

## **CHAPTER 7 DEVELOPMENT AND DESIGN STANDARDS**

### **Section 1: GENERAL PROVISIONS**

1. All development must comply with the following standards:
  - A. Insofar as possible, the natural terrain, existing topography and natural vegetation shall be preserved.
  - B. Where the property to be developed is subject to natural or manmade hazards such as flooding, rock and mudslides, slope instability, open quarries or abandoned mines, or where there exists shallow water table conditions or polluted water sources, such hazards or conditions shall be identified and the developer shall provide stamped engineered documentation as to how the hazards or conditions have been eliminated, or will be eliminated, through the design and construction of the development.

### **Section 2: LOTS**

1. All lots shall conform to the following standards
  - A. Lots shall meet the width, depth, frontage and lot size requirements for the zone in which the subdivision is located, as specified in this LUO.
  - B. All lots shall abut a dedicated street or county road, or a street or road that has become public by right of use, or a private street for which there is a recorded maintenance agreement; and
  - C. No single lot shall be transected by a municipal or county boundary line or by a special service area or special service district boundary, a public road or street, or a private road or street which can legally be used by property owners other than the owner of the lot.

### **Section 3: PUBLIC STREETS**

- A. All streets or other right-of-way designated for public vehicular use and County maintenance shall be designed and constructed in accordance with the adopted Road Standards of San Juan County, Utah, including adequate and required street or highway signs, cattle guards, and other necessary items, as stated in this Chapter. Completion of the above may operate as a dedication of all streets and other public places and vest the fee of those parcels of land in the county for the public for the uses named or intended in those maps or plats.
2. If, due to the size of a development, a turn lane from a State highway or road is required to access a public street or streets to be used in the development, the County

shall require the subdivider to obtain and produce for County review UDOT approval and agreement to construct or allow access.

#### **Section 4: PRIVATE ROADS**

Private roads must allow reliable vehicular access at a minimum of fifteen feet (15') in width with a minimum of six inch (6") road base material of two inch (2") or greater gravel, stone or crushed concrete for emergencies, including use for fire engines and ambulances, delivery of goods and services, and the installation and service of utilities. Dead end private roads in excess of five hundred feet (500') in length must have a turnaround (cul de sac) with a minimum radius of fifty feet (50') or as required in the current applicable fire code. Private roads not appearing as public roads or right of ways on the County Roads Map shall not be accepted or recognized as public roads except as explicitly approved by the Board of County Commissioners or other operation of law.

#### **Section 5: SIDEWALKS AND PEDESTRIAN WALKWAYS**

When, in the opinion of the County Road Department, the projected traffic volumes within the subdivision are such that the separation of vehicular and pedestrian access is necessary for the safety of the public, the Planning Commission may require designed sidewalks, curb and gutter, or pedestrian rights-of-way.

#### **Section 6: SANITARY SEWAGE**

1. Except as otherwise provided below, each lot in a subdivision shall be served with an approved piped sanitary sewer system.
2. Individual septic tank systems, or other private sewage systems, shall only be permitted when the nearest point of the subdivision boundary is more than 1,320 feet from an existing approved sanitary sewer system. Septic systems shall be in conformance with the requirements established by the Utah Department of Environmental Quality and the San Juan County Public Health Department, and applicants shall provide proof of the necessary permits and certifications from those entities.

#### **Section 7: CULINARY? WATER SUPPLY**

1. Except as otherwise provided below, each lot in the subdivision shall be served with an approved public water system.
2. Individual or common wells or other private water systems shall only be permitted when the subdivision boundary is more than 1,320 feet from the nearest approved public water system. All private culinary? water systems shall be in compliance with the requirements of the Utah Department of Environmental Quality and the San Juan County

Public Health Department, and applicants shall provide proof of the necessary permits and certificates from those entities.

3. If stock ponds are present, the outer perimeter of the berm must be at least one-hundred yards (100 yds) from any adjoining property line.

**Section 8: DENSITY STANDARDS**

1. Density standards for each zone are as follows in acres:

	R	AG	HC??	CC??	MU	I	REC
Minimum Parcel/Lot Size Without Utilities	1	5	CUP	Comply with setback	1	Comply with setback & coverage	1
With Public Water Utility Service Only	0.5	5	CUP	Comply with setback	0.5	Comply with setback & coverage	0.5
With Public Sewer Utility Service Only	0.5	5	CUP	Comply with setback	0.5	Comply with setback & coverage	0.5
With Both Public Water and Sewer Utility Service	0.25	5	CUP	Comply with setback	0.25	Comply with setback & coverage	0.25

2. No single primary use in any zone shall exceed the zone’s density standards. Accessory uses and buildings must comply with that zone’s regulations, as stated in this title, to not violate the density standards. All uses must comply with the zone’s requirements for parking, open space, setbacks, conditions, restrictions, access, etc. A lot’s consistency with the minimum size for density does not guarantee the right to a use that cannot otherwise meet the requirements of this title.

3. Accessory Dwelling Unit (ADU) density standards are as follows for the areas in which they are allowed:

	R	AG	HC??	CC??	MU	I	REC
ADU Density Standards	1 ADU per lot	1 ADU per parcel	Not Permitted	1 ADU per lot	1 ADU per lot	Not Permitted	1 ADU per lot

**Section 9: STORM DRAINAGE**

1. With the submission of a preliminary plat application, a subdivider shall include a drainage plan for any proposed subdivision. The design shall accommodate runoff from the entire subdivision and the historical runoff from areas adjacent to and up stream of the subdivision in accordance with the minimum standards.
2. Minimum Standards:
  - A. All historic flood and drainage ways shall be protected from alteration such that their primary function as storm water drainages shall be upheld.
  - B. All drainage and flood control facilities shall be designed to handle the calculated difference between historic flows and the anticipated post-development 100-year frequency storms for maximum period of intensity over the entire drainage basin which the subdivision serves, or other standards required by San Juan County Code. The “100-year storm” referred to herein shall mean that storm run-off is calculated on the basis of a fully developed watershed.
  - C. All drainage shall be designed by a Utah licensed professional engineer, in accordance with any requirements of the Utah Department of Environmental Quality for managing storm water.
  - D. The design shall insure that runoff from the developed subdivision shall not exceed the historical volumes and velocities discharged onto adjacent property.
  - E. The drainage system plans submitted with a preliminary plat application shall include:
    - i. All proposed surface drainage structures; and
    - ii. All appropriate design details, dimensions, construction materials and elevations.
  - F. The final subdivision plat must include the final drainage design for the phase of the subdivision included in the plat. The final drainage design shall show how the drainage is consistent with the overall drainage system design.

3. The County Road Department may require a road maintenance agreement on or around any drainage which may have an impact on any existing or planned road.

**Section 10: FENCING STANDARDS**

1. Each property owner/subdivider is responsible for fencing out in all zones to allow domestic animals to graze without trespassing onto farms, subdivisions, or other private property.

2. In newly established subdivisions:

A. The subdivider shall construct a stock-proof perimeter fence around the entire subdivision prior to any lot being sold. This shall be a condition of approval. The height, fence type, and materials shall be as approved by the Planning Commission during the subdivision application process.

B. A subdivider may request, and the Planning Commission may approve, an exemption from the fencing requirement only if any one of the following criteria are met:

- i. The proposed subdivision is completely surrounded by developed land;
- ii. The proposed subdivision is within the future annexation area of a nearby municipality and within 100 feet of a municipal boundary; or
- iii. The proposed subdivision is enclosed by property already enclosed with a stock-proof fence.

C. If the subdivider obtains an exemption from the fencing requirement, that exemption must be reflected on the plat so as to place others on notice of the exemption.

D. If the subdivider does not obtain an exemption from the fencing requirement, a stock-proof fencing proposal shall be submitted with the preliminary plat application.

**Section 11: MOBILE HOMES**

1. San Juan County prohibits the placement or relocation of any pre-HUD-code manufactured (mobile) homes, built prior to the MHCSS, 24 CFR 3280, which became effective on June 15, 1976, anywhere within the County. (See NCCBCS/ANSI A225.1, Annex D)

**Section 12: MANUFACTURED HOMES**

1. Manufactured homes shall:

A. Utilize non-reflective siding materials (i.e. wood, stucco, adobe, brick, or stone or material that looks like wood, stucco, adobe, brick, or stone):

- B. Be placed on a concrete slab-on-grade or concrete perimeter foundation;
  - C. Have a minimum 24-foot horizontal wall dimension on at least 2 non-opposing sides;
  - D. Be skirted with a material or product specifically designed for the skirting of such homes that is maintained so as not to provide a harborage for animals or create a fire hazard;
  - E. Have running gear, tongues, axles, and wheels removed from the manufactured home at the time of installation;
  - F. Be permanently attached to a foundation:
    - i. Anchors and tie-downs, such as cast-in place concrete “dead-men”, eyelets embedded in concrete slabs or runways, screw augers, arrowhead anchors, or other devices shall be used to stabilize the manufactured home;
    - ii. All masonry piers and walls shall have mortared bed and head joints (concrete piers, mortared piers, or commercially available steel manufactured house jacks are preferred); and
    - iii. Homes shall not be supported with dry-stacked CMU block, wood blocks, or any other dry stacked materials;
  - G. Have a minimum finished floor elevation at least 24 inches above the exterior finish grade, as measured at the main entrance into the dwelling; and
  - H. Comply with current building code requirements, the standards of this ordinance, and in accordance with *HUD Permanent Foundations Guide for Manufactured Housing September 1996* (as published by the U.S. Department of Housing and Urban Development).
2. Only one manufactured home is allowed per designated lot.
  3. Once a manufactured has been permanently attached to its foundation, the property owner must file an “Affidavit of Mobile Home Affixture” with the County Recorder.

**Section 13: AIR TRANSPORT OVERLAY ZONE (ATOZ)**

1. An owner of property within the County may petition for a zone change to an Air Transport Overlay Zone (ATOZ) to establish and operate an airport, airstrip, heliport, helipad, vertiport, vertistop, or similar air transport launching or landing location, whether public or private, for property located within Agricultural (AG), Multiple Use (MU), or Recreational Support (REC) Zones.

2. The petition for zone change shall comply with the Utah Airport Zoning Act and applicable federal regulations, including 14 C.F.R. Part 77.

3. In addition to following the standard process for petitioning for a zone change in this LUO, petitioners seeking the ATOZ designation shall also:

A. Include in the petition the following:

i. The official county zoning map showing the location of the proposed overlay as well as its location compared to the other ATOZ areas already established in the County;

ii. A site master plan that clearly indicates the purpose and details of the project, including technical facts and a clear description of how the proposed development provides benefits to the greater San Juan County region as compared to development carried out in accordance with the otherwise applicable zoning and development regulations, including, at a minimum, the following:

a. A statement by the petitioner describing how the proposed development provides greater benefits to the San Juan County than would a development carried out in accordance with otherwise applicable zoning and development regulations;

b. A map and description of sensitive lands within the or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:

- Public recreational areas;
  - Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);
  - Floodplains and riparian habitats;
- Slopes in excess of 30 percent; and
- Significant geological, biological, and archeological sites;

c. Identification of site planning features and a description of how they will be addressed to promote SAFETY between on-site uses and AFFECTED ADJACENT PROPERTIES ;

d. The airport influence, approach, transition, and turning areas;

e. FOR PUBLIC AIR TRANSPORT FACILITIES, a description of the beneficial public services and goods the project provides to the community. including a community benefit

concept description and specific documentation of the proposed types, amounts, locations, and relationships of compatible uses provided within the development that provide beneficial public services and goods to the community;

g. A narrative and graphic presentation of the development, documenting and presenting the proposed development and land uses by:

- Gross acreage;
- Total project density and/or square footage for all uses proposed for the project per gross acre;
- Total number of parking spaces required and provided;
- Parking, service and loading area acreage/spaces;
- Project Floor Area Ratio (FAR);
- Public open space and similar publicly-accessible feature acreage;
- Descriptions and graphic representations suitable for conveying the overall development character and proposed architectural style of the proposed development; and
- The relationship of the proposed development to existing development in the area, along nearby roads, and to significant natural and built features in the area;

h. A traffic study prepared by a licensed transportation planner or traffic engineer, documenting project traffic generation, impacts (including traffic noise), and proposed mitigations and modifications.

i) A Site Plan prepared in accordance with the requirements of the County and the Development Standards specific to this section shall be approved and filed with the findings of fact as part of the approval. The site plan shall indicate at a minimum all major roads, site access roads, parking and service areas, major utilities, a conceptual drainage plan and entrance locations on existing roads. SHOW THE NAVIGATIONAL EASEMENTS OR AIR PORT INFLUENCE AREA, NAVIGATIONAL RIGHTS AND EASEMENTS.

iii. A statement of how the proposed project is consistent with the San Juan County General Plan; and

iv Other relevant information that will support the petition or as otherwise requested by the San Juan County Planning & Zoning and Building Department.

4. In any airport approach area, no building, utility line, or structure shall be erected, and no tree or other natural feature shall be permitted to grow or develop which is more than one foot in height for each 50 feet it is distant from the end of the landing or takeoff strip.
5. In any airport transition area, no building, utility line, or structure shall be erected, and no tree or other natural feature shall be permitted to grow or develop which is more than one foot in height for each seven feet it is distant from the inside boundary of the airport approach area.
6. In any airport turning area, no building, utility line, or structure shall be erected, and no tree or other natural feature shall be permitted to grow or develop to a height greater than one 150 feet.
7. All of the land covered by the airport approach zone within 1,000 feet from the end of a runway must be owned by the same person or corporation that owns or controls the operation of the airport. The construction of buildings and structures or the growing of trees or other natural feature shall not be over the above prescribed height limits.
8. Notwithstanding any other provision of this title, no uses may be made of land within the County that will create electrical interference with radio communication between airports and aircraft; make it difficult for flyers to distinguish between airport lights and other lights; result in glare in the eyes of flyers using the airport; impair visibility in the vicinity of airports; or otherwise endanger the landing or taking off of aircraft.
9. The construction of dwellings within an ATOZ shall comply with the height, setback, and other restrictions as deemed necessary for safety as per federal aviation guidelines.

**Section 14: FIRE PROTECTION/OTHER IMPROVEMENTS**

2. In consultation with the Planning Administrator and the County Fire Marshal, the county may require a subdivider to provide substantial improvements to provide fire protection for the subdivision when the size of the subdivision/development and the number of lots proposed along with other factors would otherwise jeopardize the health, safety, and general welfare of the residents of the subdivision. Such improvements may include, but not be limited to, fire hydrants, water storage for fire protection, other water systems, and participation in the acquisition of firefighting equipment and facilities to house such equipment. Refer to the San Juan County Fire Policy for anticipated requirements. If required, fire hydrants will be spaced every 500 feet.
3. If such fire protection improvements are required, these shall be made at the expense of the subdivider/developer and shall meet all fire protection standards as provided in state code, the San Juan County Fire Policy, and other applicable standards. All

required systems shall be tested and accepted by the County prior to the issuance of any building permit.

**Section 16: LOT REGULATIONS**

1. Unless otherwise specified in this LUO, the regulations in the table below apply. Likewise, a Conditional Use Permit may specify regulations that differ from the table below.

2. Flag lots may be created in subdivision? developments if all of the following requirements are met:

1. The lot has at least 25 feet of frontage on a dedicated public street or county road, in which frontage serves as access only to the subject lot or parcel.
2. The narrow portion of the lot is at least 25 feet in width, and not more than 250 feet in length.
3. The lot otherwise meets the lot area and lot width and setback requirements of the applicable zone.

C. Lots will comply with the following requirements:

	R	AG	HC??	CC	MU	I	REC
WIDTH	50'	200'	CUP	25'	50'	50'	50'
FRONTAGE ON ROAD	25'	25'	CUP	25'	25'	50'	25'
FRONT YARD SETBACK	25'	25'	CUP	0'	25'	20'	25'
REAR YARD SETBACK	5'	5'	CUP	0'	5'	10'	5'
SIDE YARD SETBACK	5'	5'	CUP	0'	5'	10'	5'
HEIGHT	50'	50'	CUP	50'	50'	50'	50'
COVERAGE	60%	20%	CUP	N/A	60%	60%	60%

D. A rear yard setback shall not prohibit an allowable feature as per CLUDMA Part 5.

- A. setbacks are measured from the edge of any road easement for frontage setbacks and the property boundary for side and back setbacks, whichever is applicable.. If the owner of a private easement gives permission in writing, to be recorded, the setback may be from the property line rather than the easement.
- B. All measurements for setbacks are from the nearest protrusion of the structure.
- C. Corner lots may be subject to two front yard setbacks as determined by the Planning Administrator.

**Section 18: PUBLIC STREET DESIGN STANDARDS**

A. Street Types

- 1. Minor (Residential) Street - a street existing or purposed which is supplementary to a collector or major street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.
- 2. Collector Street – a street that carries traffic from minor streets to the major street system including the principal entrance streets of residential developments and the primary circulating streets within such a development.
- 3. Major Street - A street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated by the addressing agency as a controlled-access highway, major street, or parkway, or other equivalent terms suitable to identify streets comprising the basic structure of the regional grid system.

B. Street Widths

- 1. Unless deemed otherwise by the San Juan County Road Department, minor (residential) streets shall have a minimum right of way of 50 feet. In higher snow load areas, additional width may be required. The minimum improved width for gravel construction shall be 26 feet. The minimum improved width for paved construction shall be 24 feet.
- 2. The San Juan County Road Department may require streets in specified areas of the County to be paved.
- 3. Collector streets shall have a minimum right of way of 60 feet. The minimum improved width for gravel construction shall be 32 feet. The minimum surface width for pavement shall be 30 feet.

C. Street Design Standards

In addition to the San Juan County Road Department requirements, the following will also apply:

2. Before any street dedication is accepted by San Juan County as a public right of way, the street must be constructed to the improved width requirement.

2 Gravel Surfaces on public roads - A minimum of nine inch (9") compacted depth of base material must be placed on the street. Of this base material, the foundation must consist of a minimum of six inches (6") of three inches (3") or greater compactable material and the surface must consist of a minimum of three inches (3") of one inch (1") or three quarter inch (¾") crushed gravel. This material must be accepted by the San Juan County Road Department and if deemed necessary, testing of the material and compaction may be required by an engineer. If such testing is required, this shall be done at the expense of the subdivider or developer.

2. Asphalt Surfaces on public roads – If the street is constructed to an asphalt surface, the surface depth must be a minimum of three inches (3"). Asphalt and compaction must be approved by the San Juan County Road Department and, if deemed necessary, testing of the material and compaction may be required by an engineer. If such testing is required, this shall be done at the expense of the subdivider or developer.

3. Unless deemed otherwise by the San Juan County Road Department, the minimum grade for all streets shall be one percent (1%). The maximum grade allowed for residential streets is eight percent (8%) and for collector streets is six percent (6%). Where the observance of this requirement is unfeasible, an exception may be granted. Streets should be leveled, when possible, to a grade of less than four percent (4%) for a distance of at least fifty feet (50') approaching all intersections.

4. Whenever possible, streets shall intersect at right angles. When streets meet at acute angles, a reasonable radius will be required.

5. Dead-end streets in excess of one hundred fifty feet (150') in length shall be provided with an approved area for turning around emergency and other apparatus through use of a culdesac with a minimum radius of ninety-six feet (96'), a one hundred and twenty foot (120') hammerhead configuration or an acceptable alternative to a hammerhead. Dead-end streets should not exceed five hundred feet (500') in length.

6. No more than four (4) streets shall enter an intersection.

7. Vertical curves shall be used at all changes of grade exceeding one percent (1%). Horizontal curves shall be required if street lines deflect more than five degrees (5°). The

minimum centerline radius for residential streets shall be one hundred fifty feet (150'). Collector streets shall be three hundred feet (300').

8. Curb and gutter – The minimum improved widths of streets that have curb and gutter shall be forty feet (40') on residential streets and fifty feet (50') for collector streets. All measurements are from the back of the curb to the back of the curb.
9. Cattle guards – Any cattle guards required or installed shall be in compliance with the state cattle guard policies and shall be of a width and construction approved by the San Juan County Road Department.
- 10.
11. Gates – No gates, whether locked or unlocked, shall be allowed on any roads or streets accepted by the County unless allowed by the San Juan County Road Department.
12. Public Streets – All roads or streets dedicated and accepted by the County are considered public roads and access by the public cannot be interfered with by the subdivider or future owners of any of the lots within the subdivision.
13. Drainage/Curb and Gutter – In the absence of curb and gutter, a subdivider shall provide a street drainage plan detailing potential impacts to county roads and streets. The subdivider shall be required to provide and install culverts or other drainage structures as required by the county.
14. New Streets – When a PLANNED UNIT DEVELOPMENT EXCEEDS DENSITY LIMITATIONS, San Juan County may require the subdivider to pave the road with THE minimum STANDARDS LISTED ABOVE.
17. If a subdivision is being developed off an unimproved county road, the ROAD MAINTENANCE agreement must include improvements to such road to match the County Road Standard of the road at the access point.
15. Road Signs – road signs shall be provided for all public rights of way at the expense of the subdivider/developer. Road signs may be placed by the San Juan County Road Department if the subdivider/developer reimburses the county consistent with the fee schedule ordinance. The subdivider shall provide and install any required signs on roads or streets as required by the Manual of Uniform Traffic Control Devices and by the San Juan County Road Department.
16. All streets will comply with the San Juan County Addressing Standards Ordinance (see Chapter 16).

**Section 19. PUBLIC EASEMENT STANDARDS**

1. Easements for utilities such as poles, wires, conduits, gas lines, water lines, etc. shall be located at the rear of all lots whenever possible. The width shall be a minimum of fifteen feet (15'), which can be divided between adjoining lots. Utility easements may be required for lot sides and fronts.
2. If lot front utility easements are required, a minimum of fifteen feet (15') shall be allocated. All easements shall be designed so as to provide efficient installation of utilities.
3. If front line easements are required and are within the right of way of any road or street, sufficient and proper compaction of any underground lines shall be required. Testing of compaction shall be at the expense of the subdivider.
4. All utilities shall be constructed in compliance with all of the required building codes covering such installation.