telephone company including internet and gas company responsible for providing these services to the proposed subdivision, identifying any items related to provide the proposed subdivision with adequate power, telephone and gas services.
- C. State or Federal Roads. If the proposed subdivision is adjacent to a state or federal road, a letter or official comments from the Utah Department of Transportation acknowledging the proposed subdivision and identifying any potential impacts, resulting from the proposed subdivision.
- D. Improvement Districts and Special Assessment Areas. If the proposed subdivision is located within the boundaries of an improvement district or a special assessment area, a letter, or official comments from the improvement district or assessment area governing board acknowledging the proposed subdivision and identifying any potential impacts resulting from the proposed subdivision.
- E. Irrigation Company and Canal Company. If there is a canal, ditch, irrigation line, or other irrigation infrastructure that is within or adjacent to the proposed subdivision, a letter or official comments from the governing board acknowledging the proposed subdivision and identifying any potential impacts resulting from the proposed subdivision.

**16.04.050- Zoning Administrator to Determine a Complete Application**

Prior to scheduling the design and engineering application for planning commission review, the zoning administrator shall determine the design and engineering application is complete and contains all preliminary plat application materials as required by this title.

**16.04.060- Lack of Design and Engineering Application Information**

- A. The lack of any information required for a design and engineering application, as specified in this title, shall be cause for the zoning administrator to find the design and engineering application incomplete.
- B. A zoning administrator determination of an incomplete application shall prohibit the planning commission from considering any material, items or other information related to the proposed subdivision. The zoning administrator shall notify the applicant of the required information lacking from the application. The zoning administrator shall allow thirty days from the date of notification of an incomplete application for the applicant to provide the required information and provide a complete application to the county. If the design and engineering application remains incomplete after thirty days from date of notification of an incomplete application, the zoning administrator shall return the incomplete application materials to the applicant. The applicant will then be required to submit a new application.

**16.04.070- Design and Engineering Approval- Procedures**

- A. Development Review Committee. The Development Review Committee will review and make a recommendation to the planning commission for all design and engineering applications. The applicable entities from the development review committee must sign the design and engineering plans, prior to the start of any construction activities.
- B. Approval. Following the determination of a complete design and engineering application by the zoning administrator, and a recommendation from the development review committee, the zoning administrator shall schedule the application for consideration by the planning commission.
- C. The planning commission shall consider the application and all materials submitted, input and comments received. The planning commission may approve or recommend the design and engineering application as presented, approve or recommend with revisions and/or conditions, or deny or recommend denial of the application. The determination of the planning commission shall be accompanied by findings of fact. The land use authority may approve on-site and off-site improvements, facilities and amenities, provided one hundred percent by the applicant for subdivision approval determined necessary by the land use authority and accompanied by a finding that such on-site and off-site improvements, facilities and amenities are required to protect the public health, safety and welfare of the residents of the subdivision, or the existing residents of the county, including but not limited to:
  - 1. Road improvements, grading and hard-surfacing, bridges, culverts, road signs and lighting;
  - 2. Flood control areas and facilities;
  - 3. Culinary water facilities;
  - 4. Sanitary sewer facilities;
  - 5. Park, open space areas and facilities;
  - 6. Fire protection facilities, including fire hydrants and water storage facilities;
  - 7. Electrical power, telephone and other utility facilities;
  - 8. Fencing and livestock guards.

**16.04.080- Effect of Design and Engineering Application Approval**

Approval of the design and engineering application by the land use authority shall not constitute final approval of the subdivision by the county, but allows the applicant to proceed with the preparation of the final plat application and all required documents. A design and engineering application approval by the land use authority shall not authorize the issuance of any building permit for the subdivision site or any proposed lots.

**16.04.090- Effective Period of Design and Engineering Approval**

The approval of a design and engineering application shall be effective for a period of one year from the date the application is approved by the planning commission, at the end of which time the applicant must have submitted a final plat application for approval. If a final plat application is not submitted for approval within the one year period, the preliminary plat approval and the design and engineering approval shall be void, and the applicant shall be required to submit a new applications for review and approval, subject to the then existing provisions of the ordinance codified in this chapter, the Uintah County zoning ordinance and all other applicable local, state and federal requirements then in effect.

**16.04.100- Construction Prohibited Until Design and Engineering Application Approved**

No excavation grading or re-grading shall take place on any land until a proposed subdivision has received design and engineering application approval and a bond has been put in place in accordance with this title.

## 16.05- Final Plat Application

### 16.05.010- Requirements for Final Plat applications

The following information is required for a complete final subdivision application:

- A. A final plat application, as provided by the zoning administrator, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided and possessing a valid preliminary plat application and design and engineering application approval.
- B. A final subdivision plat, prepared by a licensed land surveyor, conforming to current surveying practice and in a form acceptable to the Uintah County recorder for recordation. The final subdivision plat shall be presented in black ink on reproducible mylar at the same scale and contain the same information, except contour lines but containing any changes, additions or revisions required by the county, for the approved preliminary plat. All revision dates must be shown as well as the following:
  1. Notation of any self-imposed restrictions, or other restrictions as required by the county commission in accordance with this chapter.
  2. All monuments that are erected, corners and other points established in the field in their proper places. Monuments shall be established along the external boundary of the subdivision and at all lot corners with a detailed description of monuments found and monuments set, indicated separately. Where monuments exist but are not firmly set or of a durable material they should be rehabilitated and documented. Unless extenuating circumstances dictate, the minimum size of monuments set should be not less than 5/8 inch in diameter with a minimum length of 24 inches and be detectable by a magnetic locator. Monuments set shall be durably and visibly marked or tagged with the registered business name or the letters "L.S." followed by the license number of the surveyor in charge.
  3. A subdivision name, approved by the County Recorder, and the general location of the subdivision, in bold letters at the top of the sheet. The Township, Range, and Quarter Section shall be shown on the top of the plat.
  4. Where a subdivision complies with a different subdivision option provisions, the final plat shall indicate underneath the subdivision name words describing the subdivision option that the subdivision was approved under.
  5. A north point or arrow which shall make the top of the sheet either north or east, however, exceptions may be approved, the scale of the drawing and the date of the survey noted in the heading. (Meaning the date year and month the survey markers were placed).
  6. Accurately drawn boundaries, showing the distance and bearings of all lines traced or established by the survey, and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines. The Basis of Bearing between two monumented corners of the Public Land Survey System, sufficient for retracement shall also be noted on the final plat. A measurable mathematical relationship between the property and the monument from which it is described shall be shown. If that monument is not in place, its mathematical location must be shown as well as a mathematical relationship to monuments in place. All measured bearings or distances or bearings and distances calculated from measurements shall be separately indicated from those of record if not in agreement. The mathematical relationship between all monuments found or set shall be indicated.
  7. Dimensions of straight lines shall consist of the bearing and length. Dimensions of curved lines shall consist of the radius, arc length, central angle, tangent, chord distance and chord

bearing. All bearings and angles shall be given to seconds of arc, and length or distances shall be given to hundredths of a foot.

8. The names, widths, lengths, bearings and curve data on center lines of proposed streets, alleys and easements; also the boundaries, bearings and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, areas and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All proposed streets shall be numbered consecutively under a definite system approved by the County and conform as far as practicable to the adopted street numbering system of Uintah County.
  9. A house number indicating the street address for each lot in the subdivision shall be assigned by the County and marked on each lot so as to face the street frontage. Corner lots shall have a house number assigned for each frontage. Homes that are built on approved flag lots or right of ways shall have the address assigned and posted at the access point from a County Road or private road.
  10. The owner's certificate of consent, including a legal description of the subdivision's boundaries and the dedication of all required public ways or spaces. This certificate shall be signed, dated and notarized. There shall also be added lines for each owner's name to be printed. The owner's certificate should include a reference to any covenants and blanks where the county recorder may enter the book and page number of their recording.
  11. A certificate showing the name and registration number of the surveyor responsible for making the survey. This certificate shall be signed, and dated.
  12. Signature blocks prepared for the dated signatures of the board of county commissioners' chair attested by the County Clerk, planning commission chair, county treasurer, county surveyor, county fire marshal and tri-county health department.
  13. Other final subdivision plat notes, as required by the land use authority.
- C. Final design drawings, prepared by a licensed engineer, and approved by the land use authority, for the road system, and all other required subdivision improvements, facilities and amenities. All such improvements shall comply with the design and construction standards of Uintah County, as established, as well as the applicable recommendations of the geotechnical report.
- D. A tax clearance from the Uintah County treasurer, indicating that all taxes, interest and penalties owing for the property have been paid and taxes, interest and penalties have been paid for the current tax year, if applicable.
- E. Payment of the nonrefundable final plat application fee, and surveyor fee as established by the board of county commissioners.

#### **16.05.020- Plat Materials- Size and Copies**

Final subdivision plats shall be prepared on mylar. Two (2) paper copies shall also be submitted along with the mylar original copy. An eleven-inch by seventeen-inch black-line original shall also be provided. A digital copy, in a format acceptable to the county recorder, shall also be provided.

#### **16.05.030- Multiple Sheets and Plat Accuracy**

Multiple plat sheets may be used. All sheets shall be numbered and referenced to an index map, and all required certificates shall appear on a single sheet (along with the index and vicinity maps). Bearings shall be shown to the nearest second; lengths to the nearest hundredth foot; areas to the nearest hundredth acre.



**16.05.040- Zoning Administrator to Determine a Complete Application**

Prior to scheduling the final subdivision application for review, the zoning administrator shall determine if the final plat application is complete and contains all preliminary plat and design and engineering application materials as required by this title. As per section 16.02.040, any parcel in non-compliance must conform to county code before the zoning administrator may accept or approve the final plat application.

**16.05.050- Lack of final Plat Application Information**

- A. The lack of any information required by this title shall be cause for the zoning administrator to find the final plat application incomplete.
- B. A zoning administrator determination of an incomplete final plat application shall prohibit the planning commission and board of county commissioners from considering any material, items or other information related to the proposed final plat application. The zoning administrator shall notify the applicant of the information lacking from the application. The zoning administrator shall allow thirty days from the date of notification of an incomplete application for the applicant to provide the required information and provide a complete application to the zoning administrator. If the application for final subdivision approval remains incomplete after thirty days from date of notification of an incomplete application, the zoning administrator shall return the incomplete final plat application to the applicant.

**16.05.060- Final Plat Application Approval**

The Uintah County board of county commissioners is identified as the land use authority for final approval of a final plat application, after a recommendation from the planning commission. The board of county commissioners may approve the final plat application, approve with conditions, or deny the final plat application, accompanied by findings of fact. A board of county commissioner’s action to deny a final plat application shall be made with a finding, or findings of noncompliance with the requirements of this title, or other land use regulation adopted by the county.

**16.05.070- Nature and Effective Period of Final Plat Approval**

- A. After a final plat application has been approved by the land use authority and recorded in the office of the Uintah County recorder, owners of lots within the recorded final plat may apply for building permits consistent with the approved final plat application and the requirements for a building permit.
- B. The approval of a final plat application shall be effective for a period of six (6) months from the date the final plat application is approved, at the end of which time the approved final subdivision plat shall be recorded in the office of the Uintah County recorder. If the approved final subdivision plat is not recorded within the six (6) month period of date of approval, the final plat approval shall be void, and the applicant shall be required to submit a new preliminary plat application and design and engineering application for review and approval subject to the then existing provisions of this title, the Uintah County zoning ordinance and all other applicable local, state and federal requirements.

**16.05.080- Building Permits Prohibited Until Final Plat Application Approved**

No building permits shall be issued, until a proposed subdivision has received final plat approval from the land use authority and the approved final subdivision plat has been recorded in the office of the Uintah County Recorder.

## **16.06- One Hundred Acre Minor Lot Subdivision**

### **16.06.010- The One Hundred Acre Minor Subdivision**

- A. The State Legislature has authorized the owner of at least one hundred contiguous acres of agricultural land to divide from the land a single lot without complying with subdivision plat requirements or county subdivision ordinances. Although this provision is referred to as a "minor subdivision" in that legislation [UCA 17.27a.605(4)], it is not to be confused with the minor subdivision regulations found in Uintah County Code Chapter 16.07, as the definitions for such, and the related processes and requirements, vary significantly. For purposes of attempting to avoid confusion, the following provisions will be referred to as "the one hundred-acre minor lot subdivision". The definitions established herein do not apply outside of this subsection. As used in this section (16.06.010) only:
1. "Agricultural land" is as defined in Section 59-2-502 et seq., Utah Code Annotated, 1953, as amended.
  2. "Divided land" means land that:
    - a. Is described as the land to be divided in a notice under subsection (B)(2); and
    - b. Has been divided by a minor lot subdivision, as defined in this subsection.
  3. "Land to be divided" means land that is proposed to be divided by a minor lot subdivision, as defined in this subsection.
  4. "Minor lot subdivision" means a division of at least one hundred contiguous acres of agricultural land in a county of the third, fourth, fifth, or sixth class to create one new lot that, after the division, is separate from the remainder of the original one hundred or more contiguous acres of agricultural land.
  5. "Minor lot subdivision lot" means a lot created by a minor lot subdivision, as defined in this subsection.
- B. Notwithstanding Sections 17-27a-603 and 17-27a-604, Utah Code Annotated, 1953, as amended, and the corresponding provisions of the Uintah County Subdivision Ordinance, an owner of at least one hundred contiguous acres of agricultural land may make a minor lot subdivision by submitting for recording in the office of the recorder of the county in which the land to be divided is located:
1. A recordable deed containing the legal description of the minor lot subdivision lot; and
  2. A notice:
    - a. Indicating that the owner of the land to be divided is making a minor lot subdivision;
    - b. Referring specifically to UCA 17.27a.605(4) and/or Uintah County Code Section 16.06.010 as it is the authority for making the minor lot subdivision; and
    - c. Containing the legal description of:
      - i. The land to be divided; and
      - ii. The minor lot subdivision lot.
- C. A minor subdivision lot:
1. May not be less than one acre in size;
  2. May not be within one thousand feet of another minor lot subdivision lot; and
  3. Is not subject to the subdivision ordinance of the county in which the minor lot subdivision lot is located.
- D. Land to be divided by a minor lot subdivision may not include divided land.
- E. Once the minor lot subdivision lot is established, it shall be treated as a legal lot of record, and be subject to all land use, building, fire, health, safety, and access standards otherwise applicable to legal lots of record. The requirements are triggered with the development of the lot and issuance of

a building permit. The county may not deny a building permit to an owner of a minor lot subdivision lot based on the lot's status as a minor lot subdivision lot—only on lack of compliance with adopted land use, building, fire, health, safety and access standards applicable to legal lots of record.

- F. Use of the one hundred acre minor lot subdivision provision is not authorized unless the property meets all requirements herein. Lots improperly created through this provision constitute a violation of the subdivision ordinance, subject to enforcement and penalty as set forth in Uintah County Code Section 16.01.040.

## **16.07- Minor Subdivision**

### **16.07.010- Minor Subdivision Defined**

A minor subdivision is a subdivision containing nine or fewer lots that are located along an improved county road, where utilities are present, or along a class D county road in the Recreation Forestry and Mining RFM Zone and where no area of the proposed subdivision is traversed by the mapped lines of a proposed road, or the dedication of any land for a road, or any other public purpose, is not required or proposed.

### **16.07.020- Minor Subdivision Approval**

An application for approval of a minor subdivision may be presented and approved by the zoning administrator, or designee, in compliance with the requirements for a minor subdivision, as identified in this chapter, and following the receipt of property tax clearance from the Uintah County treasurer and approval from Tri-County Health Department.

### **16.07.030- Sketch Plan Required**

An application for a minor subdivision shall be initiated by presenting a sketch plan, as required by Chapter 16.02, of this title.

### **16.07.040- Minor Subdivision Application**

The following information is required for a complete minor subdivision application:

- A. A minor subdivision application, provided by the zoning administrator, completed and signed by the owner(s), or authorized agent of the owner(s), of the land proposed to be subdivided.
- B. A plat, complying with the requirements of this chapter, of the property proposed to be subdivided with a survey of each lot proposed, prepared by a licensed land surveyor. The minor subdivision plat shall be prepared in pen and the sheets shall be numbered in sequence, if more than one sheet is used and shall be of such a size as is acceptable to the Uintah County surveyor. One mylar copy of the minor subdivision plat, in black ink, shall be presented to the zoning administrator, along with one (1) paper copy. The zoning administrator may request additional copies.
- C. The minor subdivision plat shall be prepared in accordance with Utah Code 17-23-17 and shall also show the following:
  1. The layout of the proposed minor subdivision at a scale of not more than one inch equals to one hundred feet, or as recommended by the county surveyor;
  2. The proposed distinct name of the minor subdivision and the section, township, range, principal median and county of its location;
  3. A title block showing:
    - a. Name and address of owner(s) of record and name and address of the licensed land surveyor responsible for preparing the minor subdivision plat; and
    - b. Date of preparation of the minor subdivision plat, and any revision dates;
  4. Signature blocks prepared, as required and provided by the county, for the dated signatures of all owners of record of real property contained in the minor subdivision, county zoning administrator, county treasurer and Tri-County Health Department. The owner's certificate of consent shall be notarized; include language to convey lots in the minor subdivision, and include a reference to any covenants.
  5. North arrow, graphic and written scale, and basis of bearings used;

6. Tabulation of the number of acres in the proposed minor subdivision, showing the total number of proposed new lots, and the areas of each lot. All proposed lots are to be numbered in a system acceptable to the zoning administrator;
  7. A vicinity map of the site at a minimum scale of one inch equals to two thousand feet;
  8. The metes and bounds legal description of each lot in the subdivision (title transfers will be by a metes and bounds description, not by lot number);
  9. A minor subdivision proposing a lot or lots for agricultural purposes (not being created for development purposes, as defined by Section 16.01.030 of this title) may be described by metes and bounds description, but shown on the minor subdivision plat. A note shall be provided on the minor subdivision plat of such restriction;
  10. The location and dimensions of all existing buildings and structures, existing property lines and fence lines;
  11. The location of all existing platted lots within, or contiguous to the minor subdivision site;
  12. All existing rights-of-way and easements within the minor subdivision with their name, or purpose, shall be shown.
  13. The location of all wells proposed, active and abandoned, and springs used for culinary water, the location of proposed septic systems shall be shown;
  14. Location and size of existing and proposed irrigation canals, ditches, and easements, as applicable;
  15. The FEMA 100 year flood plain boundary, when applicable;
  16. Location of existing and proposed power lines and power poles, telephone lines and easements, gas lines and easements, other utilities with necessary easements;
  17. Location of all existing drinking water source protection zones located on the subdivision site;
  18. As required by the zoning administrator, located on the minor subdivision plat, the identification of the required minimum building set-back lines for each lot.
- D. The signature from the county treasurer shall serve as a tax clearance indicating that all taxes, interest and penalties owing for the property have been paid.
  - E. The signature from Tri-County Health Department shall serve as approval for culinary water and waste water for each building lot within the subdivision.
  - F. Payment of the nonrefundable minor subdivision application fee and surveyor fee, as established.

**16.07.050- Evidence of Availability of Necessary Services**

In addition to the information required in Section 16.07.030 of this chapter, the following information is required as part of the minor subdivision application, necessary to establish the availability of basic services to the proposed minor subdivision:

- A. A water and/or sewer availability letter indicating that water and or sewer are available for all the proposed lots within the minor subdivision. The letter shall also state how far the closest fire hydrant is away from the proposed subdivision.
- B. If public sewer is not available for the minor subdivision, approval from Tri-County Health will be required for the installation of individual septic systems.

**16.07.060- Other Information and Materials**

When the zoning administrator deems necessary, the applicant may be required to provide other information, conduct studies and provide evidence indicating the suitability of the area for the proposed minor subdivision, including but not limited to, groundwater protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other physical, public or private

services, or environmental matters necessary to identify the suitability of the area for the proposed minor subdivision.

**16.07.070- Complete Minor Subdivision Application**

Prior to approval of a minor subdivision application, the zoning administrator shall determine and find that the minor subdivision application is complete and contains all application materials as required by Sections 16.07.020 through 16.07.050 of this chapter.

**16.07.080- Incomplete Minor Subdivision Application**

- A. The lack of any information required for a minor subdivision application, as specified in Sections 16.07.020 through 16.07.050 of this chapter, shall be cause for the zoning administrator to find the minor subdivision application incomplete, or for disapproval of the minor subdivision application.
- B. A zoning administrator determination of an incomplete minor subdivision application shall prohibit the approval of the proposed minor subdivision. The zoning administrator shall notify the applicant of the required information lacking from the minor subdivision application. The zoning administrator shall allow thirty days from the date of notification of an incomplete minor subdivision application for the applicant to provide the required information and provide a complete application to the county. If the minor subdivision application remains incomplete after thirty days from the date of notification of an incomplete minor subdivision application, the zoning administrator shall return the incomplete minor subdivision application materials to the applicant.

**16.07.090- Minor Subdivision Approval**

After a minor subdivision has been approved by the zoning administrator the mylar shall be filed in the office of the Uintah County surveyor, the applicant may apply for building permits consistent with the approved minor subdivision and the requirements for a building permit once a deed has been recorded with the Uintah County recorder.

**16.07.100- Site Preparation Work Prohibited**

No excavation, grading or regrading for the proposed minor subdivision site shall take place and no building permits shall be issued, until a proposed minor subdivision has received approval from the zoning administrator and the minor subdivision has been filed in the office of the Uintah County surveyor.

## **16.08- Standard Subdivision Option**

### **16.08.010- Purpose and Intent**

The standard subdivision option is provided and designed to have simple clear rules for development. To this end, the proposed standard subdivision should be developed in accordance with the land use ordinances adopted by Uintah County without variation. Full compliance with all the provisions of this chapter, the Uintah County zoning ordinance and all other applicable requirements of local, state and federal laws is required.

### **16.08.020- Use Regulations**

The standard subdivision option may be allowed in all zoning districts. An application for a standard subdivision shall be considered concurrently with a preliminary subdivision application. All use requirements of the zoning districts shall apply. Use requirements are found in Chapter 17.33.010.

### **16.08.030- Applications**

The proposed standard subdivision shall comply with the application and approval requirements for preliminary subdivision applications, design and engineering application, and final subdivision applications.

### **16.08.040- General Requirements**

- A. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of all the property.
- B. Lot sizes in a standard subdivision shall follow the area requirements of the zoning district in which they are located, unless otherwise allowed by this title. Requirement standards are found in Chapter 17.32.
- C. Setbacks in a standard subdivision shall comply with the zoning district in which the lot is located. Setback standards are found in Chapter 17.32
- D. All improvements within a standard subdivision shall comply with Uintah County design and construction standards and/or the utility or service providers design and construction standards.
- E. Standard subdivision shall follow the requirements of this title and all other land use ordinances that have been adopted by Uintah County.

### **16.08.050- Sketch Plan Required**

An application for a standard subdivision shall be initiated by presenting a sketch plan, as required by Chapter 16.02, of this title.

### **16.08.060- Other Information and Materials**

When the land use authority deems necessary, the applicant may be required to provide other information, conduct studies and provide evidence indicating the suitability of the area for the proposed standard subdivision, including but not limited to, groundwater protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other physical, public or private services, or environmental matters necessary to identify the suitability of the area for the proposed standard subdivision.

### **16.08.070- Land Use Authority**

- A. The Planning Commission is designated as the land use authority for the Preliminary Plat Application and the Design and Engineering Application after review by the development review committee.

- B. The County Commission is designated as the land use authority for the Final Plat Application after a recommendation from the Planning Commission.



## 16.09- Planned Unit Development (PUD) Option

### 16.09.010- Purpose and Intent

The Planned Unit Development (PUD) subdivision option is provided and designed to encourage flexibility and creativity in subdivision design and layout and to preserve and protect the natural features and amenities of Uintah County; to strengthen and preserve agricultural activities; and to protect and enhance the amenities and qualities of quality communities. To this end, the proposed PUD should be planned as a unified development rather than an aggregation of individual unrelated buildings located on separate unrelated lots. Full compliance with all the provisions of this chapter, the Uintah County zoning ordinance and all other applicable requirements of local, state and federal laws is required.

### 16.09.020- Use Regulations

The PUD option may be allowed in the residential RA-1, R-1, R-2, R-3, C-1 and C-2 zoning districts, with approval of the land use authority. An application for a PUD shall be considered concurrently with a preliminary subdivision application. All use requirements of the zoning districts shall apply, as found in Chapter 17.33.010.

### 16.09.030- Applications

The proposed PUD shall comply with the application and approval requirements for preliminary subdivision applications, design and engineering application, and final subdivision applications.

### 16.09.040- General Requirements

A. The number of subdivision lots allowed in a PUD shall be determined by qualifying for density bonus points identified in Section 16.06.040, and as follows:

Level	Density (additional units/GDA*)				Performance Requirements
	RA-1	R-1	R-2	R-3	
A	0	0	0	0	0% open space + 0 Performance points
B	.5	.5	.5	1	5% open space + 5 performance points
C	1	1	1.5	2	10% open space + 10 performance points
D	1.5	2	2.5	3	15% open space + 15 performance points
E	2	2.5	3	4	20% open space + 20 performance points

\*Gross developable acre (GDA) means land which is capable of being improved with landscaping, recreational facilities, buildings, or parking (subject to the provisions of the Uintah County land use ordinances.)

B. Land to be used for schools, churches, and other public facilities/buildings and uses may be included in the area for determining the number of allowable lots.

C. In order to qualify for the PUD option the parcel must meet the following acreage requirements:

Level	Parcel size			
	RA-1	R-1	R-2	R-3
A	N/A	N/A	N/A	N/A
B	2	2	1	N/A
C	5	4	2	N/A
D	10	6	3	N/A
E	10	6	3	N/A

- D. Projects with phased planning must adopt an overall development plan with the approval of the first phase, describing open space and other values to qualify the entire project as a PUD. Each phase must meet the density and open space requirements of section 16.09.040 of this chapter.
- E. PUDs must be served by public water and sewer.
- F. The area and location of the property to be preserved and maintained as open space through the PUD option shall be of a size and location sufficient to achieve the purposes of the area preserved and the purposes of the PUD option and held as common area to the subdivision or be held by a preservation agency or group that is approved by the land use authority.
- G. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of all the property.
- H. The property adjacent to the PUD should be affected as little as plausible. To this end, the land use authority may require that uses of least intensity or greatest compatibility be arranged around the boundaries of the PUD area.

**16.09.050- Minimum Lot Area and Setbacks**

A Planned Unit Development must provide for the following lot area and setback configuration:

- A. Level A must follow the area, height and setback requirements for the zone in which it is located as outlined in chapter 17.32 of the Uintah County zoning ordinance.
- B. Levels B-D area and setbacks will be approved by the land use authority, however, in no case shall the area and setbacks be less than the table below:

Lot Size	Min Lot Width	Front (BOC/COR)*	Side	Side Corner (BOC/COR)*	Rear
RA-1 5,000-7,000 sq. ft.	70	30/51	8	20/41	10
R-1 5,000-7,000 sq. ft.	50	25/46	8	15/36	10
Others 5,000-7,000 sq. ft.	40	25/46	5	15/36	10
RA-1 7,001-12,000 Sq. ft.	80	30/51	8	20/41	10
R-1 7001-12,000 sq. ft.	60	25/46	8	15/36	10
Others 7001-12,000 sq. ft.	50	25/46	8	15/36	10
RA-1 12,001 and above	90	30/51	10	20/41	10
R-1 12,001 and above	70	25/46	10	15/36	10
Others 12,001 and above	60	25/46	8	15/36	10

\*BOC means Back of Curb and COR means Center of Road

- C. Accessory Structures shall meet the setback requirements for the zone in which they are located unless otherwise approved by the land use authority.
- D. There should be a variety of lot sizes for level B-D options.

**16.09.060- Performance Criteria and Points**

- A. Performance points can be earned by qualification of established values as described below. Interpretation is given to the Uintah County zoning administrator for the purpose of processing the application and later approved by the land use authority. See performance criteria description for evaluation and qualification, Section 16.09.070.

Criteria	Value	Points Possible
1. Maintenance of natural features	1	1
2. Landscaping improvements		4
Large trees on lots	1	
Large trees on common area	1	
Soften Fence	2	

3. Water conservation measures				11
Secondary water irrigation system		5		
Mandated planting restrictions		2		
Incorporated reuse system		4		
4. Public facilities (churches, schools, fire, etc)				7
Facilities/property planned		2		
Facilities planned and property conveyed		5		
5. Public streets		2		2
6. Design theme				5
Installed landscaping		1		
Decorative lighting		1		
Fencing		1		
Special features		2		
7. Building design				2
Façade materials		1		
Roof materials		1		
8. Theme design drainage		2		2
9. Open space used as buffer		2		2
10. Mixed-use area- Commercial		1		1
11. Common parking areas for RVs		2		2
12. Open space/preservation lands	15%	20%	30+%	4
Private	1	2	3	
Public access	2	3	4	
Or, production agricultural lands	2	3	4	
	Private		Public	
13. Recreational amenities	2		4	4
14. Parks and playgrounds	2		4	4
15. Trails system/ connectivity	2/3		4/5	5
	<b>Total Possible</b>			59

**16.09.070- Performance Criteria Description for Evaluation and Qualification**

- A. Maintenance of Natural Features. Preservation of existing physical/natural features that are special or unique to the site and will be protected and incorporated and/or enhanced as a part of the development project. Such features may include unusual rock formations, established mature stands of trees, particularly interesting vegetation growths, water bodies or corridors, unusual topography, unique geological features, important wildlife habitat, etc.
- B. Landscaping Improvements.
  - 1. Large Trees (on Lots). Design and planting of two or more trees larger than two and one-half inch in diameter at four feet from the base for deciduous trees and greater than ten feet in height for conifers to be planted in the front yards of private residential lots.
  - 2. Large Trees (in Common Areas). Design and planting of trees larger than two and one-half inch in diameter at four feet from the base for deciduous trees and greater than ten feet in height for conifers to be planted in accordance with an approved landscape plan for the common area within the subdivision. Such landscape plan would also include the necessary irrigation for the establishment of said trees.

3. Soften Fence Appearance. Areas which are to be screened use a solid non-see-through wood, vinyl or masonry fence and landscaping which acts to soften the appearance of the fence. Landscaping may be vines, shrubs, or trees, as prescribed in an approved landscape plan.
- C. Water Conservation Measures.
1. Mandated Planting Restrictions. Incorporation of standards for water conserving plant species/type, sizes, and amounts into the CC&R's for the development.
  2. Incorporate Sewer Effluent Reuse System. Design and install a water reuse system that captures wastewater effluent for reuse in irrigation within the development.
  3. Secondary Irrigation System with Surface Water. Design and install a secondary (separate from primary culinary water system) water irrigation system that utilizes appropriated surface water rights for the primary source of irrigation water for private lot irrigation and common area irrigation.
  4. Secondary Irrigation System with Drainage Water. Design and install a secondary water irrigation system (separate from primary culinary water system) that utilizes captured and collected drainage water as a supplemental source of irrigation water for private lot and common area irrigation.
- D. Public/Community Facilities.
1. Facilities/Property Planned. Facilities are planned and specific areas or land parcels are identified and prescribed for uses such as schools, churches, fire stations, libraries, community meeting halls or recreational facilities, etc., and are not to be used for residential or commercial development at the present time or for conversion at a later time.
  2. Facilities Planned—Property Conveyed. Facilities are planned for specific land parcels as described in subsection (D)(1) of this section, and the lot(s) or parcel(s) are dedicated or title conveyed to the appropriate public or private entity as part of the subdivision process. Written willingness to accept such dedication or conveyance by the identified entity must accompany the subdivision application.
- E. Public Streets. All streets within the development are built to Uintah County street standards and dedicated to Uintah County as part of the subdivision process.
- F. Design Theme.
1. Installed Landscaping. Landscaping is designed and installed along all streets of the development according to an architectural or project theme which provides character and interest.
  2. Decorative Lighting. Decorative lighting is used throughout the development for street lighting, lighting of walkways, parking areas, entrances, and building exteriors based on project theme.
  3. Fencing. Perimeter fencing is used throughout the project that matches the building design, i.e., masonry columns or piers using the same brick or stone as the buildings (project theme continuity).
  4. Special Features. Special features such as fountains, streams, ponds, sculptures, buildings or other elements which reflect the project/design theme for the development and are utilized in highly visible locations in the development.
- G. Building Design.
1. Facade Materials. Three facades of each dwelling structure (front and two adjacent sides), exclusive of windows or doors, have a minimum coverage of thirty-five percent (35%) of the exterior surface in either brick or stone (including cultured or manufactured rock or brick products).

2. Roof Materials. All roofs of main buildings are clad with wood shake, tile, architectural asphalt, or slate shingles.
- H. Theme Design Drainage. Incorporation of a master drainage plan (utilizes swales, holding facilities and other drainage features) that is designed to capture storm-drain water and retain said runoff within the development with no net discharge from the subdivision and utilizes design elements that portray the character and interest of the project design theme.
  - I. Open Space Buffer. The designated open space should include areas that provide a perimeter buffer between this subdivision and the adjacent developments or properties that help to screen and separate the impacts of this development from existing adjacent projects and/or incompatible land uses from properties in the immediate surrounding area.
  - J. Mixed Use Area—Commercial. The subdivision would include an area for mixed-use commercial/residential that facilitates the integration of diverse but compatible uses into a single development and provides residents of the subdivision and the immediate neighborhood with some commercial retail and business services resulting in reduced vehicle trips to more distant retail and commercial centers, as well as employment opportunities closer to home—"Live, work and play" opportunities within convenient distance from each other.
  - K. Common Parking/Storage for Recreational Vehicles. Provision of one or more combined paved/graveled surface area(s) for the storage of operable and licensed recreational vehicles. Combined recreational vehicle storage areas in excess of one thousand square feet shall be enclosed in a six-foot high site-obscuring fence.
  - L. Open Space (Fifteen Percent, Twenty Percent, Thirty-Plus Percent).
    1. Designed Plan. Open space is designed (not left over space between buildings) and flows uninterrupted through the entire development linking dwellings and recreation amenities and trails in accordance with design concepts described in Section 16.09.110.
  - M. Recreational Amenities—Parks and Playgrounds—Trail System and Connectivity.
    1. Private. The subdivision includes a recreational amenity primarily for the use of the residents of the development. Amenities may include swimming pools, sports courts, spas, barbecue and picnic facilities, or other features as approved by the land use authority. Parks, and trail systems may include playgrounds, play fields, playground equipment, exercise and health stations, etc., designed primarily for use by residents of the development.
    2. Public Access. The subdivision includes a recreational amenity for the use of the residents of Uintah County. Construction of a park or trail according to county standards of trail or park and has been dedicated to a public agency. Dedication of land for a public park, public access along a stream, or public access along a planned trail. The public agency must be willing to accept the proposed dedication(s) and the public agency must be approved by the land use authority.

#### **16.09.080- Attached Dwellings**

The number of attached dwellings/units in all PUD subdivision options shall follow the number designated under "multi-family" in chapter 17.32.010 of the zoning ordinance.

#### **16.09.090- Improvements**

The improvement requirements set forth in the Uintah County Design and Construction Standards Appendix A may be altered for the following improvements, when approved by the land use authority.

- A. Sidewalks. May not be required in front of lots when an improved trail system provides for access to each lot. The developer may also present other alternatives for review by the land use authority.

- B. Drainage (Curbs and Gutters). May be eliminated when storm drainage system utilizes swales and road-side drainage systems with minimal collection of drainage waters and no off-site discharge in excess of historical run-off.
- C. Off-Street Parking. When no on-street parking is allowed or provided (streets narrower than twenty-eight feet width—improved surface), four off-street parking spaces shall be required outside of a garage. Otherwise, two off-street parking spaces shall be required outside of a garage.
- D. Signage and Fencing. Monument/entrance signs shall be considered as part of the theme design and incorporated into the fencing plan. Height and setbacks shall be considered in plan approval. Fencing shall be in accordance with the project design theme and the Uintah County design and construction standards.
- E. Lighting. Decorative lighting may be varied from Uintah County Design and Construction Standards Appendix A when approved with the theme design by the land use authority.
- F. Street Design. Minimum improved street surface and right-of-way width shall be in accordance with Uintah County Design and Construction Standards Appendix A, unless private streets are proposed and approved by the land use authority. In no case shall street width of the improved surface (paving including curb, face to face) be less than twenty-four feet.

**16.09.100- Additional Considerations/Special Conditions**

Discretion shall be provided to the land use authority when evaluating other considerations on an individual basis. Such areas where individual consideration may warrant special conditions include, but are not limited to, the following:

- A. Mountain Developments;
- B. Gated communities where emergency access is required;
- C. Phasing of a project in relation to open space improvements and recreational amenities being provided; and
- D. Use of development agreements when the scope of the project is beyond the structure provided by a PUD subdivision in this section.

**16.09.110- Open Space Provisions and Maintenance**

- A. Open space means a planned open area, not part of a development lot, suitable for relaxation, recreation or landscaping which may be held in common or private ownership that is unoccupied and unobstructed by buildings and hard surface, such as asphalt or cement, except that such open spaces may include walkways, patios, recreational activity areas, picnic pavilions, gazebos, and water features so long as such surfaces do not exceed thirty percent (30%) of the established open space. Open space approved as such with a PUD must be held and maintained in perpetuity with the subdivision or approved conservation group.
- B. The design of an open space area should encourage the following:
  - 1. Interconnection with designated open space and trails on abutting properties;
  - 2. The preservation of important site features, such as rare or unusual stands of trees, unique geological features, important wildlife habitat, etc.;
  - 3. Direct access from as many lots as possible within the development;
  - 4. Minimizing the fragmentation of the open space areas. To the greatest extent possible, the designated open space should be located in large, undivided areas;
  - 5. A design which minimizes the visual impact of houses and other structures as may be seen from the exterior of the development.
- C. All areas to be preserved for open space areas through the PUD option shall be preserved, improved and maintained as common area, owned by owners of the subdivision lots or an approved third

party, and in accordance with the development plan, presented by the subdivider, outlining anticipated maintenance costs and schedules, reviewed and approved by the land use authority.

- D. The applicant for PUD approval may be required to provide a financial guarantee, such as a surety or cash bond, escrow, or bank letter of credit in an amount determined by the zoning administrator guaranteeing the completion of any required improvements of the open space areas and/or landscaping improvements approved in the required landscape plan for private or common areas. When completed in accordance with the approved plan, the financial guarantee shall be released. If uncompleted at the end of two years, the county will review the progress and may proceed to use the financial guarantee funds to make the required improvements to the open space areas.

**16.09.120- Submission of Application**

An application for a PUD shall be submitted to the county in accordance with this chapter and chapters 16.03, 16.04 and 16.05 of this title.

**16.09.130- Land Use Authority**

- C. The Planning Commission is designated the land use authority for the Design and Engineering Application after review by the development review committee.
- D. The County Commission is designated as the land use authority for Preliminary Plat Application and the Final Plat Application after a recommendation from the Planning Commission.

**16.09.140- Variations from Development Standards**

The land use authority may, in the process of approving preliminary or final plat applications, approve variations from applicable development standards in the Uintah County land use ordinances if it finds that the following conditions are met:

- A. The granting of the variation will not adversely affect the rights of adjacent landowners or residents;
- B. The variation desired will not adversely affect the public health, safety, or general welfare; and
- C. The granting of the variation will not be opposed to the general spirit and intent of this Chapter or the Land Use Element of the General Plan.

## **16.10- Cluster Subdivision Option**

### **16.10.010- Purpose and Intent**

The cluster subdivision option is provided and designed to encourage flexibility and creativity in subdivision design and layout and to preserve and protect the natural features and amenities of Uintah County; to strengthen and preserve agricultural activities. To this end, the proposed cluster subdivision should be planned as a unified development rather than an aggregation of individual unrelated buildings located on separate unrelated lots. Full compliance with all the provisions of this chapter, the Uintah County zoning ordinance and all other applicable requirements of local, state and federal laws is required.

### **16.10.020- Use Regulations**

The cluster subdivision option may be allowed in all zoning districts, at the discretion of the land use authority. An application for a cluster subdivision shall be considered concurrently with a preliminary subdivision application. All use requirements of the zoning district in which the cluster subdivision is located shall apply.

### **16.10.030- General Requirements**

- A. The number of subdivision lots allowed in a cluster subdivision shall be the same as the number permitted by the lot area requirements of the zoning district, or districts, in which the cluster subdivision is located, according to Chapter 17.32.010. Lands that can be mitigated such as natural drainages, flood plain wetlands, etc. are considered developable and shall be counted towards density. Floodways, ponds, lakes, rivers, etc. which could not be developed but provide an amenity may also be a part of the common open space, with 25 percent of this land credited towards the overall density of the development if this land is used to provide amenities to the development.
- B. The area and location of the area to be preserved and maintained through the cluster subdivision option for agricultural use and/or open space uses shall be of a size and location sufficient to achieve the purposes of the area preserved and the purposes of the cluster subdivision option. As a guide only, the area to be preserved and maintained through the cluster subdivision option for agricultural uses and/or open space uses should be a minimum, and at least, fifty percent of the area of the entire subdivision site.
- C. A majority of the proposed lots shall have direct access to the common open space. The remaining lots shall be connected to the common open space by a trail system or by a sidewalk system.
- D. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of the property.
- E. The property adjacent to the cluster subdivision should not be adversely affected and to this end, the land use authority may require that uses of least intensity or greatest compatibility be arranged around the boundaries of the cluster subdivision area.

### **16.10.040- Development Standards**

- A. **Minimum Lot Area.** The minimum lot area for dwellings may be reduced below the area normally required by the zoning district regulations in which the cluster subdivision is located, as approved by the land use authority. See Chapter 17.32.010 for lot area requirements. The proposed lot size must be sufficient to meet the requirements for the provision of culinary water and sanitary sewer services, as applicable.
- B. **Minimum Lot Width and Yard Setbacks.** The minimum lot width and yard requirements may be reduced below the width and yard normally required by the zoning district in which the cluster



subdivision is located, as approved by the land use authority. However, no required side yard shall be less than five (5) feet, no required front yard shall be less than thirty (30) feet BOC or fifty-one (51) feet COR, no required rear yard shall be less than ten (10) feet, and no corner side yard shall be less than twenty (20) feet BOC or forty-one (41) feet COR.

- C. Use and Height Regulations. Use and height regulations shall be the same as for the zoning district in which the cluster subdivision is located. See Chapter 17.32.010 for height and 17.33.10 for use regulations.
- D. The proposed cluster subdivision shall comply with the application and approval requirements for preliminary subdivision applications, design and engineering applications and final subdivision applications as applicable.

#### **16.10.050- Agricultural and Open Space Provisions and Maintenance**

- A. The subdivider of a cluster subdivision shall submit plans of landscaping and improvements for the common open space at preliminary submittal. If the property is to remain agricultural, then a copy of the agricultural preservation agreement shall be recorded with the final plat. A cluster subdivision shall meet the requirements of the Uintah County Zoning Ordinance, and shall assure proper use, construction and maintenance of open space facilities and shall result in a development superior to conventional development in terms of its benefits to future owners of the subdivision, surrounding residents and the general public.
- B. All areas to be preserved for agricultural use and/or open space areas through the cluster subdivision option shall be preserved, improved and maintained in accordance with a plan, presented by the subdivider, reviewed and approved by the land use authority.
- C. The land use authority may place additional conditions or restrictions necessary to ensure development and maintenance of the common open space, including plans for deposition or re-use of property if the open space use is not maintained in the manner agreed upon or is abandoned by the owners.
- D. The applicant for cluster subdivision approval may be required to provide a surety, cash bond, or bank irrevocable letter of credit in an amount determined by the zoning administrator guaranteeing the completion of any required improvements of the agricultural use or open space areas. When completed in accordance with the approved plan, the bond shall be released. If uncompleted at the end of two years, the county will review the progress and may proceed to use the bond funds to make the required improvements to the agricultural use or open space areas.
- E. Continuation of Common Open Space. As assurance of continuation of common open space use in accordance with the plans approved by the land use authority the subdivider shall grant to Uintah County, or an approved Land Trust, or another approved entity an "Open Space Easement" on and over the Common Open Space as part of the final subdivision plat. The final subdivision plat will provide that the Common Open Space remains open.

#### **16.10.060- Submission of Application**

An application for a cluster subdivision shall be submitted to the county in accordance with this chapter and chapters 16.03, 16.04 and 16.05 of this title.

#### **16.10.070- Land Use Authority**

The planning commission is designated as the land use authority for preliminary plat applications and design and engineering applications for cluster subdivisions. The county commission after a recommendation from the planning commission is designated as the land use authority for final plat applications for cluster subdivisions.

## **16.11- Seasonal Subdivision Option**

### **16.11.010- Purpose and Intent**

The seasonal subdivision option is provided and designed to encourage flexibility and creativity in subdivision design and layout and to preserve and protect the natural features and amenities of rural recreational and agricultural property in Uintah County; to strengthen and preserve rural recreational activities; and to protect and enhance the amenities and qualities of agriculture, wildlife, natural areas, and open space. To this end, the seasonal subdivision should be planned as a unified development rather than an aggregation of individual unrelated buildings located on separate unrelated lots. The intent is to allow the entire property to be divided into the number of lots permitted through the zoning of the property and configured with available subdivision options, including the maximum density option, the cluster subdivision option, or the minor subdivision option. Full compliance with all the provisions of this chapter, the Uintah County Zoning Ordinance and all other applicable requirements of local, state and federal laws is required.

### **16.11.020- Use Regulations**

The seasonal subdivision option may be allowed in the MG-1 and RFM zoning districts, at the discretion of the land use authority. An application for a seasonal subdivision shall be considered concurrently with a preliminary subdivision application. All use requirements of the zoning districts in which the seasonal subdivision is located shall apply, according to Chapter 17.33.010.

### **16.11.030- General Requirements**

- A. The number of subdivision lots allowed in a seasonal subdivision shall be the same as the number permitted by the lot area requirements of the zoning district, or districts, in which the seasonal subdivision is located. Lot size requirements are found in Chapter 17.32.010. Land used for schools, churches, and other nonresidential buildings and uses shall not be included in the area for determining the number of allowable lots.
- B. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of the property.
- C. The property adjacent to the seasonal subdivision should not be adversely affected, and to this end, the land use authority may require that uses of least intensity or greatest compatibility be arranged around the boundaries of the seasonal subdivision area.

### **16.11.040- Development Standards**

- A. Qualification for Seasonal Subdivision. In order to apply for a seasonal subdivision, the proposed property must have limited seasonal access to the property, from a class B county road, because of seasonal road closures due to lack of maintenance during the winter months and/or the condition of the county road. Such county roads may be posted "closed" and designated to provide ingress and egress to seasonal subdivisions only during portions of the year when weather conditions are favorable. Seasonal subdivisions may be gated where access leaves a county road and enters the seasonal subdivision.
- B. Subdivision Standards. Notwithstanding Chapter 16.04- design and engineering application, and the Uintah County Design and Construction Standards Appendix A, seasonal subdivisions will not be required to provide subdivision improvements typical of subdivisions that provide year-round access/availability, as follows:
  1. Hauling of Water

- a. The hauling of water as a proposed source of culinary water may be allowed for the establishment of a building or structure for seasonal purposes only, as approved by the health department. Hauling water is restricted by the approval of a seasonal subdivision for occupancy to a maximum of one hundred eighty (180) days, or less, for each calendar year.
- b. Seasonal subdivisions proposed with ten (10) or less lots must provide proof of an approved source for hauling water at the time of building permit. Water hauling for this size/type subdivision shall be limited to hauling from an approved source outside the subdivision boundary.
- c. Seasonal subdivisions proposed with eleven (11) or more lots shall be required to provide an approved culinary water source within the boundaries of the proposed subdivision, from which individual lot owners may access water for culinary purposes with maximum hauling and use restrictions determined by water rights only.

2. Fire Protection

- a. The proposed subdivision shall meet the requirements for fire prevention, protection, and suppression specified in the Utah Wildland Urban Interface (WUI) Code, including the provision of survivable space, appropriate fire resistant building materials and vegetation, and other provisions or facilities necessary for fire protection and suppression as identified by the county fire marshal.
- b. All seasonal subdivisions with gated private roads shall provide Knox Box locks specified by the local emergency service providers.
- c. Vegetation management strategies or mitigation measures determined adequate to substitute water storage for fire suppression for seasonal subdivisions shall be completed as part of the common subdivision improvements, rather than at the time of building permits for individual lots. Vegetation management or mitigation measures necessary for individual buildings may be completed at the time of a building permit being issued.

3. Roads

- a. Minimum road standards for private roads in seasonal subdivisions shall be as follows:

Type	R-O-W Width	Improved Road Width
Access Road	33'	20'
Shared Access Driveway	30'	16'
Single Access Driveway	30'	12'
Cul-de-sac	As approved by fire marshal	As approved by fire marshal

- b. Ten (10) foot utility easements are required on both sides of the R-O-W, unless there is a need to make the utility easement wider as determined by the land use authority.
- c. Turnouts are required on driveways less than twenty feet wide at intervals determined by the fire marshal. Turnouts must be at least ten (10) feet by thirty (30) feet.
- d. Single or shared driveways less than twenty (20) feet wide, longer than one hundred fifty (150) feet, must provide a turnaround approved by the fire marshal.
- e. All roads shall be constructed according to the appropriate county road standard and be finished with an all-weather gravel surface.

- f. A second access providing ingress and egress for the proposed seasonal subdivision shall be required when more than thirty (30) lots are gaining access from a single access (must be calculated in combination with any and all existing or planned lots/subdivisions using the same access).
  - g. Construction. All common or shared roads (private or public) shall be constructed as if typical subdivision public improvements, including shared driveways. Single access driveways may be constructed at the time of building permit.
  - h. Limited access/road closures. County roads providing access to seasonal subdivisions may be posted "closed" during portions of the year when weather conditions are unfavorable. Signage shall include notice to the public that, because of weather, ingress and egress to the seasonal subdivision is limited to that portion of the year when road conditions are favorable.
- C. Minimum Lot Area. The minimum lot area for dwellings may be reduced below the area normally required by the zoning district regulations in which the seasonal subdivision is located, as approved by the land use authority, when incorporated with the cluster subdivision option. The proposed lot size must be sufficient to meet the requirements for the provision of culinary water and sanitary sewer services, as applicable. Cluster seasonal subdivisions shall not have lots smaller than three (3) acres unless the applicant can sufficiently demonstrate that lots smaller than three (3) acres and associated small wastewater treatment systems on less than three (3) acres will not be detrimental to the public health, safety and/or welfare, including specifically, but not limited to, groundwater quality, groundwater hydrology, and soils stability. In no case shall lots be smaller than one (1) acres.
- D. Lot Frontage. Lots within the seasonal subdivision may be exempt from the required frontage on a dedicated public street or road when the lots are provided access from private access roads, shared access driveways, and single access driveways.
- E. Use and Height Regulations. Use and height regulations shall be the same as for the zoning district in which the seasonal subdivision is located.
- F. Building Envelope. An appropriately sized building envelope shall be designated for each lot where residential structures may be built, leaving the remainder of the lot free of structures. The building envelope can delineate the lot setbacks and identify other no-build areas due to geologic concerns and/or interests such as water source and water shed protections, preserving unique physical features, view shed protections, ridgeline building prohibitions, etc.
- G. Subdivision Construction and Design Standards. Unless otherwise provided in this chapter, the engineering and design standards shall prescribe the required improvements for each zone. If there are any lots in the subdivision that are smaller than the normal minimum required lot area of the zoning district in which the subdivision is located, the land use authority shall approve the appropriate required level of on-site and off-site subdivision improvements based on the number of lots and the lot sizes in the subdivision, as well as subdivision location, current and anticipated future land use designations of adjacent properties, and all other relevant considerations.
- H. Deed and Plat Restrictions. Seasonal subdivision recorded plats and lot deeds shall include a notation that the lots are for seasonal use only and no lot may be occupied year-round. Lots in seasonal subdivisions are taxed as secondary residences or recreational properties and may not be considered as primary residences.

#### **16.11.050- Submission of Application**

An application for a Seasonal subdivision shall be submitted to the county in accordance with this chapter and chapters 16.03, 16.04 and 16.05 of this title.

**16.11.060- Land Use Authority**

The planning commission is designated as the land use authority for preliminary plat applications and design and engineering applications for seasonal subdivisions. The county commission after a recommendation from the planning commission is designated as the land use authority for final plat applications for seasonal subdivisions.

## **16.12- Natural Resource Extraction Subdivision Option**

### **16.12.010- Definitions**

“Natural Resource Extraction”: Forest product industries, oil and gas wells, mining and processing of minerals, gravel and rock quarries, rock crushers, coal yard, storage and processing of natural resources, oil shale retort, natural resource by-products storage and shipping facilities, processing of natural resources, open pit/underground mines.

### **16.12.020- Purpose and Intent**

The natural resource extraction subdivision option is provided so that land can be divided for the extraction of natural resources. To this end, the natural resource extraction subdivision should be designed to meet the needs of the natural resource extraction industry. The intent is to allow the division of property for the explicit use of natural resource extraction with different standards than for residential, commercial or industrial subdivisions. Full compliance with all the provisions of this chapter, the Uintah County zoning ordinance and all other applicable requirements of local, state and federal laws is required.

### **16.12.030- Use Regulations**

The natural resource extraction subdivision option may be allowed in the MG-1, RFM and A-4 zoning districts at the discretion of the land use authority. An application for a natural resource extraction subdivision shall be considered concurrently with a preliminary subdivision application. All use requirements dealing with natural resource extraction in the zoning district in which the natural resource extraction subdivision is located shall apply, according to Chapter 17.33.010. Lots or parcels within a natural resource extraction subdivision shall only be used for natural resource extraction or agriculture and shall not be used for any other purpose.

### **16.12.040- General Requirements**

- A. There shall be a note on the final plat and a note recorded with each parcel stating that each parcel is part of a natural resource extraction subdivision and that the parcels will be used for natural resource extraction or agricultural purposes only, until such time that they have been subdivided and approved following a different subdivision option regulations.
- B. The development shall be in a single or corporate ownership or the subdivision application filed jointly by the owners of the property.

### **16.12.050- Development Standards**

- A. Minimum Lot Size and Width. The minimum lot size and width shall be the same as for the zoning district in which the subdivision is located. Lot size requirements are found in Chapter 17.32.010.
- B. Subdivision Improvements. There must a recorded right-of-way that is tied to any parcel within a natural resource extraction subdivision; the right-of-way shall be a minimum of fifty (50) feet wide. The right-of-way must extend from a public road to each lot within the subdivision. The right-of-way must be a private right-of-way and must remain with each lot in the subdivision in perpetuity. The access to each lot can be developed in a manner that is sufficient for the owner of each lot. If the right-of-way connects to a paved county road, a paved apron, approved by the county road department, shall be installed at the point where the right-of-way connects to the paved county road.

- C. The proposed natural resource extraction subdivision shall comply with the application and approval requirements for preliminary subdivision application, design and engineering application and final subdivision application, as applicable.

**16.12.060- Submission of Application**

An application for a natural resource extraction subdivision shall be submitted to the county in accordance with this chapter and chapters 16.03, 16.04 and 16.05 of this title.

**16.12.070- Land Use Authority**

The zoning administrator is designated as the land use authority for preliminary plat applications, design and engineering applications and final plat applications for natural resource extraction subdivisions.

## **16.13- Subdivision Amendments**

### **16.13.010- Amendment to Recorded Plats**

The county commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a recorded final subdivision plat, any portion of a final subdivision plat, or any road or lot, contained in a final subdivision plat by following and complying with all the requirements for vacating or changing a subdivision plat, as identified at Section 17-27a-608, Utah Code Annotated, 1953, as amended and Section 17-27a-609, Utah Code Annotated, 1953, as amended.

### **16.13.020- Amendment by County Commission**

When Uintah County proposes to vacate, alter, or amend a subdivision plat, or any road or lot contained in a subdivision plat, the county commission shall consider the issue at a public hearing after giving the notice, as required by Section 17-27a-207 et seq., Utah Code Annotated, 1953, as amended.

### **16.13.030- Lot Line Adjustment within a Recorded Subdivision**

- A. An application for a lot line adjustment shall be submitted when:
  - 1. Any of the lots being adjusted are part of a subdivision.
- B. Petitions to adjust lot lines between adjoining properties may be executed upon the recordation of an appropriate plat that has been approved by the zoning administrator and cleared for taxes by Uintah County treasurer, if:
  - 1. No new dwelling lot or housing unit results from the lot line adjustment;
  - 2. That all adjoining property owners consent to the lot line adjustment and sign the plat;
  - 3. The lot line adjustment does not result in a remnant piece of land that did not exist previously;
  - 4. The lot line adjustment does not result in the violation of any applicable zoning district requirements.
- C. Prior to recordation of the appropriate plat, the zoning administrator shall ensure the requirements of this chapter are met.
- D. The plat shall be recorded as an amendment to the recorded subdivision(s) in which the lots are located.

### **16.13.040- Other Lot Line Adjustments**

- A. An application for a lot line adjustment shall be submitted when:
  - 1. Any of the lots being adjusted are part of a subdivision.
- B. Petitions to adjust lot lines between adjoining properties may be executed upon the recordation of an appropriate deed after a record of survey has been approved by the zoning administrator and cleared for taxes by Uintah County treasurer and filed with the county surveyor, if:
  - 1. No new dwelling lot or housing unit results from the lot line adjustment;
  - 2. That all adjoining property owners consent to the lot line adjustment;
  - 3. The lot line adjustment does not result in a remnant piece of land that did not exist previously;
  - 4. The lot line adjustment does not result in the violation of any applicable zoning district requirements.
- C. Prior to the approval of the record of survey and the recordation of the appropriate deed, the zoning administrator shall ensure the requirements of this chapter are met.



## **16.14- General Requirements for All Subdivisions**

### **16.14.010- Properties in Non-Compliance**

The zoning administrator, or designee, shall determine whether the properties in question are in compliance during the sketch plan phase. Properties with non-compliant structures or current zoning/land use violations shall be required to come into compliance before a final plat application may be accepted.

### **16.14.020- Subdivision Layout**

- A. The subdivision layout shall conform to the Uintah County General Plan, this title, other county land use codes and all other requirements of state code.
- B. Where trees, groves, waterways, natural drainages, scenic points, historic spots or other county assets and landmarks, as determined by the land use authority, are located within a proposed subdivision, every practical means shall be provided to preserve these features. Staff may provide recommendations from qualified organizations to aid in the determination of these features.
- C. Whenever a tract to be subdivided adjoins or embraces any part of an existing road as claimed by the county or a proposed road designated within the countywide general plan, such part of the public way shall be platted and dedicated to the county.

### **16.14.030- Lots**

- A. All subdivisions shall result in the creation of lots which are developable and capable of being built upon with the exception of agricultural remainders. A subdivision shall not create lots which would make improvement impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage, or access grades, or other physical conditions.
- B. All lots or parcels created by the subdivision shall have reasonable access.
- C. A lot shall not be divided by an incorporated town or county limit line. No permits shall be issued on any lot/parcel that is divided by a municipal jurisdictional line except for agricultural buildings.

### **16.14.040- Attached Units**

The number of attached dwellings/units in all subdivision options shall follow the number designated under "multi-family" in section 17.32.010 of the zoning ordinance.

### **16.14.050- Owner of Subdivision Responsible for Costs**

The owner of any land to be platted as a subdivision shall at his own expense install or provide improvement surety, as outlined in 16.14.170, with Uintah County for improvements prior to recording the final plat according to the specifications and standards approved in the design and engineering application.

### **16.14.060- Roads**

- A. All roads shall be designed and constructed in accordance with Uintah County Design and Construction Standards Appendix A or as approved by the land use authority.
- B. The street classification and required right-of-way widths shall be as follows and shall be designated and approved by the land use authority:
  - 1. Local residential street shall have a minimum right-of-way of fifty (50) feet.
    - a. The primary function of local residential streets is to provide direct access to property with very limited traffic service and should be designed to discourage through trips. Trip lengths are intended to be quite short, typically a quarter mile or

less. Local streets have the lowest speeds and lowest traffic volumes, generally less than 1,500 Average Daily Traffic (ADT).

2. Local access streets shall have a minimum right-of-way of sixty-six (66) feet.
    - a. Local access streets, like collectors, provide a connection between local streets and the arterial street system. Local access streets accommodate trips relatively short in length, typically one-half mile or less. Lower speeds and moderate to low traffic volumes, generally about 2,500 to 5,000 ADT, are common on local access streets.
  3. Collector streets shall have a minimum right-of-way of seventy-two (72) feet.
    - a. Collector streets connect local streets with the arterial street system and provide traffic service to less intense developments like residential, schools, churches, parks and low intensity commercial developments. Collector streets accommodate relatively short trips, typically one mile or less. Lower speeds and moderate to low traffic volumes, generally less than 10,000 ADT, are standard for collector streets. Collector streets provide an equal balance of both access and traffic movement. Direct access to nonresidential facilities frequently occurs, but direct access to single-family residential properties should be avoided.
  4. Secondary arterial streets shall have a minimum right-of-way of eighty (80) feet, or as shown in the General Plan, whichever is greater.
    - a. Like arterials, secondary arterials also serve to connect activity centers, but they also serve less intense development areas like small retail centers, office centers and industrial/business parks. Secondary arterials provide traffic service for moderate trip lengths. Average trip lengths on minor arterials will be one or two miles long. Moderate speeds and moderate to high traffic volumes, approximately 10,000 to 25,000 ADT, are typical characteristics of these facilities. While the primary function of secondary arterials continues to be moving traffic, access becomes a slightly more important function.
  5. Arterial streets shall have a minimum right-of-way of one hundred (100) feet
    - a. Roadways that serve as the primary streets within the county and connect areas of activity to one another. Arterial streets connect to highways that serve regional and interstate traffic. Trip lengths on major arterials are oftentimes several miles long. High speeds and high volume, above 20,000 ADT, with limited access are typical characteristics of these facilities. The primary function of arterial streets is to move traffic, with the provision of access to abutting properties being a secondary function.
- C. Private roads shall be identified on the subdivision plat with the appropriate subdivision notes.
- D. The land use authority shall determine the road classification for each road within a subdivision.
- E. Cul-de-sacs may be used when it is determined by the land use authority that:
1. It is unnecessary or unfeasible for the road to continue on and connect to another road or an adjoining property; and
  2. The cul-de-sac is 1,500 feet or less in length, when measured from the center of the connecting road to the center of the cul-de-sac following the centerline of the cul-de-sac road.
- F. There shall be no more than 30 dwelling units and/or lots in any subdivision that has only one (1) access. The number of accesses shall be determined by the fire marshal in accordance with the adopted fire codes.
- G. There shall be no more than 30 dwelling units and or lots on any cul-de-sac street.
- H. Blocks. The width of blocks shall be sufficient to allow two (2) tiers of lots or as otherwise approved by the land use authority because of design, terrain, or other unusual conditions. Blocks intended

for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off street parking and delivery facilities.

- I. Half-streets proposed along a subdivision boundary or within any part of a subdivision shall not be approved.
- J. Road patterns in the subdivision shall be in conformity with the most advantageous development of adjoining areas. The following principles shall be observed:
  - 1. Where appropriate to the design and terrain, proposed roads shall be continuous and in alignment with existing, planned or platted roads with which they are to connect and based on the grid system common to Uintah County. Where dead end roads are proposed, the land use authority may require that a road and/or right-of-way be extended to the subdivision boundary to provide road connectivity and access alternatives for current, proposed, and future development.
  - 2. Roads and utility easements shall be stubbed to adjoining parcels of ten (10) acres or larger, unless deemed unnecessary or unfeasible by the land use authority.
  - 3. Proposed roads shall intersect one another at right angles, or as near to as topography and other limiting factors of good design permit.
- K. All public and private streets and private access rights of way shall be graded and surfaced in accordance with Uintah County Design and Construction Standards Appendix A or as approved by the land use authority.
- L. Curbs and Gutters. Curbs and gutters shall be installed in accordance with Uintah County Design and Construction Standards Appendix A or as approved by the land use authority. Mow strips between the sidewalk and gutter are discouraged.

#### **16.14.070- Protection Strips**

Protection strips shall not be permitted under any circumstances, nor shall remnant parcels be permitted which may act as protection strips. A protection strip is any piece of ground created to inhibit access to a road, right of way, and/or easement as determined by the land use authority.

#### **16.14.080- Utilities and Easements**

Utility easements shall be provided within the subdivision as required for public utility purposes. Easements shall be dedicated along all front, rear, and side setbacks as deemed necessary by the land use authority and/or utility providers. All utility easements shall be a minimum of ten (10) feet wide, unless the land use authority determines that a wider utility easement is needed. Utilities shall be laid-out in accordance with Uintah County Design and Construction Standards Appendix A or as approved by the land use authority.

#### **16.14.090- Storm Drainage Requirements**

- A. Storm drainage systems shall be designed and constructed to handle the storm water run-off, from impervious surfaces within the subdivision, for the 100 year 24 hour storm event.
- B. Storm drainage systems must comply with Uintah County Design and Construction Standards Appendix A or as approved by the land use authority.

#### **16.14.100- Street Lights**

- A. Street lights that will be turned over to the county shall be a cobra head LED on a steel pole as per the electrical provider's options. Street lights shall be installed in accordance with the electrical utility's standards. Street lights that will remain in private ownership shall be approved by the land use authority.
- B. Street lights in the urban area shall be installed at each intersection and every 500 feet.

- C. Street lights in the suburban and rural areas shall be installed at each intersection.

#### **16.14.110- Street Signs**

Street signs shall be installed by the applicant at locations designated by the County road department. Signs shall be a type and material prescribed by the County road department and shall be designed and installed in accordance with the Uintah County Road Department installation instructions. The County Commissioners shall have the option to install signs and charge the costs to the applicant.

#### **16.14.120- Fencing**

Fencing shall be required as follows:

- A. A chain link or other fencing type approved by the land use authority, not less than six (6) feet tall, shall be installed along all subdivision boundaries when there is a dissimilar use, as determined by the land use authority.
- B. A solid board, chain link, or other non-climbable fence not less than six (6) feet in height shall be installed on both sides of existing irrigation ditches or canals which carry five (5) second feet or more of water which are located within or adjacent to the subdivision, except where the land use authority determines that park areas including streams or bodies of water shall remain unfenced. Fencing or piping of Canals etc. shall not be required on subdivisions of four (4) or fewer lots, or where canals are located six-hundred (600) ft. from the homes.

#### **16.14.130- Mailboxes**

Mailboxes shall be cluster boxes that are approved by the US Postal Service. The location of the cluster boxes will be approved as part of the design and engineering plans and shall be installed in accordance with US Postal Service requirements.

#### **16.14.140- Suitability Requirements for Subdivisions**

The following information is required as part of a subdivision review to establish the availability of basic services required to provide for the public health, safety, and welfare.

##### A. Water Requirements:

1. Domestic water rights are required for all subdivided lot(s) with the exception of subsection (A)(1)(a) of this section. The land use authority may also require culinary water systems on any subdivision. The required water rights shall be as approved by the state division of water quality and in conformance with Utah administrative code R309-510.
  - a. Subdivisions may be approved with a single dry lot. Any dry lot approved shall be labeled clearly on the plat as "Dry Lot - Restricted for development until an approved domestic water right is provided". In addition to the plat notation, a certificate shall be recorded on each new dry lot created stating that the lot has been approved, but that domestic water shall be required prior to the issuance of a zoning clearance. The plat notation may be removed by the zoning administrator upon evidence that an approved water right has been assigned to the lot.
2. If a water source being utilized for a lot is not located within that lot, appropriate easements and rights of way shall be provided and recorded with the plat.
3. When a subdivision is supplied with water by a water district or other public entity, the improvements for such water systems shall be installed to the district or agency standards. At the time the improvements are inspected and are found to be in compliance with set standards, the improvements shall be turned over to the district or public agency.

##### B. Sewage Requirements:

1. When feasible, as determined by the land use authority, subdivisions shall be served by a public sewer system. The sewer shall be stubbed to each lot within the subdivision.
  2. Subdivision applications, proposing individual on site wastewater disposal systems, shall include feasibility reports meeting the requirements of the Tri-County health department or Utah department of environmental quality, as applicable, for each lot proposed. All applicants for a subdivision where on site wastewater systems are proposed shall provide a septic tank permit or septic tank feasibility letter from the applicable authority for the entire subdivision and/or each lot proposed. The minimum lot size, as determined in each base zoning district, may be increased as required to ensure that each lot will be able to provide adequate on site sewer treatment.
  3. If a subdivision requires that off-site facilities be provided, appropriate easements and rights of way shall be required. Additionally, any engineering, site studies, or other requirements by the health department shall be conditions of approval for the proposed subdivision.
  4. Alternative sewage treatment may be approved by the land use authority after a recommendation from Tri-County health department.
- C. Fire Control: A review provided by the fire marshal identifying any items related to providing the proposed subdivision with adequate fire protection and suppression services including, but not limited to:
1. Ability to meet the requirements of the international fire code.
  2. Suitable equipment access based on the needs of the proposed use including, but not limited to, sufficient roadway improvements (minimum width, structural stability, turnaround capabilities, year round maintenance, and other legal requirements).
  3. Access to suitable water supply for fire protection (water tenders, hydrants, storage tanks, or as otherwise required).
- D. School Bus Service: A review provided by the Uintah School District, identifying any items related to the provision of school bus services.
- E. Roads and Access: A review provided by the community development department, road department and fire district that identifies the following:
1. Basic layout of the existing road(s) proposed to service the subdivision.
  2. A basic analysis, to the extent possible, outlining if the existing roads meet current standards.
  3. A review of the existing maintenance efforts, both summer (pavement preservation versus grading) and winter (snow removal services).
  4. The interconnection of current or future subdivisions.
  5. Additional information that would impact access issues related to the proposed subdivision or the traveling public.
- Alternatively, if the proposed subdivision is accessed directly from a state highway, an access permit as required by the state of Utah department of transportation shall be provided with the application materials. A UDOT review shall be provided prior to planning commission review of the plat.
- F. Traffic Study. A traffic study shall be provided along with the design and engineering application, as outlined in 16.04.010 (F), for all subdivisions with more than 30 lots or dwellings. The traffic study shall be done by a competent engineer licensed in the state of Utah and shall include a study of all proposed roads and intersections within the subdivision and all existing roads and intersections that will be affected by the subdivision.
- G. Geotechnical Report. A geotechnical report shall be provided along with the design and engineering application, as outlined in 16.04.010 (E), for all subdivisions other than minor subdivisions. The geotechnical report shall be done by a competent engineer licensed in the state of Utah. The

geotechnical report must show that the soils are suitable for the proposed development. If the report shows that the soils are not suitable for the proposed development, the report must show what must be done to support the proposed development.

- H. Other Information and Materials: The land use authority may require, with the reasons for such request being identified as either code requirements or items of concern as specified on the record, the applicant to provide additional information including, but not limited to, feasibility studies and/or evidence indicating suitability of the area for the proposed subdivision.

#### **16.14.150- Redesign**

The land use authority may require that a subdivision be redesigned based on a recommendation from either staff or the development review committee. The redesign may be required based on either site constraints that may include, but are not limited to: topography, floodplain or waterways, historic or culturally significant elements, access issues, or other natural features. A redesign of a subdivision may also be required based on land use planning external to the site.

#### **16.14.160- Completion of Development Improvements**

- A. Improvements: The land use authority may require on-site and off-site improvements as outlined within this code or as otherwise determined necessary by the land use authority based on the record as required to protect the public health, safety, and welfare.
- B. Conditions For Approval: No development shall be recorded until all of the conditions for approval have been met and all required improvements have been completed to the standards and specifications established by the county or other codes, laws, or regulations unless an "improvement agreement" is in place.

#### **16.14.170- Improvement Surety**

When in the judgment of the community development director, it is not feasible to complete improvements and/or conditions imposed by ordinance or the land use authority prior to the issuance of a permit or recordation of a plat, an improvement security may be accepted as part of an improvement agreement pursuant to this section to guarantee completion of the improvements and/or conditions.

- A. Authorization to Accept Surety: The director is authorized to accept improvement surety and to enter into improvement agreements to the completion of improvements and/or conditions imposed by ordinance or by a land use authority.
- B. Acceptable Types Of Surety: The following types of improvement surety reflecting one hundred ten percent (110%) of the improvement costs may be accepted:
  - 1. Irrevocable letter of credit issued by a federally insured financial institution.
  - 2. Performance bond issued by a financial institution, insurance company, or surety company with an A.M. Best rating of not less than A-:IX.
  - 3. A cash bond held by Uintah County.
- C. Estimating The Cost Of Improvements:
  - 1. The developer shall present the county with a firm construction bid for the improvements and/or conditions to be addressed. The bid must be valid for a reasonable period of time from the date of the bid.
  - 2. The bid shall be reviewed by the director or the director's designee prior to acceptance.
  - 3. Upon the director's approval of the bid amount, the developer may provide improvement surety of not less than one hundred ten percent (110%) of the bid amount.

4. If the director does not accept the bid, the developer shall obtain an additional firm bid for the work to be secured with prices valid for at least six (6) months. The county shall accept the average of the two (2) submitted bids as the base amount for improvement security.
- D. Completion of Improvements: As applicable, improvements as identified in the improvement agreement must be completed three (3) months prior to the expiration of the improvement surety or said surety shall be required to be extended.
- E. Completion and Acceptance: Upon completion of improvements, the county will inspect said facilities to ensure conformance with all requirements and accept the facilities based on said conformance. Upon acceptance of the improvements, the county shall retain ten percent (10%) of the bond amount for a period of two winter seasons. A winter is season is November 1 to May 1.

**16.14.180- Staking Subdivision Corners**

Survey markers shall be placed at all subdivision corners and lot corners to completely identify the boundaries on the ground. This shall be performed and confirmed by the surveyor's office before the subdivision is recorded.

- A. The minimum standard for a boundary or lot corner monument shall be a number five rebar 24" in length and visibly marked or tagged with the registered business name or the letters P.L.S. (Professional Land Surveyor) followed by the registration number of the surveyor in charge. Where ground conditions do not permit such monumentation, substitute monuments shall be noted on the subdivision plat and must be durably and visibly marked or tagged with the registered business name or the letters AP.L.S.@ followed by the registration number of the surveyor in charge.
- B. If the monument is set by a public officer, it shall be marked with the official title of the office.

**16.14.190- Phasing**

- A. Developments that are five (5) acres or less shall be developed in one (1) phase.
- B. Developments that are over five (5) acres shall be phased as approved by the land use authority.

**16.14.200- Development Areas**

- A. The County will be divided into three (3) development areas, urban, suburban and rural.
  1. Urban areas. Parcels within the Moderate and Medium Density designation in the future land use plan.
  2. Suburban areas. Parcels located Residential Agricultural designation in the future land use plan.
  3. Rural areas. Parcels which are not urban or suburban.
- B. A subdivision's development area classification shall be identified by the land use authority as part of the preliminary subdivision plat application approval. If a parcel is within two or more areas the land use authority shall determine under which area the parcel shall be developed.
- C. The land use map shall dictate the borders of each development area, and shall be approved by the land use authority.

**16.14.210- Moderate Income Housing**

- A. Developments where 10% or more of the dwelling units are set aside as moderate income housing shall be eligible for the following:
  1. Up to a 10% increase in the number of dwelling units (the number of dwelling units is set by the land use ordinances of Uintah County);
  2. A decrease of up to 10' for frontage requirements; and
  3. A decrease of up to 15% of the lot size requirements.
- B. The land use authority shall approve the modifications outlined in subsection (A), above.

- C. Moderate income housing is defined for this section as, "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in Uintah County."
- D. The moderate income housing shall be permanently affordable through one of the following methods:
  - 1. Deed restricted program
  - 2. Community land trust
  - 3. Limited equity housing cooperative, or
  - 4. Other method approved by the land use authority.
- E. Only land within the urban area (see section 16.14.200) shall be eligible for density incentives provided in this section (16.14.210).

**16.14.220- Blighted, Underused, and Non-Irrigated Lands**

- A. Definitions
  - 1. "Blighted Land" means land located in the urban or suburban areas that, by reason of deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures, or any combination of these factors, are detrimental to the safety, health or welfare of the community.
  - 2. "Underused Land" means land located in the urban or suburban areas that is not fully used, has more potential than is currently being realized or utilized.
  - 3. "Non-Irrigated Land" means land located in the urban or suburban areas that is not supplied with water by artificial means and is not being used for agricultural production.
- B. Developments that are proposed to be developed on blighted, underused or non-irrigated lands, as defined above, shall be eligible for the following:
  - 1. Up to a 10% increase in the number of dwelling units (the number of dwelling units is set by the land use ordinances of Uintah County).
    - a. No more than a 15% decrease in lot size shall be permitted on any lot.
    - b. No more than a 10' decrease in frontage shall be permitted on any lot.
- C. The land use authority shall approve the modifications outlined in subsection (B), above.
- D. The land use authority shall determine if the land on which the development is proposed meet the definitions in subsection (A) above.
- E. Only land within the Urban and Suburban areas (see section 16.14.200) shall be eligible for density incentives provided in this section (16.14.220).

**16.14.230- Landlocked Parcels**

- A. Definition
  - 1. "Landlocked Parcel" means a parcel that does not have sufficient access to a public or approved private road to be developed following the subdivision standards outlined in Uintah County land use ordinances.
- B. The land use authority may approve a variance to the access requirements for landlocked parcels when it has been demonstrated by the property owner or developer that there is no feasible option to obtain additional land for access.
- C. In approving a variance to the access requirements the land use authority shall get a recommendation from:
  - 1. The Uintah county road department;
  - 2. The Uintah fire suppression special service district; and
  - 3. The Uintah county community development department.



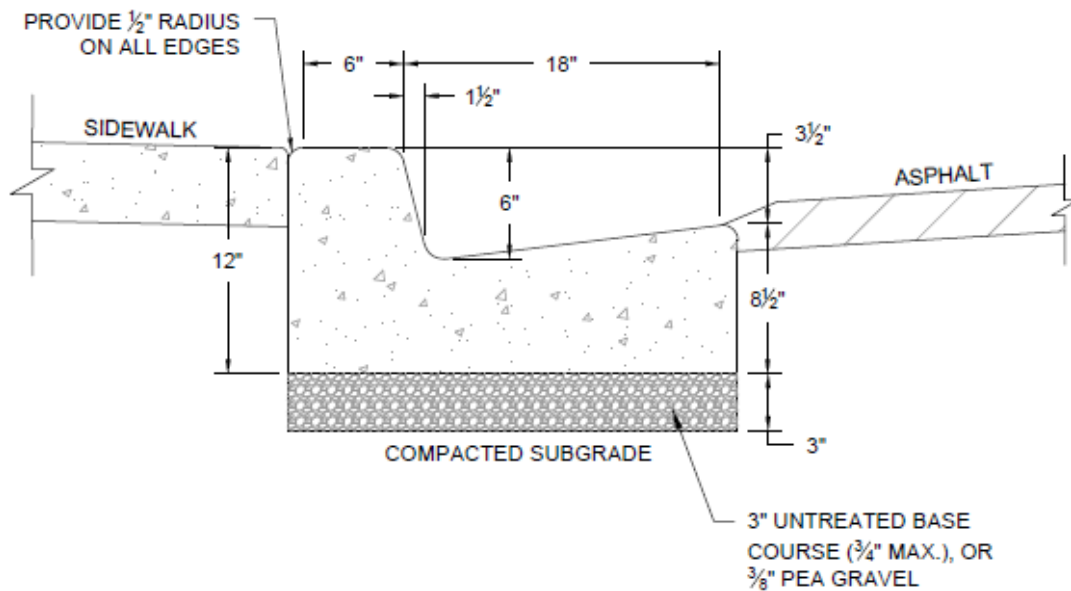
- D. Variances for landlocked parcels may only be approved for parcels that are in existence prior to January 1, 2019.
- E. For the purposes of this ordinance, a landlocked parcel must be at least ten (10) acres in order to be considered for a variance.
- F. Only land within the Urban and Suburban areas (see section 16.14.200) shall be eligible for variances provided in this section (16.14.230).

**16.14.240- Trails**

- A. When any part of a subdivision is crossed by a trail or trail extension identified in the trails master plan the developer shall install those parts of the trail that cross the proposed subdivision property, unless an improved trail is more than 1,250 feet away, then the developer shall preserve a right-of-way for the trail.
- B. The right-of-way for trails shall be dedicated to Uintah County or to another public entity as approved by the land use authority.
- C. When the land use authority determines that the location of a trail in the trails master plan would better serve the public interest and/or the development in a different location, the land use authority may approve the change.
- D. Trails and trail right-of-ways shall comply with the Uintah County Trails Master Plan.
- E. When a developer is required to build a trail that is part of the trails master plan the developer shall be eligible to calculate the number of lots that could have been installed if the trail right-of-way was not part of the subdivision, as determined by the land use authority, and incorporate that number of lots into the development, following these standards:
  - 1. A decrease of up to 10' for frontage requirements; and
  - 2. A decrease of up to 15% of the lot size requirements

**Appendix A**  
**Uintah County Design and Construction Standards**

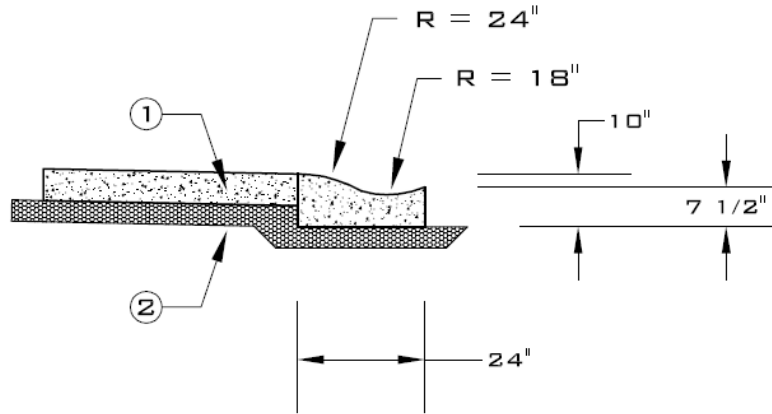
**24" High-back Curb and Gutter Detail**



**NOTES:**

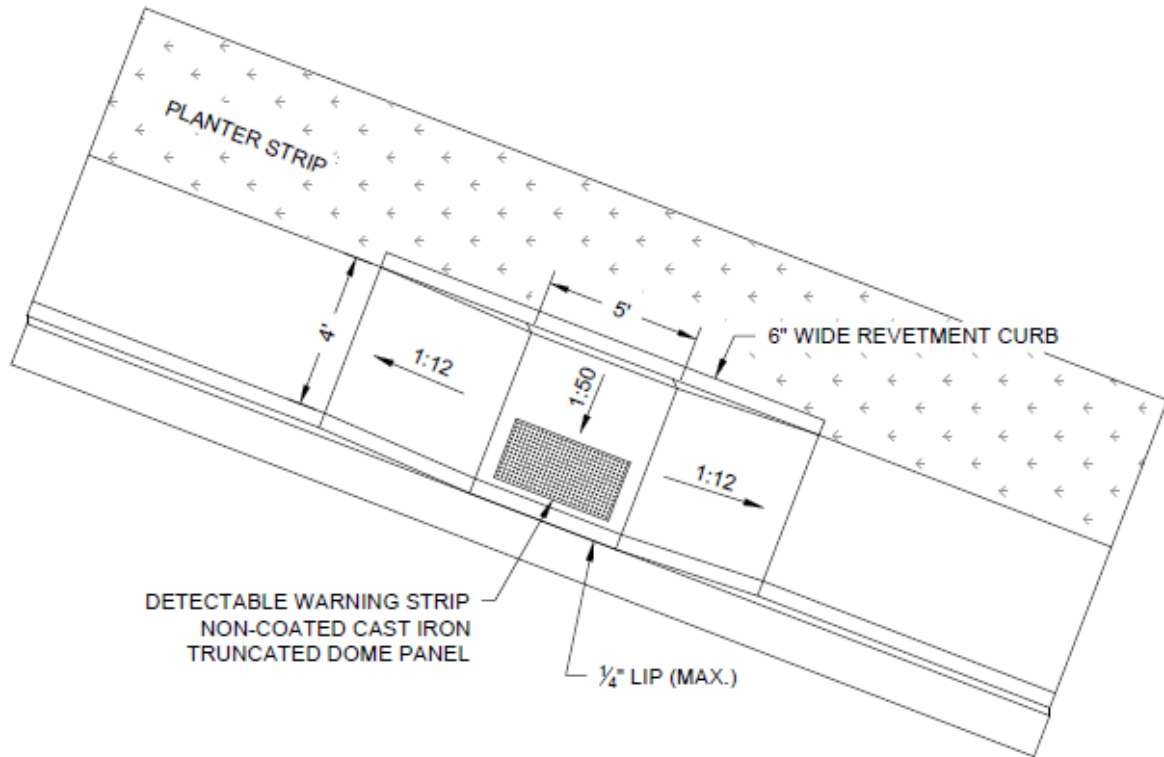
1. PROVIDE CONTRACTION JOINTS AT 10'-0" O.C. MAXIMUM
2. PROVIDE EXPANSION JOINTS AT 50'-0" O.C. MAXIMUM AND AT POINTS OF CURVATURE
3.  $\frac{1}{2}$ " ASPHALT IMPREGNATED EXPANSION JOINT MATERIAL FULL DEPTH OF CURB, FLUSH w/ SURFACE
4. COMPACT UNTREATED BASE COURSE TO MINIMUM OF 96% MAX. DRY DENSITY, OR PEA GRAVEL w/ VIBRATORY PLATE COMPACTOR
5. CONCRETE COMPRESSIVE STRENGTH: 3,500 PSI (MIN.)
6. CONCRETE AIR ENTRAINMENT CONTENT: 6%  $\pm$  1%

## 24" Rollback Curb and Gutter Detail



- ① 6" THICK CONCRETE SIDEWALK
- ② 4" UNTREATED BASE COURSE 3/4" MAX (A1)

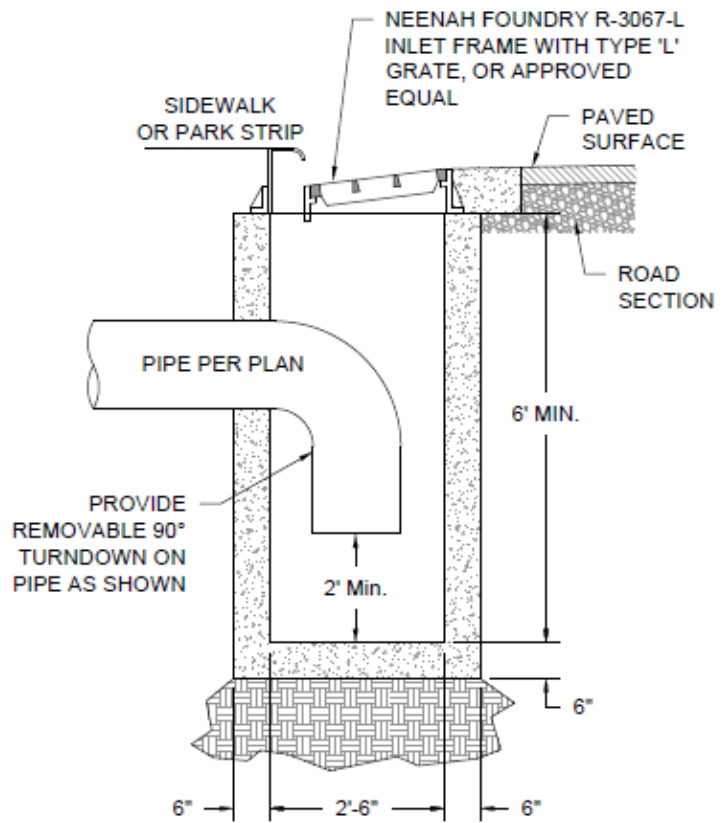
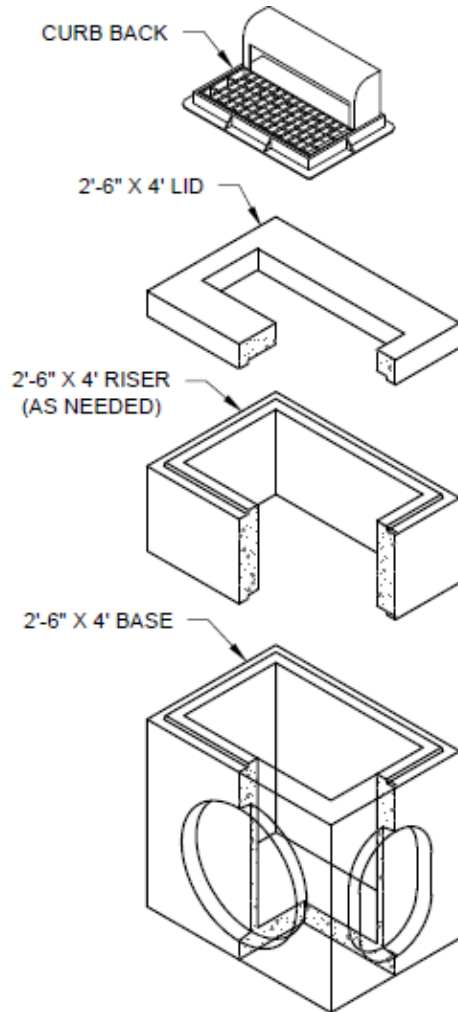
## ADA Sidewalk Access Ramp (Mid-Block)



### NOTES:

1. EDGE SIDEWALK WITH 1/2" RADIUS
2. PROVIDE CONTRACTION JOINTS @ 5'-0" O.C. MAX.
3. PROVIDE EXPANSION JOINTS AT 50'-0" O.C. MAX.
4. COMPACT UNTREATED BASE COURSE TO MINIMUM OF 96% MAX. DRY DENSITY, OR PEA GRAVEL w/ VIBRATORY PLATE COMPACTOR
5. CONCRETE COMPRESSIVE STRENGTH: 3,500 PSI (MIN.)
6. CONCRETE AIR ENTRAINMENT CONTENT: 6% ± 1%
7. CONSTRUCTION TO MEET ADA REQUIREMENTS AT THE TIME OF INSTALLATION

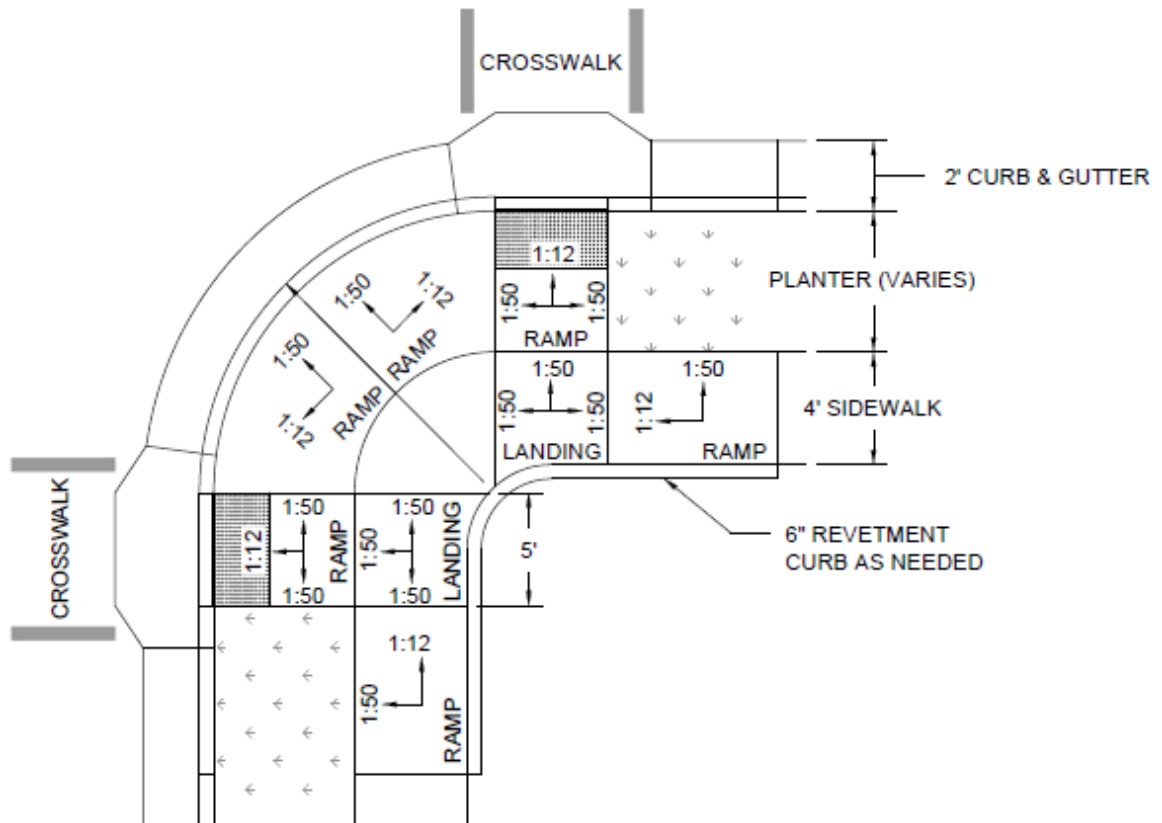
## 2'6"X4' Concrete Catch Box



**NOTES:**

1. CATCH BOX SHALL BE ASHTO HS-20 LOAD RATED

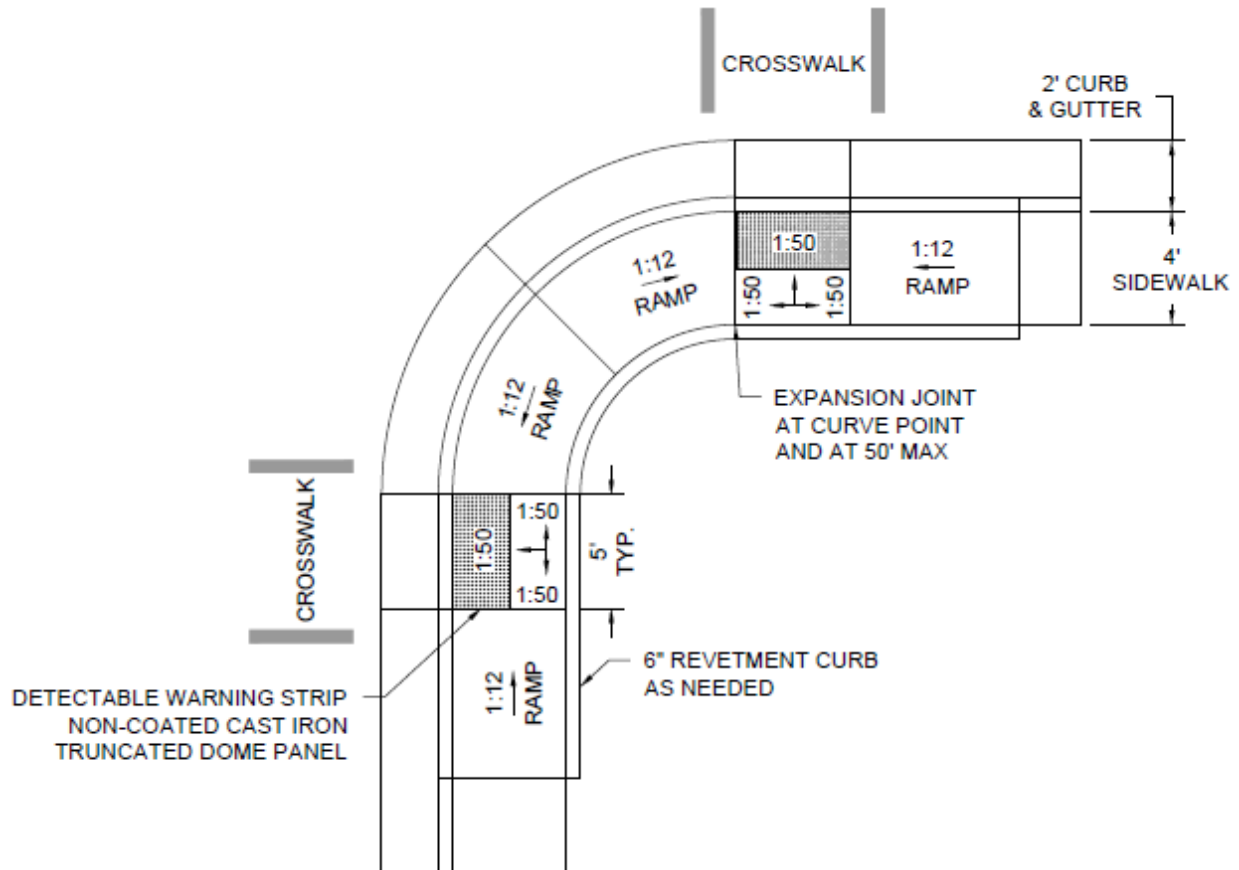
## ADA Ramp Sidewalk with Planter



### NOTES:

1. TRUNCATED DOME PANELS SHALL BE NON-COATED CAST IRON AND COMPLY WITH THE LATEST EDITION OF FEDERAL ADA GUIDELINES
2. SIDEWALK AND CURB & GUTTER SHALL NOT BE MONOLITHIC
3. PROVIDE SMOOTH TRANSITION FROM RAMP TO GUTTER
4. SEE CURB & GUTTER, AND SIDEWALK DETAILS FOR ADDITIONAL REQUIREMENTS
5. CONCRETE SHALL BE 6" THICK AT ALL SIDEWALK INTERSECTIONS AS SHOWN
6. CONSTRUCTION TO MEET ADA REQUIREMENTS AT THE TIME OF INSTALLATION

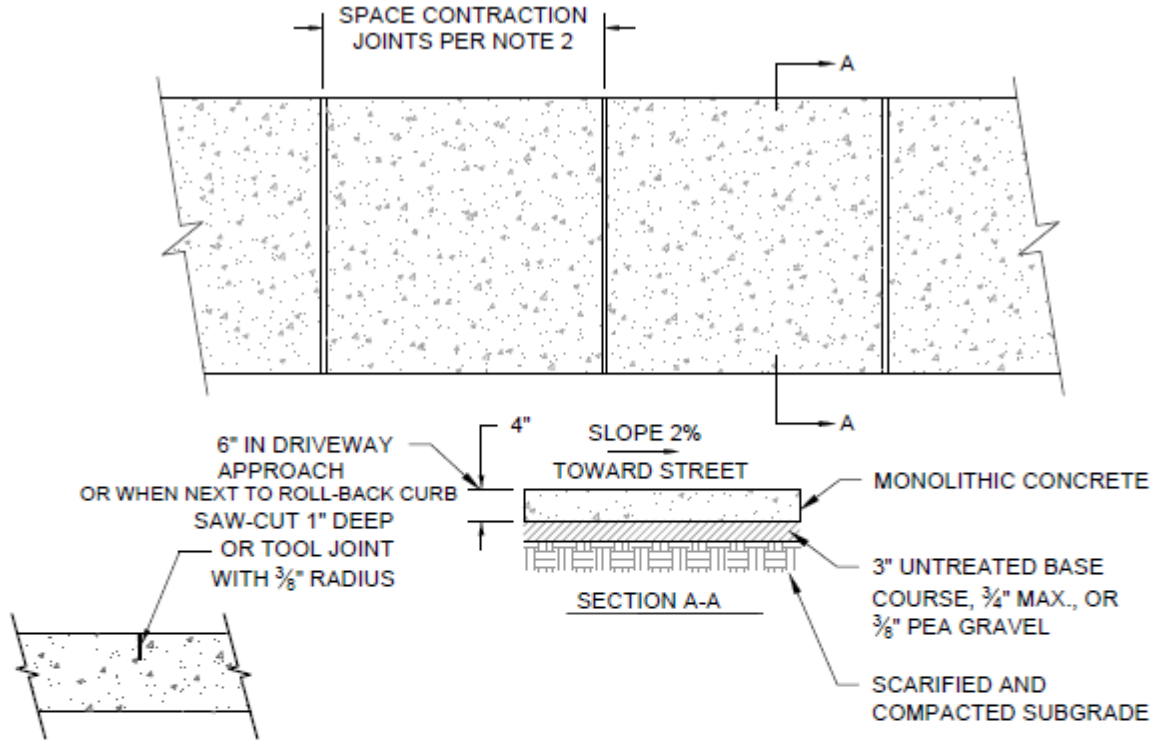
## ADA Ramp Sidewalk without Planter



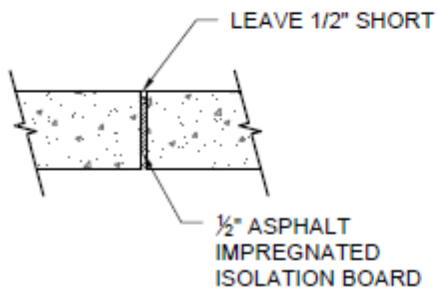
### NOTES:

1. TRUNCATED DOME PANELS SHALL BE NON-COATED CAST IRON AND COMPLY WITH THE LATEST EDITION OF FEDERAL ADA GUIDELINES
2. SIDEWALK AND CURB & GUTTER SHALL NOT BE MONOLITHIC
3. PROVIDE SMOOTH TRANSITION FROM RAMP TO GUTTER
4. SEE CURB & GUTTER, AND SIDEWALK DETAILS FOR ADDITIONAL REQUIREMENTS
5. CONCRETE SHALL BE 6" THICK AT ALL SIDEWALK INTERSECTIONS AS SHOWN
6. CONSTRUCTION TO MEET ADA REQUIREMENTS AT THE TIME OF INSTALLATION

## Sidewalk Detail



### CONTRACTION JOINT



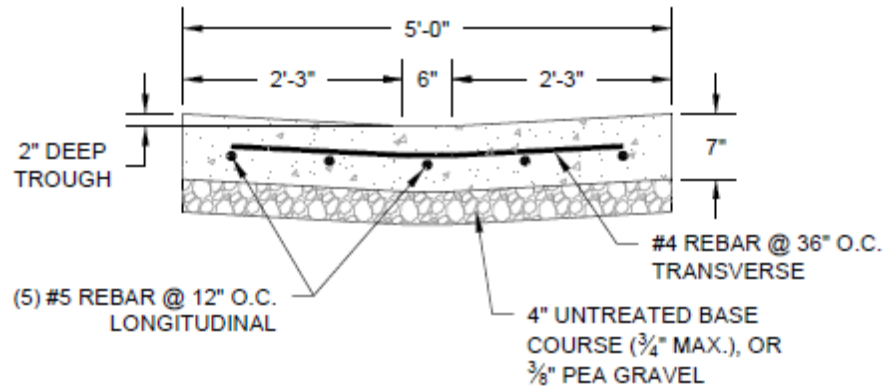
### EXPANSION JOINT

#### NOTES:

1. EDGE SIDEWALK WITH 1/2" RADIUS
2. PROVIDE CONTRACTION JOINTS @ 5'-0" O.C. MAX.
3. PROVIDE EXPANSION JOINTS AT 50'-0" O.C. MAX.
4. PROVIDE EXPANSION JOINTS AT BACK OF CURB AT DRIVEWAYS
5. COMPACT UNTREATED BASE COURSE TO MINIMUM OF 96% MAX. DRY DENSITY, OR PEA GRAVEL w/ VIBRATORY PLATE COMPACTOR
6. CONCRETE COMPRESSIVE STRENGTH: 3,500 PSI (MIN.)
7. CONCRETE AIR ENTRAINMENT CONTENT: 6%  $\pm$  1%



## Waterway Detail

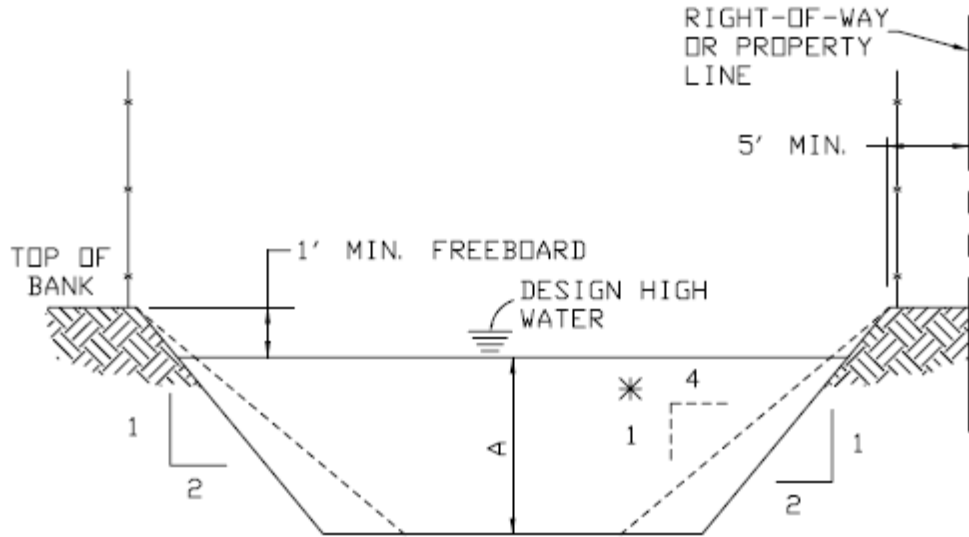


### NOTES:

1. CONCRETE SHALL BE 4,000 PSI (MIN.)
2. PROVIDE CONTRACTION JOINTS @ 10'-0" O.C. MAX.
3. PROVIDE EXPANSION JOINTS @ 50'-0" O.C. MAX.
4. STEEL REINFORCEMENT TO BE GRADE 60.
5. COMPACT UNTREATED BASE COURSE TO MINIMUM OF 96% MAX. DRY DENSITY, OR PEA GRAVEL w/ VIBRATORY PLATE COMPACTOR

## Storm Water Retention Pond

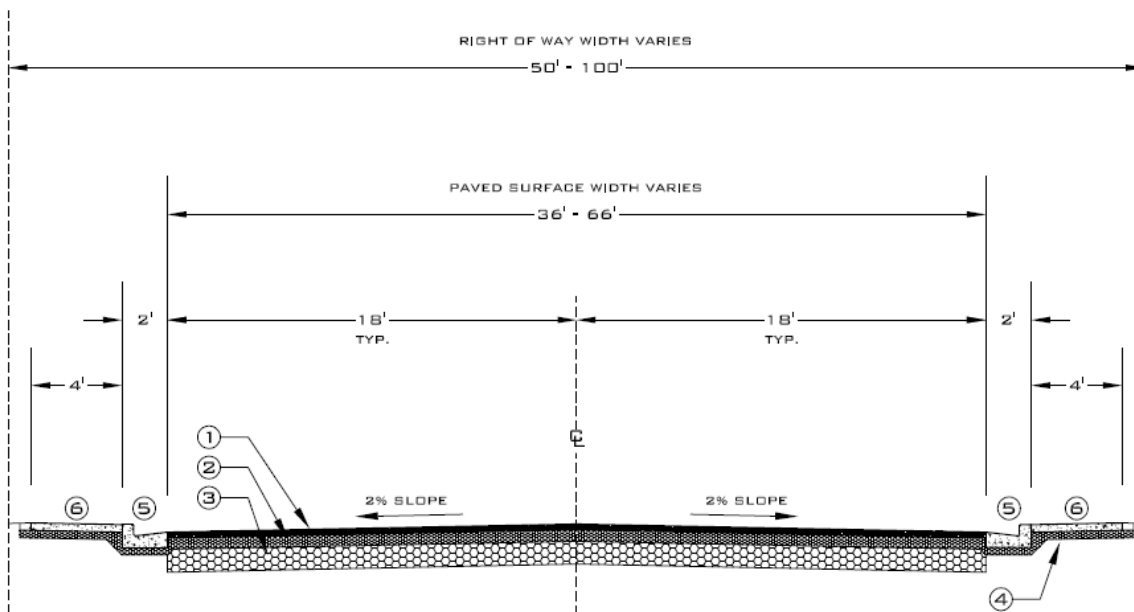
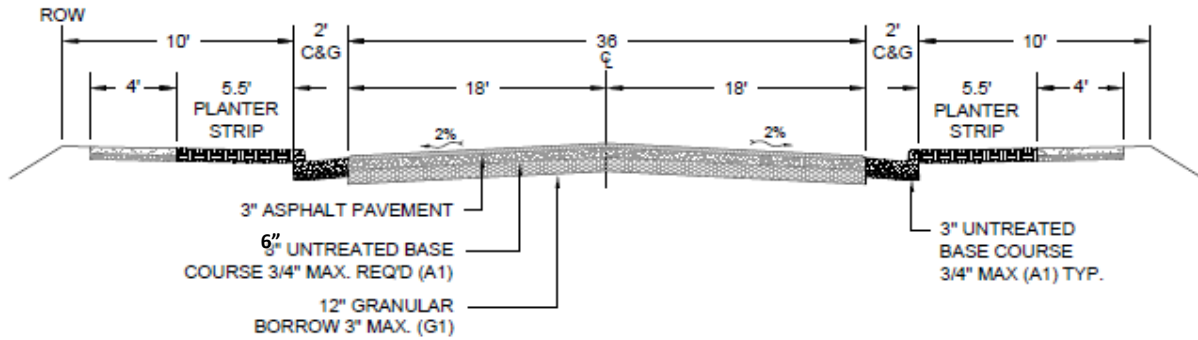
4' FENCE WITH SELF LOCKING GATE WHERE REQUIRED.



A

0' - 2'	NO FENCE REQUIRED
* > 2'	FENCE REQUIRED OR 4 TO 1 SIDE SLOPES

## Urban Road Standards



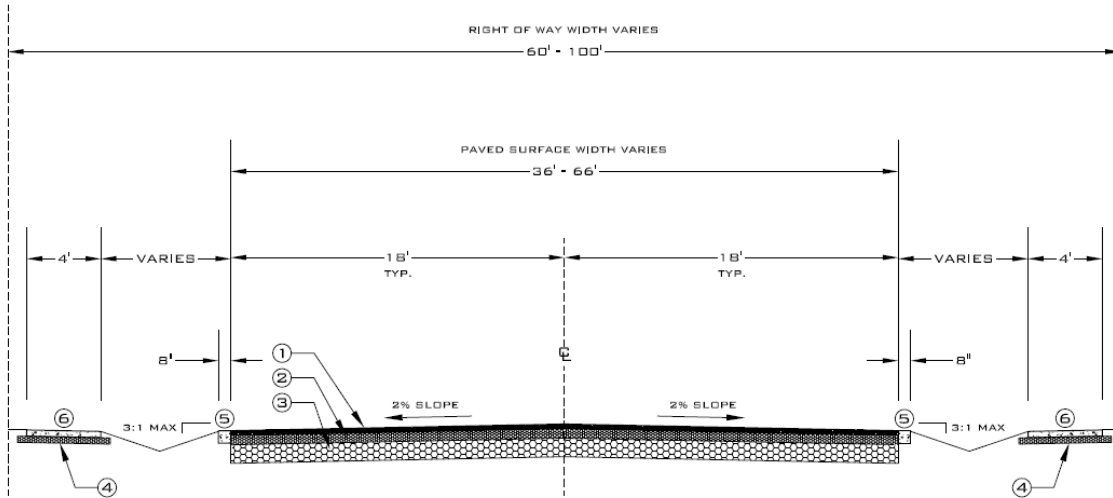
- ① 3" ASPHALT PAVEMENT OR EQUIVALENT (UDOT DESIGN CRITERIA)
- ② 6" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ③ 12" GRANULAR BORROW (G1) 3" MAX WHEN REQUIRED, COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ④ 4" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ⑤ 24" CURB AND GUTTER (SEE DETAIL)
- ⑥ 4" THICK CONCRETE SIDEWALK

**NOTES:**

MOST NARROW ROW SHOWN

CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH 4000 PSI WITH 4 TO 7 PERCENT AIR ENTRAINMENT

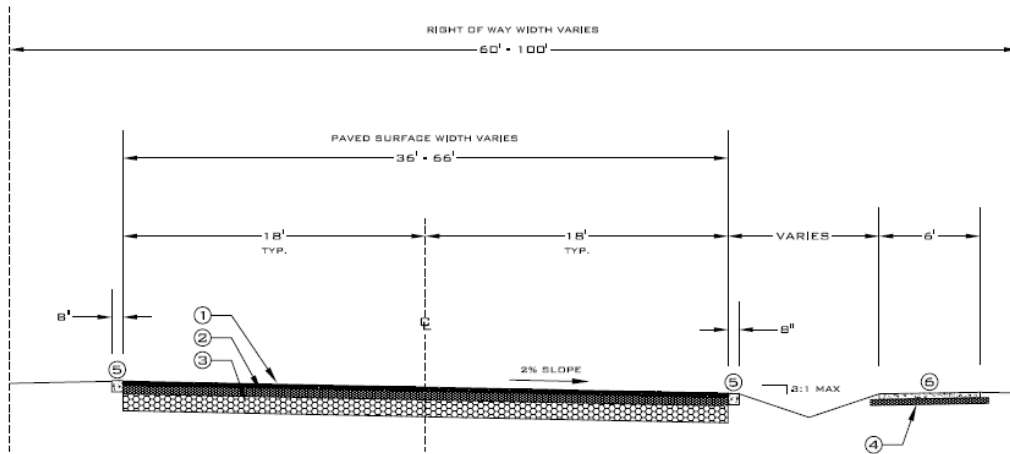
## Suburban Road Standards



- ① 3" ASPHALT PAVEMENT OR EQUIVALENT (UDOT DESIGN CRITERIA)
- ② 6" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ③ 12" GRANULAR BORROW (S1) 3" MAX WHEN REQUIRED, COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ④ 4" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ⑤ 8" X 8" CONCRETE CURB W/ (2) #4 REBARS HORIZ. CONTINUOUS
- ⑥ 4" THICK CONCRETE SIDEWALK

**NOTES:**

MOST NARROW ROW SHOWN  
 BAR DITCH WIDTH VARIES BASED ON ROAD DESIGN AND STORM WATER CONTROL PLAN  
 CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH 4000 PSI WITH 4 TO 7 PERCENT AIR ENTRAINED

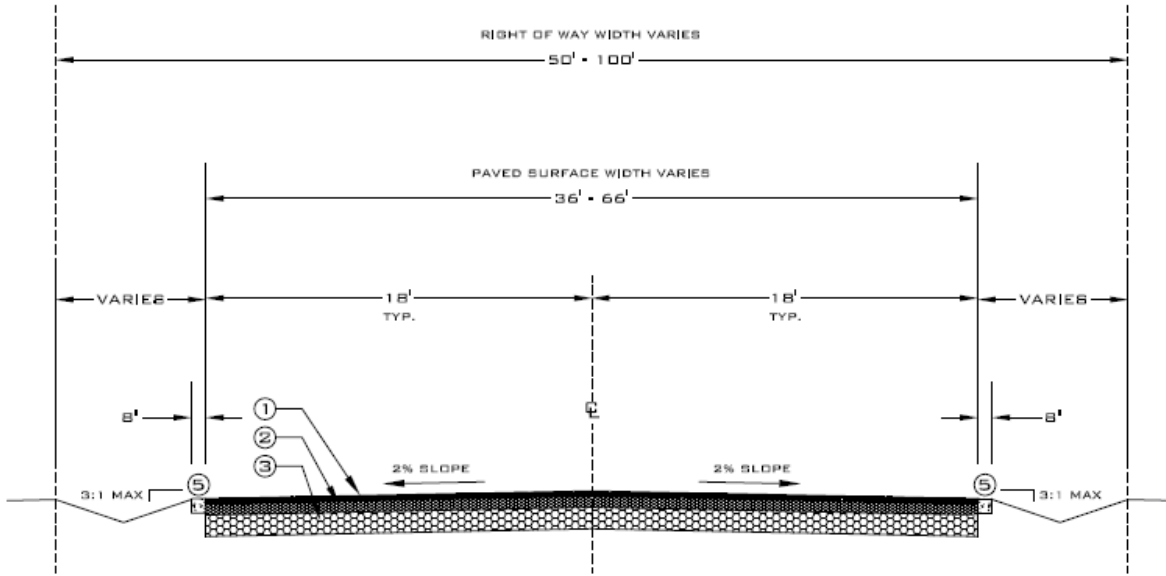


- ① 3" ASPHALT PAVEMENT OR EQUIVALENT (UDOT DESIGN CRITERIA)
- ② 6" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ③ 12" GRANULAR BORROW (S1) 3" MAX WHEN REQUIRED, COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
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- ⑤ 8" X 8" CONCRETE CURB W/ (2) #4 REBARS HORIZ. CONTINUOUS
- ⑥ 4" THICK CONCRETE SIDEWALK

**NOTES:**

MOST NARROW ROW SHOWN  
 BAR DITCH WIDTH VARIES BASED ON ROAD DESIGN AND STORM WATER CONTROL PLAN  
 CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH 4000 PSI WITH 4 TO 7 PERCENT AIR ENTRAINED

## Rural Road Standards



- ① 3" ASPHALT PAVEMENT OR EQUIVALENT (UDDT DESIGN CRITERIA)
- ② 6" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ③ 12" GRANULAR BORROW (S1) 3" MAX WHEN REQUIRED. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ④ 4" (TYP.) UNTREATED BASE COURSE (A1) 3/4" MAX. COMPACTED TO AT LEAST 95% OF THE MATERIALS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557
- ⑤ 8" X 8" CONCRETE CURB W/ (2) #4 REBARS HORIZ. CONTINUOUS
- ⑥ 4" THICK CONCRETE SIDEWALK

**NOTES:**

MOST NARROW ROW SHOWN

BAR DITCH WIDTH VARIES BASED ON ROAD DESIGN AND STORM WATER CONTROL PLAN

CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH 4000 PSI WITH 4 TO 7 PERCENT AIR ENTRAINED

**Section 4. Effective Date.** This ordinance shall take effect, fifteen (15) days after enactment, and after depositing a copy in the Clerk-Auditor's Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

**ENACTED** on this, the seventeenth (17<sup>th</sup>) day of December, 2018.

**IN WITNESS THEREOF:**

\_\_\_\_\_  
WILLIAM STRINGER, Chair

William Stringer	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Brad Horrocks	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Duane Shepherd	_____ Aye	_____ Nay	_____ Abstain	_____ Absent

**ATTEST:**

**REVIEWED:**

\_\_\_\_\_  
MICHAEL W. WILKINS  
Clerk-Auditor

\_\_\_\_\_  
JONATHAN STEARMER  
Deputy County Attorney