



Planning Commission Agenda 6 November 2025

199 North Main, Logan, Utah | Historic Courthouse Council Chambers

5:00 p.m.

Light refreshments served in the County Council Conference Room for Commission Members

5:30 p.m.

Call to order

Opening remarks/Pledge – Val Jay Rigby

Review and approval of agenda

Review and approval of the minutes of the 2 October 2025 meeting

5:35 p.m.

Consent Items

N/A

Regular Action Items

1. **Re-Public Hearing (5:35PM or soon thereafter) – SBA UT 24138-B Paradise Rezone** – A request to apply the Public Infrastructure (PI) Overlay to a portion of a 16.00-acre parcel, located at 180 E. 8600 S., Paradise, in the Agricultural (A10) Zone. This item was sent back to the Planning Commission by the County Council due to the legal description of this application being corrected.
2. **Powder Mountain Master Plan – Discussion of Conditions of Approval and Development Review Process**
3. **WMCD Upper Canal Pipeline Project CUP** – A request to create and operate a Utility Facility, Distribution (Use Type 5610) on ~12.96 acres, located to the south-east of Wellsville, in the Agricultural (A10) Zone.
4. **Lower Foods – South Road Extension CUP** – A request to create and operate a General Manufacturing (Use Type 2100) facility on 7.80 acres, located at ~9400 N. US-91, Richmond, in the Industrial (I) Zone.
5. **Edge Estates Parcels 2/3 CUP** – A request to operate a Storage and Warehousing (Use Type 3400) facility on 44.56 acres, located at 1200 W. 2200 N., Logan, in the Industrial (I) Zone.
6. **Discussion:** Amending Cache County Code §17.10.050(A)(3) – Wastewater System Permissions
7. **Discussion:** Amending Cache County Code §17.10.040 – Commercial Lot Coverage
8. **Discussion:** Amending Cache County Code §17.10.040 – Irrigation Canal Setback Distance
9. **Discussion:** Amending Cache County Code §17.07.040 & 17.10.040 – Frontage and Access
10. **Discussion:** Amending Cache County Code §17.10.040 – Minimum Lot Size
11. **Review and Approval of 2026 Meeting Dates and Application Deadlines**
12. **Upcoming:** Elections for Chair and Vice Chair

Board Member Reports

Staff reports

Adjourn

Planning Commission Minutes

02 October 2025

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Present: Conner Smith, Angie Zetterquist, Brady Christensen, Kurt Bankhead, Morris Poole, Nate Daug, Jason Watterson, Val Jay Rigby, Nolan Gunnell, Matt Phillips, Sandi Goodlander, Andrew Crane, Megan Izatt

5:00:00 PM

Light refreshments served in the Cache County Conference Room.

Start Time: 05:30:00

Bankhead called the meeting to order and **Daug** gave opening remarks.

Agenda and Minutes

Daug motioned to approve the agenda with the removal of item #6 and to approve the minutes from September 4, 2025; **Watterson** seconded; **Passed 6, 0.**

Ayes: Val Jay Rigby, Brady Christensen, Nate Daug, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

05:33:00

Consent Items

#1 Bold K9 Solutions, LLC Conditional Use Permit

#2 Nautica Subdivision 1st Amendment

#3 Zan Summers Lot Split 1st Amendment

Daug motioned to approve the consent agenda; **Watterson** seconded; **Passed 6, 0.**

Ayes: Val Jay Rigby, Brady Christensen, Nate Daug, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

05:34:00

Regular Action Items

#4 Public Hearing (5:35 PM or soon thereafter) – Mountain Manor Rezone

Smith reviewed the staff report for the Mountain Manor Rezone.

Commissioners and **Staff** discussed Mendon's comments against the rezone and the location.

05:35:00

Daug motioned to open the public hearing; **Watterson** seconded; **Passed 6, 0.**

Ayes: Val Jay Rigby, Brady Christensen, Nate Daug, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

Rhy Lund commented as the applicant and stated there will only be 20 lots not 49, annexation of land into Mendon, and wanting to see growth in the valley.

Kent Baker commented against the rezone due to concerns with water and how it will affect his farm.

Cody Mickelson commented against the rezone due the increased density the rezone would allow, lack of infrastructure and services in the area, and concerns regarding water.

Jason Coy commented against the rezone due concerns with water, increased traffic, and wanting the area to remain rural.

Mr. Lund commented on water rights.

Terena Lund commented as the owner of the land and all the development and how this is how she will support herself.

Tam Wardle commented for the development and how development is coming.

Jennifer Nielson commented that if this is not approved, the land will be sold to a big developer rather than the current owner.

05:50:00

Daug** motioned to close the public hearing for the Mountain Manor Springs Rezone; **Watterson** seconded; **Passed 6, 0.

***Ayes: Val Jay Rigby, Brady Christensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole**
Nays: 0*

Commissioners discussed the number of lots currently allowed and the number of lots allowed with the rezone, water, and

Daug** motioned to recommend denial to the County Council for the Mountain Mannor Springs Rezone with the 5 conclusions and the addition of a 6th condition stating Mendon City is against the rezone; **Watterson** seconded; **Passed 6, 0.

***Ayes: Val Jay Rigby, Brady Christensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole**
Nays: 0*

05:56:00

#5 Public Hearing (5:45 PM or soon thereafter) – General Plan – Water Use Preservation Element

Zetterquist briefly reviewed the water use preservation element and reminded the Commission that to meet state law, this needs to be approved by the end of the year.

Aubrey Larsen presented on the Water Use Preservation Element.

06:14:00

Watterson motioned to open the public hearing for the General Plan – Water Use Preservation Element; **Daug**s seconded; **Passed 6, 0.**

Ayes: Val Jay Rigby, Brady Christensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

Mr. Lund asked about the subdivision moratorium and why the local water division office wasn't aware of it.

Gunnell commented how water is overseen by the State and the moratorium was put out by the County Council and how the local water office attended a meeting last week.

Mr. Lund responded it was recommended to them to request an RU2 rezone and asked if the plan was to limit water use.

Christensen commented on the water issues in the area where Mr. Lund was requesting a rezone.

06:18:00

Daugs motioned to close the public hearing for the General Plan – Water Use Preservation Element; **Watterson** seconded; **Passed 6, 0.**

Ayes: Val Jay Rigby, Brady Christensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

Commissioners and **Staff** discussed the per home water usage number, canals and piping canals and the consequences that brings, moving water shares around the county, and keeping water in the valley.

Watterson motioned to recommend approval to the County Council for the General Plan – Water Use Preservation Element; **Poole** seconded; **Passed 6, 0.**

Aye: Val Jay Rigby, Brady Christensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

06:29:00

#6 Saddle Ridge Subdivision

Removed.

#7 Discussion: Powder Mountain Master Plan

Bryan Carver presented the Powder Mountain Master Plan.

Commissioners and **Staff** discussed the interlocal agreement between Cache County and Weber County.

Mr. Carver continued the Powder Mountain Master Plan presentation.

Commissioners and **Mr. Carver** discussed the interlocal agreement, minimum clearances around structures to help prevent fire, and dark sky compliance.

Brooke Hontz commented on dark sky compliance, defensible spaces, the interlocal agreement, studying other communities that have done similar developments, and the development process.

Crandall commented on the development design review and when details are discussed.

Ms. Hontz responded her understanding on the development design review depending on the type of building.

Daugs asked when those conditions would be available.

Ms. Hontz responded she had them done, staff is now reviewing.

07:09:00

#8: Discussion: Pioneering Agreement

Crandall reviewed the pioneering agreement.

Commissioners and **Staff** discussed what information is given to applicants for roads when they apply, private roads, the county's part of the agreement, what point in the process would it come before the planning commission, associated fees, how this affects the fee in lieu, who gets reimbursed if development does happen, what other municipalities/counties are doing pioneering agreements and how, and making sure a fee is built into the process to cover the county's time/expenses.

07:50:00

#9 Discussion: Amending Cache County Code §17.10.040 – Commercial Lot Coverage

Smith reviewed the current table in this code section and what changes are being proposed.

Commissioners and **Staff** discussed the reason for the suggested changes, impervious surfaces vs non-impervious surfaces,

08:00:00

*Daug*s motioned to extend the meeting until 8:30 pm; **Watterson (CHECK)** seconded; **Passed 6, 0.**
Ayes: Val Jay Rigby, Brady Chirstensen, Nate Daugs, Kurt Bankhead, Jason Watterson, Morris Poole
Nays: 0

Commission took a 5 min break.

Commissioners discussed what direction to take the pioneering agreement so staff knows the next steps to take.

Commissioners discussed increasing surfaces to 80% for commercial lot coverage and what the next steps would be for approving any changes to the code would be.

08:13:00

#10 Discussion: Amending Cache County Code §17.10.040 – Irrigation Canal Setback Distance

Zetterquist reviewed the current code for irrigation canal setback distance and the proposed changes.

Commissioners discussed the impacts on the canal companies the proposed changes would have, making sure canal companies are contacted, possibly requiring a letter of approval from the canal company, and flood zoning clearances.

#11 Discussion: Amending Cache County Code §17.07.040 & 17.10.040 – Frontage and Access

Zetterquist informed the Commission that there have been some issues in the FR40 zone and the proposed changes would help alleviate some of those issues.

#12 Discussion: Amending Cache County Code Titles 16 Subdivision Regulations & Title 17 Zoning Regulations Based on Joint Workshop with County Council on 24 September 2025

Zetterquist informed the commission staff is looking for some direction on what the Commission would like to see happen with this item before the next joint meeting on October 22.

#13 11th Annual Cache Summit – October 27th & 28th, Riverwoods Conference Center

Zetterquist reviewed what the Annual Cache Summit is and what is included in the registration fee.

8:33:00

Adjourned.

Staff Report: SBA UT24138-B Paradise Rezone

6 November 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Ben Feldman

Parcel ID#: 01-093-0002

Staff Recommendation: Approval

Type of Action: Legislative

Land Use Authority: Cache County Council

Location

Reviewed by Conner Smith

Project Address:

180 E. 8600 S.,
Paradise

Acres: 0.057 of 16

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Public Infrastructure
(PI) Overlay

Surrounding Uses:

North – Agricultural

South – Agricultural/Residential/Paradise City

East – Agricultural

West – Agricultural/Residential/Paradise City



Findings of Fact

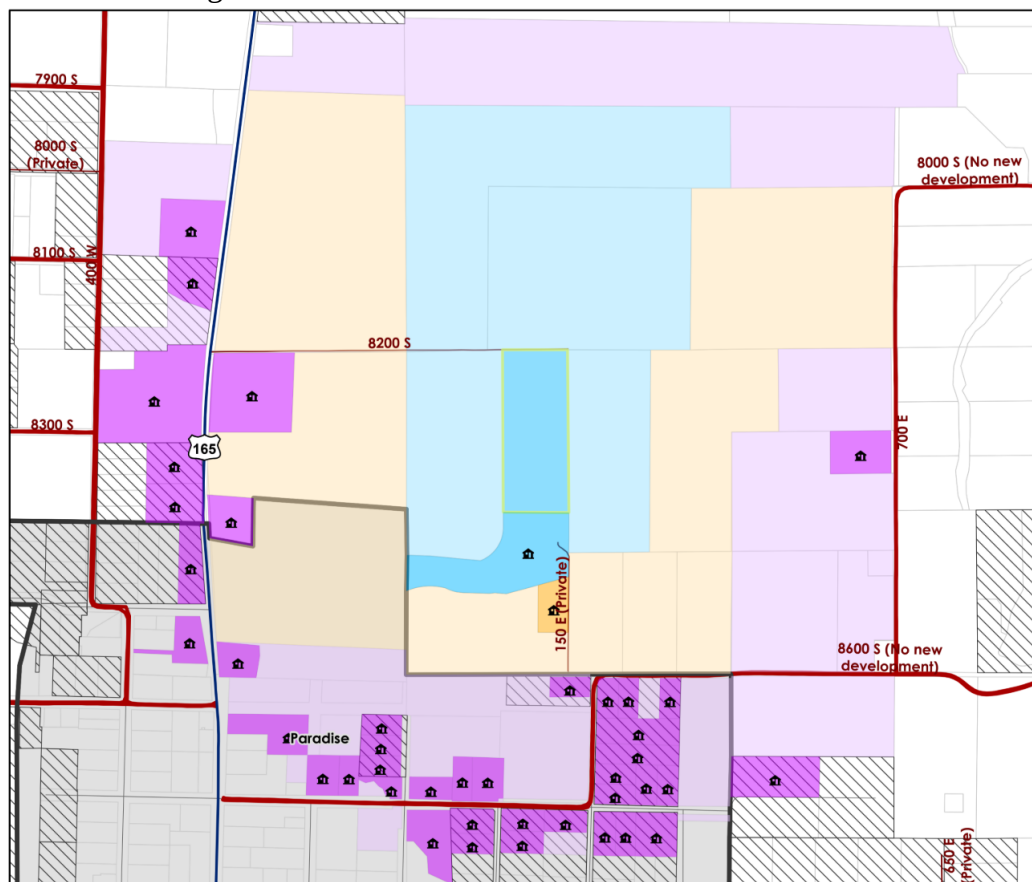
A. Request description

1. Background:

- a. This item was originally heard before the Planning Commission and was recommended for approval on September 4th, 2025. It was then heard before the County Council and gained approval on September 23rd, 2025. However, because a bearing was incorrect in the legal description, the County Council felt it would be beneficial for the Planning Commission to hear the item again to allow for an informed recommendation.

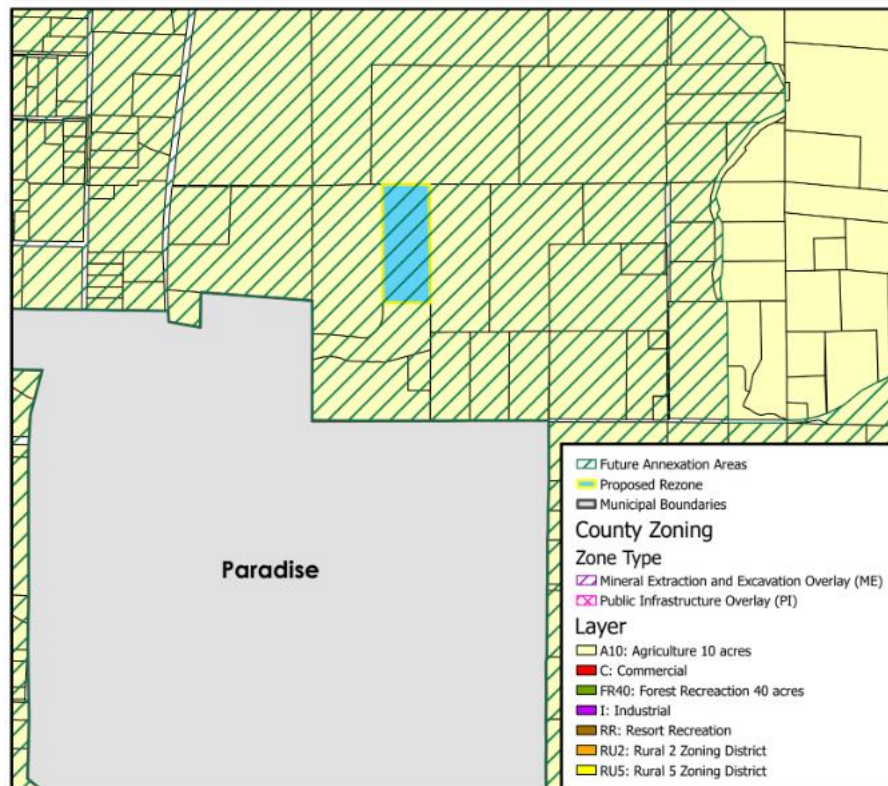
2. A request to approve the addition of the Public Infrastructure (PI) Overlay to a portion (2,500 square feet) of a 16.00-acre parcel in the Agricultural (A10) Zone.
3. This rezone may allow the parcel to establish uses permitted in the Public Infrastructure (PI) Overlay. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within the Public Infrastructure (PI) Overlay will be addressed as part of each respective approval process required prior to site development activities.
4. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.
 - a. Land Use Context:
 - i. Parcel status: The property matches the configuration it had on August 8th, 2006 and is legal.
 - ii. Schedule of Zoning Uses: The Public Infrastructure (PI) Overlay allows for a variety of uses with the approval of a zoning clearance and/or conditional use permit. These uses include:
 1. Utility Facility, Transmission
 2. Utility Facility, Distribution
 3. Utility Facility, Service
 4. Telecommunication Facility, Major
 5. Telecommunication Facility, Minor
 6. Public Airport
 7. Solid Waste Facilities

iii. Average Lot Size:



Average Parcel Size	
Adjacent Parcels	With a Home: 12 Acres (1 Parcel)
	Without a Home: 36.4 Acres (5 Parcels)
1/4 Mile Buffer	With a Home: 7.2 Acres (2 Parcels)
	Without a Home: 32 Acres (13 Parcels)
	Without a Home in Paradise Town: 38.8 Acres (1 Parcel)
1/2 Mile Buffer	With a Home: 6.1 Acres (11 Parcels)
	With a Home in Paradise Town: 1.8 Acres (32 Parcels)
	Without a Home: 26.1 Acres (24 Parcels)
	Without a Home in Paradise Town: 6.1 Acres (17 Parcels)

- iv. **Adjacent Uses:** Adjacent Uses: The parcels to the north and east are primarily agricultural while the parcels to the south and west are a mix of agricultural and residential. Paradise City limits are located to the south and west of the subject property.
- v. The nearest parcel, in the county, with the Public Infrastructure (PI) Overlay, is located five miles to the south of the subject parcel.
 - 1. The Ruby Pipeline rezone was a request to add the Public Infrastructure to a multitude of parcels and was approved on 21 September 2009 as Ordinance 2009-06.
- vi. **Annexation Areas:** The subject property is located in the Paradise City annexation area.



B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]

5. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
6. The current County Land Use Ordinance does not specify appropriate locations for the Public Infrastructure (PI) Overlay but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Public Infrastructure (PI) Overlay and includes the following:
 - a. “To provide for the siting and operation of public infrastructure in an environmentally sound and economically competitive manner.”
 - b. “To inform current and potential residents of the county of the possible location of future public infrastructure locations.”
 - c. “To ensure that any public infrastructure be designed, constructed, and operated in a safe and efficient manner, and in compliance with all federal, state, and local laws and regulations for the protection of the general health, welfare, and safety of the citizens of the county.”
7. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
 - a. The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.
 - b. The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.
8. The future land use map (Attachment C) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26*. This section states:
 - a. Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
 - b. Example Areas: Most of the valley.
 - c. Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural landscape provides separation between adjacent municipalities and protects suitable soils.
 - d. Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
 - e. Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.

- f. Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.

C. Access—16.04.040 [A], 16.04.080 [E], Road Manual

- 9. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 10. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 11. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
- 12. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 13. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 14. The Road Manual specifies the following:
 - a. Minor Local (L): Minor local roads serve almost exclusively to provide access to properties adjacent to the road. Minor local roads generally serve residential or other non-commercial land uses. Many minor local roads are cul-de-sacs or loop roads with no through continuity. The length of minor local roads is typically short. Because the sole function of local roads is to provide local access, such roads are used predominantly by drivers who are familiar with them.
- 15. A basic review of the access to the subject property identifies the following:
 - a. The property has access to 8200 South.
- 16. 8200 South:
 - a. North of the subject parcel, 8200 South is a County road and is classified as a Minor Local.
 - b. Provides access to residential and agricultural properties.
 - c. Is maintained by the County only in the summer.
 - d. Is 20-feet wide and is a gravel road.

D. Service Provisions:

- 17. §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns regarding this rezone. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development.
- 18. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

E. Public Notice and Comment—§17.02.040 Notice of Meetings

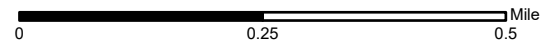
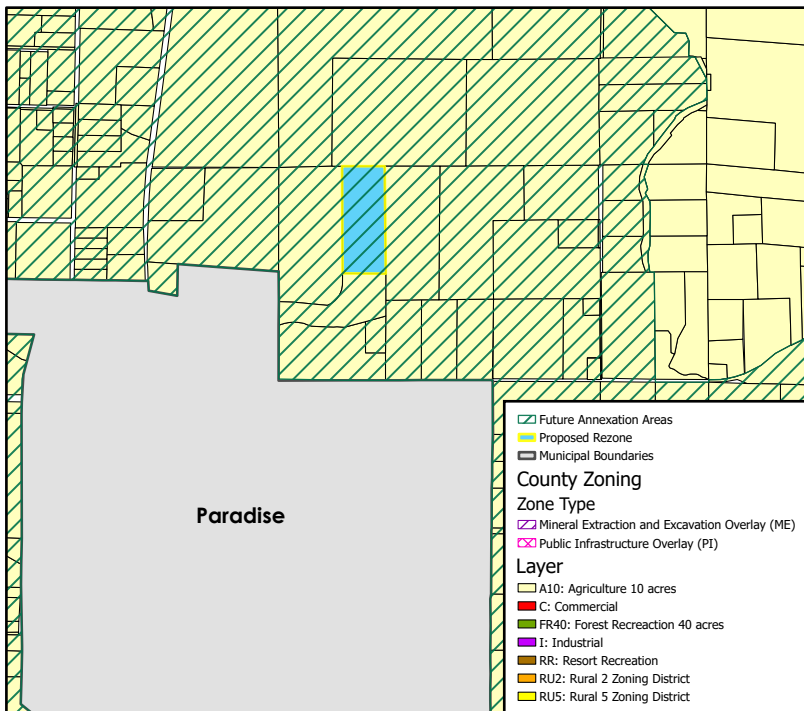
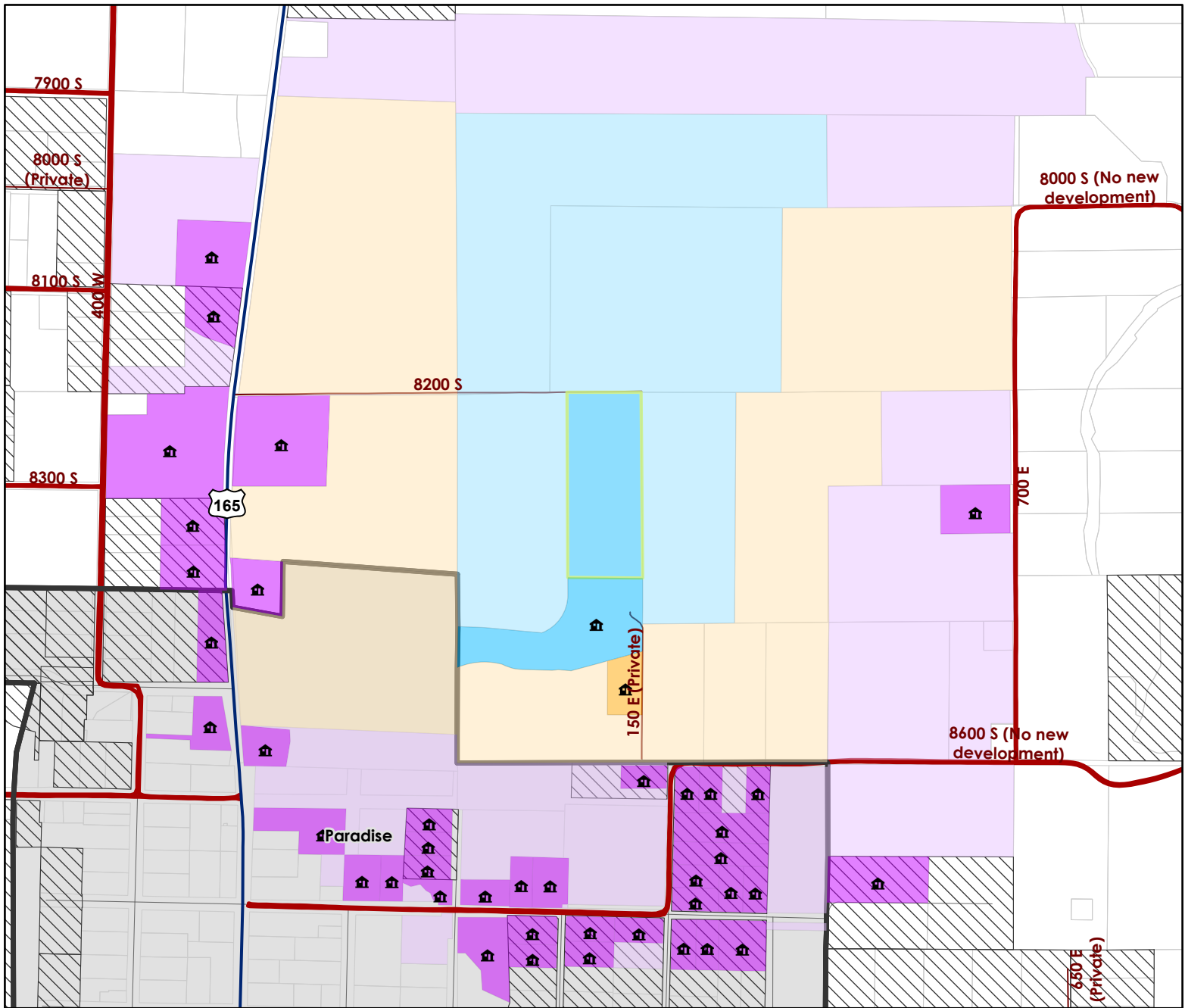
- 19. Public notice was posted online to the Utah Public Notice Website on 24 October 2025.
- 20. Notices were posted in three public places on 24 October 2025.
- 21. Notices were mailed to all property owners within 300 feet on 24 October 2025.
- 22. The meeting agenda was posted to the County website on 24 October 2025.
- 23. At this time, one written public comment regarding this proposal has been received by the Development Services Office.
 - a. Paradise City provided a public comment on August 27th, 2025. They stated their interest in working with Cache County to help ensure that the negative impacts to surrounding property owners were mitigated and that the aesthetic qualities of Paradise Town were preserved. They also expressed concern with spot zoning as they believe it only benefits one property owner.

Planning Commission Conclusion

Based on the findings of fact noted herein, the SBA UT24138-B rezone is hereby recommended for approval to the County Council as follows:

1. The subject property is reasonably consistent with the purpose of the Public Infrastructure (PI) Overlay:
 - a. “To provide for the siting and operation of public infrastructure in an environmentally sound and economically competitive manner.”
 - b. “To inform current and potential residents of the county of the possible location of future public infrastructure locations.”
 - c. “To ensure that any public infrastructure be designed, constructed, and operated in a safe and efficient manner, and in compliance with all federal, state, and local laws and regulations for the protection of the general health, welfare, and safety of the citizens of the county.”

ATTACHMENT A



Legend

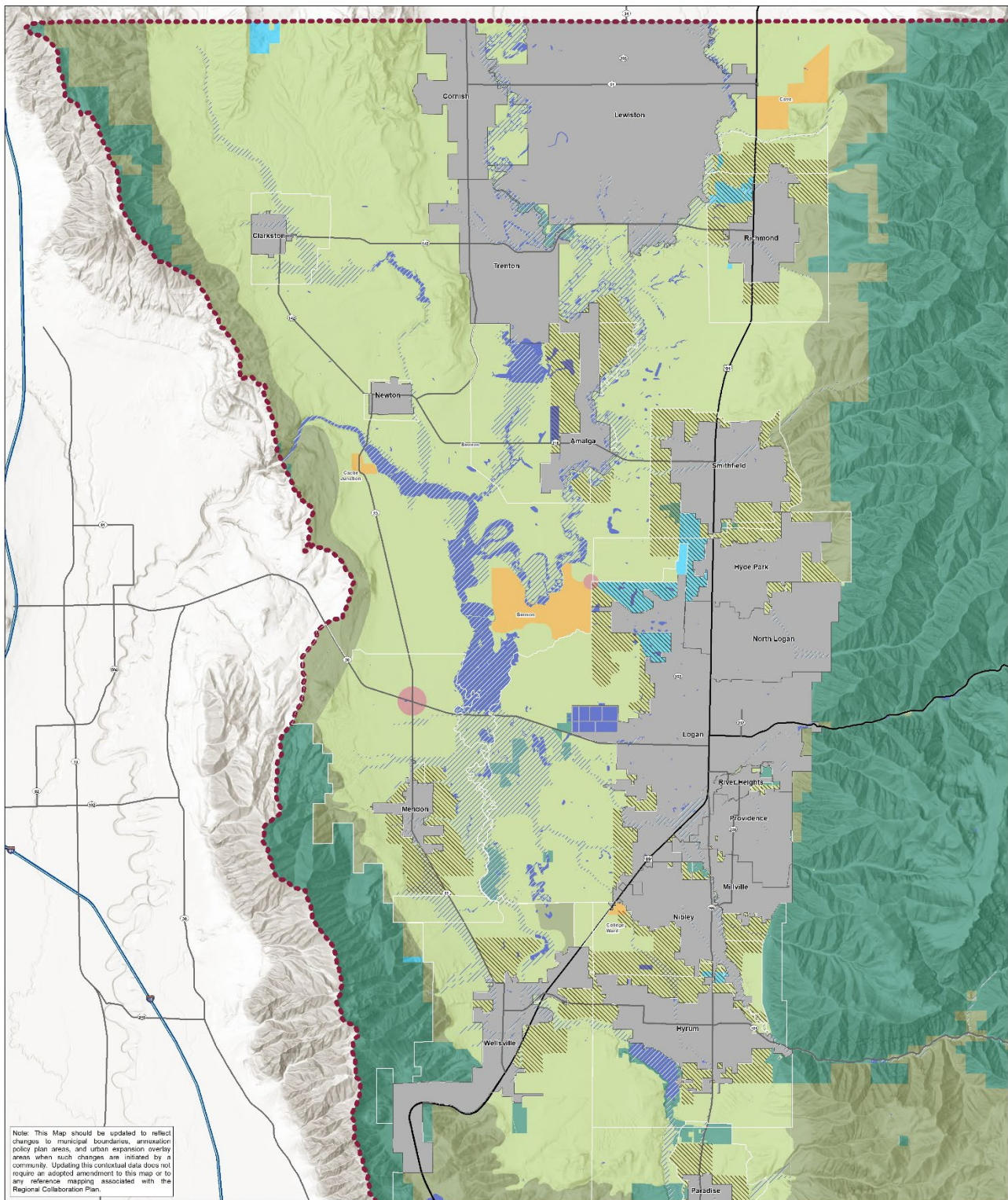
- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

Average Parcel Size	
Adjacent Parcels	With a Home: 12 Acres (1 Parcel)
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	Without a Home in Paradise Town: 6.1 Acres (17 Parcels)



8/21/2025

ATTACHMENT B



Water Bodies	Urban Expansion Overlay	Agriculture and Ranching
100 Year Floodplain	Retail Commercial	Mountain Rural and Conservation
Municipalities	Rural Community	Forest and Natural Resource
Annexion Policy Plan Areas	Industrial and Mineral Extraction	

Cache County Future Land Use Map

Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023



PUBLIC COMMENTS

August 27, 2025

Conner Smith,
Conner.smith@cachecounty.gov

Cache County Planning Commission
devservices@cachecounty.gov



Dear Cache County Planning Commission and Staff Members,

Thank you for your efforts in keeping us informed of land-use applications that may affect Paradise Town.

Chapter 16 of Paradise Town Zoning Ordinances addresses Wireless Telecommunications Facilities. Paradise Town requires a stealth monopole with a maximum height of 40' situated on Public Property. Antennas mounted on existing buildings are preferred over new monopoles because they are more easily hidden or less conspicuous.

The purpose of Chapter 16 is to protect Paradise Town's aesthetic resources and community character and to assure compatibility with Paradise Town Master Plan. The location and design of telecommunication facilities have the potential to have long-term negative effects on surrounding properties. The intent of the regulations is to reduce those effects by locating wireless telecommunication facilities where they are least visible from public streets and public areas, and to the best extent possible, provide screening from adjacent property owners.

The proposed site is within Paradise Town's annexation plan and is within 800 feet of current corporate limits. Paradise Towns Master Plan and Zoning Ordinances project growth in that area will be residential or agricultural, not commercial. Paradise Towns General Plan encourages joint cooperation with Cache County to ensure that proper impact review and analysis are performed before approval.

Paradise Town has concerns about selective or "spot" zoning as it deviates from Paradise's General Plan and specifically benefits an individual property owner.

Thank you for your consideration,

Paradise Town Council

Paradise Town Corporation
PO Box 286, Paradise UT 84328
435-245-6737
www.paradise.utah.gov

Conditional Approvals List & DRAFT Language

1. Interlocal Weber County & Cache County EMS & Sheriff

An Interlocal Agreement mutually acceptable to both Weber County and Cache County, shall be adopted and recorded in both counties no later than six months after the request by the Master Plan CUP Applicant to the Sheriff Departments.

2. Interlocal Weber Fire District & Cache County Fire

An Interlocal Agreement mutually acceptable to both Weber Fire District and Cache County Fire District, shall be adopted and recorded in both counties no later than six months after the request by the Master Plan CUP Applicant to the Fire Departments/Districts.

3. UDOT

Following the completion of 1,477 units in Weber County, as calculated by the equivalent unit density formula within the Master Plan, a new transportation impact study shall be conducted. The County shall issue a scoping letter and the Developer shall pay for a traffic safety/impact study (the “Traffic Study” or “Study”) by an entity acceptable to the Parties. The Study shall address the existing access road for the Master Planned development site and shall make recommendations for improvements to highway 158 in Weber County and related safety issues, including but not limited to guard rails, additional signage, flashing lights in dangerous areas, and runaway vehicle ramps. The Developer shall forward the study to UDOT and actively seek UDOT’s implementation of the Study’s recommendations.

4. Density Tracking

Each subdivision application shall include a cumulative report on what portion of the master planned density has been platted to date and the determination of the amount (if any) density shall be required for each new subdivision.

5. Soil Testing

At subdivision application, plats without previous testing shall be required to have site specific soil tests as recommended in the Geologic Conditions Report.

6. Dark Sky

All exterior lighting within the Master Plan area shall be Dark Sky compliant and will follow the Ogden Valley Outdoor Lighting standards set forth in Weber County Land Use Code §108-16 (as amended) (“OV Dark Sky Code”).

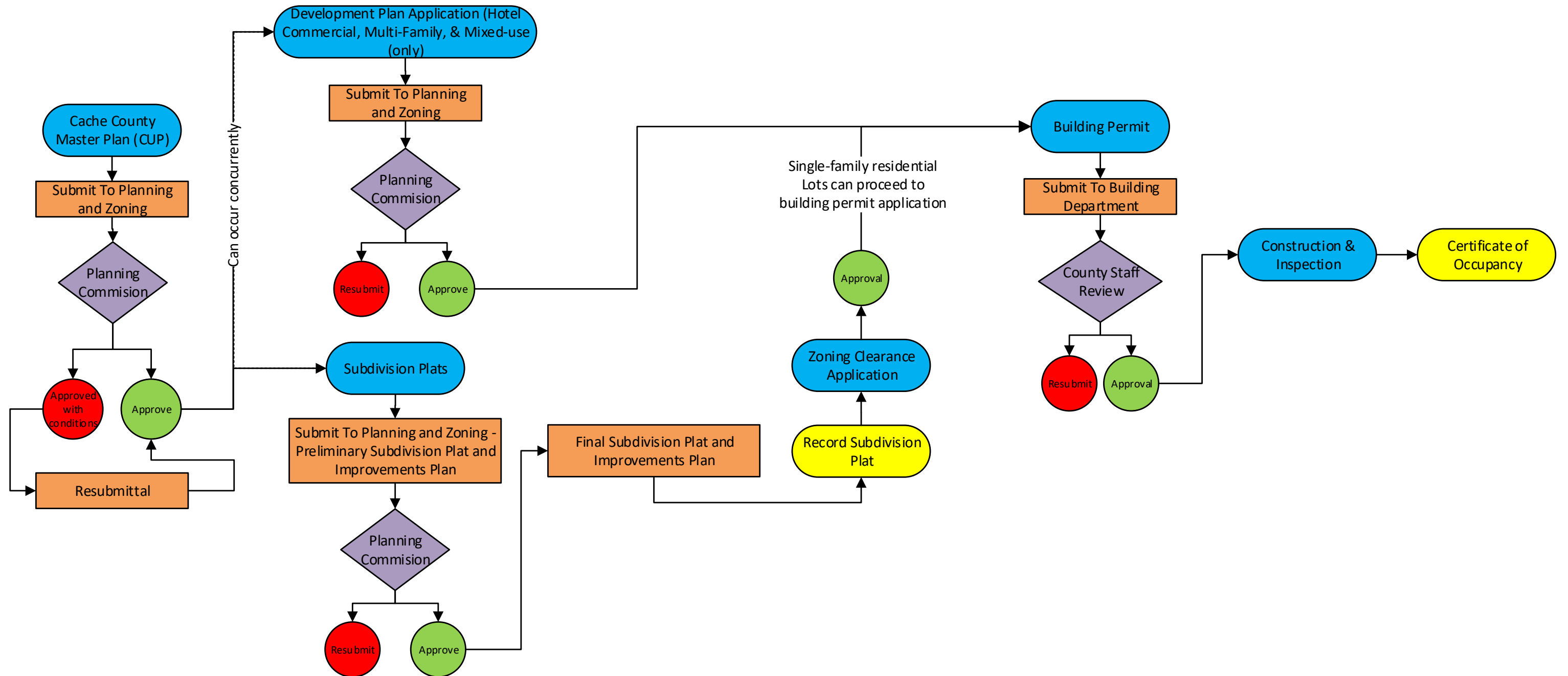
7. Design Guidelines

Because the RR Zone designated design guidelines for the Master Plan area as the responsibility of the Applicant, the existing Powder Mountain Design Guidelines (as adopted and on file with the HOA/ARC) are hereby incorporated by reference and shall govern all lots, homes, and exterior improvements within the Master Plan. Compliance with the Guidelines is a condition of site plan/building permit approval and certificate of occupancy. As the Powder Mountain Design Guidelines are updated, they will be provided to the Planning Department to have on file.

8. ZCA Process

- a. Single-family residential lots will follow the ZCA process per the Cache County Planning Department established standards.
- b. Development Plan Applications (required for commercial land uses only) include site planning and development information, and therefore shall not go through the ZCA review process.

Cache County Development Process Chart





powder

H A V E N

Design Standards and Guidelines



Design Standards and Guidelines

April 2, 2025



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1

Powder Haven Design Philosophy

1.1 The Powder Haven Community

Powder Haven is a private-ski community nestled in 12,000 acres of breathtaking alpine wilderness overlooking the Great Salt Lake. Our Owners act as stewards, protecting vast open spaces, enhancing the adjacent public ski resort, and establishing a unique outdoor art park. Residents enjoy year-round amenities including private ski lifts and endless powder runs, lakeside and mountain lodges, and multi-season recreation.

At Powder Haven, adventurous and big-hearted people come together to experience spectacular mountaintop living while creating a legacy of conservation and community in this pristine natural setting.

This document was born through a careful analysis of the land, its extreme but rewarding weather, and the patterns of how our community uses the place. At its essence, our design philosophy is about views, shelter, and maximizing outdoor recreation.

Views

These Design Standards and Guidelines (DSG) prioritize views by implementing two view corridors: community view corridors, which preserve the mountain's scenic value by maintaining open vistas; and Homesite view corridors, which encourage Homesites to frame, rather than obstruct, views.

While view corridors are prioritized across most Homesites, unobstructed views are not guaranteed,

and any view impacts do not constitute grounds for claims against the Declarant, Powder Haven Owners' Association, Inc. (HOA or Association) or Owners.

Shelter

Powder Haven sits atop the Wasatch Mountain range, inverting the traditional ski resort experience. Residents start their day with sweeping alpine views and a sense of otherworldly elevation, though these breathtaking conditions come with high winds and unpredictable weather.

Homes are designed as sanctuaries, combining chalet-inspired elements such as large roofs with deep eaves, framed views, and natural stone bases with a modern alpine vernacular to provide shelter in extreme weather. When nature aligns, the contrast between refuge and raw wilderness creates moments of pure alpine joy.

Outdoor Recreation

Powder Haven's community is united by a love of the outdoors and the myriad of activities it offers, from skiing and snowboarding to hiking and biking. The DSG prioritizes an active lifestyle, encouraging movement on skis, bikes, or foot. This focus on outdoor activity and community fosters organic connections and spontaneous interactions among residents and visitors alike.



Master Plan, March 2025

Note: Concept Plan for illustrative purposes only.

1.2 Powder Haven Standards and Guidelines

Powder Haven consists of multiple neighborhoods in a mountain setting. Each neighborhood is governed by building Standards and Guidelines that reflect the unique characteristics of each neighborhood.

In addition to these Design Standards and Guidelines, Legacy Neighborhoods are controlled by District Standards (see Chapter 4) and sub-HOA documents (where applicable).

Legacy Neighborhoods consist of the following neighborhoods and their corresponding District(s):

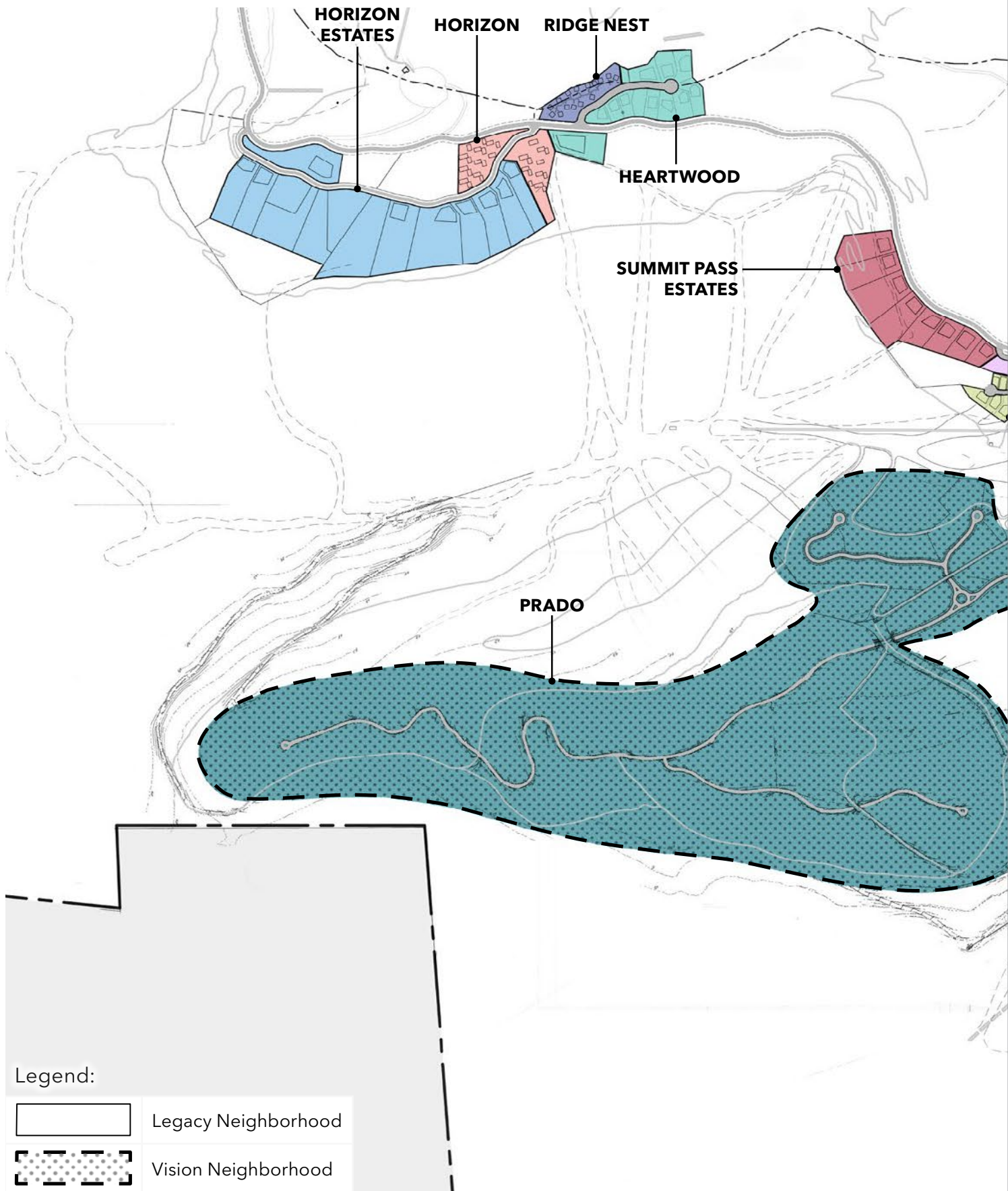
- Horizon Estates (Mountain Houses District)
- Horizon
- Ridge Nest (Ridge Nest District)
- Heartwood (Mountain Houses District)

- Summit Pass Estates (Mountain Houses District)
- Copper Crest (Village House and Village Townhouse District)
- Spring Park (Village House District)
- Overlook (Mountain Houses District)
- Village Nest (Village Nest District)

Vision Neighborhoods include:

- Shelter Hill
- Prado
- The Enclave
- Future Development Areas





Overall Neighborhood Plan



1.3 Objectives

Site design and landscape standards encourage site-responsive and environmentally sensitive design while producing a unified and harmonious community design that reflects Powder Haven's values.

The primary objectives for site design at Powder Haven are:

- To design for shelter, with large roofs and extended overhangs with strong grounded bases, often with stone to establish the connection.
 - To utilize the existing landscape and landform on each Lot as the basis for designing all site and building improvements.
 - To minimize the visual impact of development from off-site viewsheds by ensuring buildings and Structures are as inconspicuous as possible through skillful placement and thoughtful design.
 - To preserve and enhance the natural flora of the Wasatch Mountains by utilizing plant palettes that are sensitive to the existing native flora, while revegetating and rehabilitating areas that may have been impacted by development. Particular attention shall be paid to blending individual landscape character along the highly visible street frontage areas as part of a harmonious whole.
- To minimize healthy vegetation removal, site grading, and general site disturbance.
 - To provide privacy, separation, and screening in a manner that is a natural extension of the surroundings while preserving and enhancing views from each Lot. The DSG are more permissive for less visible areas within the Homesites, such as strictly private outdoor environments immediately adjacent to all homes.
 - To create a common language of site materials, colors and details throughout the community that will reinforce the character of Powder Haven and provide visual continuity. These common approved details include address identification, utility screens, retaining walls, driveway aprons and paving and drainage culverts.

1.4 Design Guideline Usage

These DSG shall be used by all persons involved in any development, additions, landscaping and/or alterations at Powder Haven. These DSG shall be administered and enforced by the Architectural Review Committee (ARC). All construction and development activities within Powder Haven must comply with applicable law, rules, regulations, ordinances, and requirements of all applicable governmental, quasi-governmental, or other regulatory authorities.

This document has been adopted by the Master Developer and may be amended from time to time by the Master Developer, or their designee, at the Master Developer's sole discretion.

Before submitting plans, it is the responsibility of each Owner, Architect, Contractor and/or authorized agent to obtain and review a copy of the current DSG.

All capitalized terms in these Guidelines are defined in Appendix A of this document.



1.5 Relationship to Other Documents

The Powder Haven DSG set forth the primary design standards governing development within the community and apply to all residential Lots. Notwithstanding the foregoing, to the extent that the DSG conflicts with the Covenants, Conditions, Easements and Restrictions (CC&Rs), the CC&Rs shall control.

Development of any Lot shall be subject to all rules, regulations and standards set forth in or on the CC&Rs, applicable HOA Declaration(s), any applicable plat and other matters of record, together with the applicable County requirements. In connection with any application for design review or approval, the applicable Lot Owner shall be required to submit all documentation required pursuant to the CC&Rs, applicable HOA Declaration(s), the Powder Haven DSG and the applicable County requirements for building permit application.



A scenic winter landscape featuring snow-covered mountains in the background and a dense forest of evergreen trees in the foreground. The scene is bathed in soft, warm light, likely from the low sun, creating a serene and picturesque atmosphere. The text is overlaid on the center of the image.

2

Site Standards and Guidelines

This chapter sets forth the Standards and Guidelines for all site work relating to the siting of all Structures, grading, and landscape Improvements including but not limited to homes, decks, driveways, terraces, walls, pools, water features, planting, lighting, and any other exterior elements. This chapter also describes the characteristics, elements, and principles of the design aesthetic, as applicable to Powder Haven.

All Structures require a Utah-licensed and registered Architect, licensed Civil Engineer, licensed Landscape Architect, and a licensed and bonded General Contractor (also referred to as the design team). These design professionals shall prepare plans according to these Standards and Guidelines for submission and review by the ARC. Also refer to Chapter 5 - Design Review Process.



2.1 Surveys, Site Analysis & Siting Considerations

Every Homesite within Powder Haven has something special and unique to offer. A thorough review of a property's planning considerations and potential can result in an extraordinary project. Anything less than full attention to the site's attributes will result in a project that does not achieve its full potential.

The design team is required to secure a site survey as well as a site specific geotechnical report prior to beginning the design process (see Appendix B).

It is mandatory for the Owners and their design team to conduct a comprehensive site analysis, which must include identifying opportunities and constraints such as solar orientation, topography, views, vegetation, access, rock outcroppings, Easements, title reports, plats, and Setbacks. Failure to perform a thorough site analysis can result in a project that does not obtain approval.



2.2 Site Notebooks

These Guidelines are to be used in concert with Site Notebooks (where applicable). For all Vision Neighborhood Homesites and additional Homesites as designated in this document, a Site Notebook has been prepared for each Lot that describes the unique attributes of that site and identifies important design parameters such as Building Envelope, Setbacks, Easements, drainage areas, primary views, sun angles, suggested driveway access, and other attributes or special restrictions that may affect the residence and site design. See Sample Site Notebook Figure.

Site Notebooks and other digital base plan files for each Lot indicating property lines, topographic information, and utility information are diagrammatic in nature and offered as a convenience to Owners to develop a site analysis prior to beginning the design process. They are not a substitute for a certified survey, which Owners are required to obtain (see Appendix B).

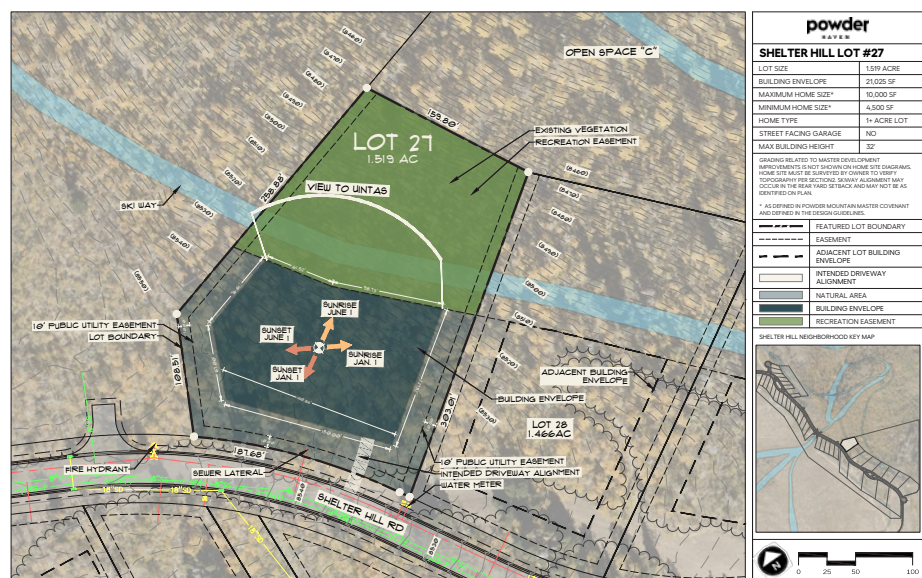
Each Site Notebook consists of a base map showing the following:

- General site topography,
- Existing environmental conditions (including existing vegetation and view corridors),
- Proposed Building Envelope and suggested driveway access,

- Proposed utility connections,
- Proposed elevations at all exterior corners of the Homesite, along with spot grades at the road.

Site Notebooks also include the following information to assist Homeowners in understanding each site's potential:

- Lot Size
- Building Envelope
- Maximum Home Size
- Minimum Home Size
- Garage Orientation
- Easements
- Maximum Building Height
- Natural Area



Sample Site Notebook

2.3 Building Envelope

The Building Envelope and Natural Area concept is a major component of the philosophy behind designing and planning Improvements on each individual Homesite. Each Building Envelope responds to natural features such as steep slopes, vegetation, rock outcroppings, and view orientation. Site planning and architectural design solutions that embrace these assets are encouraged. Building Envelopes are defined within the Site Notebook for the Lots which possess them. (Some Legacy Neighborhood Lots do not have defined envelopes, and require siting of a Building Envelope and approval by the ARC as part of the design process with the ARC). The Building Envelope is designed to preserve the natural landscape features of the Homesite and protect view corridors from other properties and/or other key locations within Powder Haven.

Building Envelopes have been established for all Vision Neighborhood Homesites to ensure that each residence is sited to maximize views, minimize impacts to the site, and maintain privacy. The Building Envelope is the portion of the Lot within which all Improvements, including, but not limited to, all Structures, building projections, site grading, walls, decks, terraces, pools, mechanical equipment, and all other Improvements must be located. It is the only portion of the Lot where alterations or disturbance to the natural landscape may occur (other than the driveway access, utility connections, and supplemental planting of native vegetation). The Natural Area is the portion of the Lot that lies outside of the Building Envelope and is to remain in its natural state.

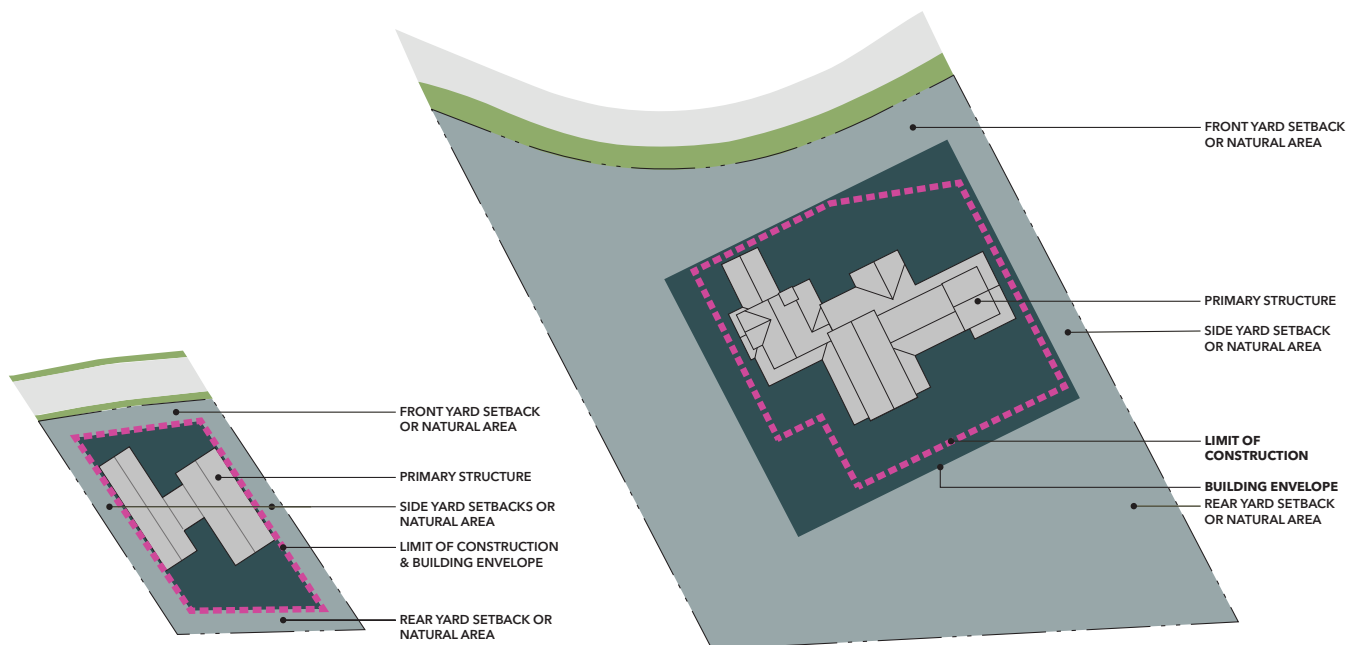
No Improvements including roof overhangs, cantilevered floor areas, or balconies are allowed outside of the Building Envelope. No other lots may have extensions beyond the Building Envelope. Improvements outside the Building Envelope are limited to driveway access, utility connections, community trails and ski access, and necessary supplemental planting of native vegetation. Minimal grading for driveway access and to accommodate drainage and utility connections is allowed within the Natural Area as indicated on the Site Notebook or as specified within the Legacy District Standards in Chapter 4. Portions of the Natural Area may have been previously landscaped by the Developer as part of street or ski area Improvements. It is the intent that these previously landscaped areas are preserved or revegetated with native vegetation if required.

Note: For Legacy Neighborhood Standards, Buildable Area is synonymous with Building Envelope. Buildable Area is not a term used for Vision Neighborhoods.

2.4 Limit of Construction

The Limit of Construction (LOC) is the portion of the Homesite in which housing construction, hardscapes, clearing, and landscaping must be accomplished. The LOC shall be contained entirely within the Building Envelope and the LOC acts as a limit beyond which no Construction Activity, including general site grading, access, and materials storage may take place. Utility connections and driveway access are exempted from the LOC calculation. All areas outside the LOC must be protected by the Owner and/or Contractor by use of construction fencing along the entire LOC perimeter and along the driveway access. There shall be a proposed LOC delineated at the time of Architectural Design Review.

The ARC shall review the proposed LOC based upon its impact on existing vegetation, slopes, drainage patterns, neighboring Homesites, as well as size and practicality of the requested work area. Both the Contractor and Architect should carefully plan the construction sequence to minimize the area needed for staging and materials storage. The LOC perimeter delineated in the documents for Final Design Review shall represent the LOC used during construction. To change the LOC, the Owner and/or Contractor shall, prior to the onset of construction, submit to the ARC for approval a written request with a drawing indicating the requested change.



On Lots with a Building Envelope of less than 15,000 SF the LOC may coincide with the Building Envelope

On Lots with a Building Envelope 15,000 SF, or more, the LOC may not coincide with the Building Envelope

2.5 Combining Homesites

In cases where the Owner purchases contiguous Homesites and wants to combine two (2) or more Homesites/Lots into a single Lot, the Owner must receive approvals from the ARC, the Master Developer, and the applicable County.

First, a revised Building Envelope shall be prepared by the Lot Owner to present to the ARC. The ARC approval must be obtained prior to the ARC submitting to the Master Developer. If the new Lot with a Building Envelope is approved by the Master Developer, the ARC will notify the Lot Owner. Finally, with these approvals the Lot Owner may submit an application to the applicable County. The Lot combination will require a Plat amendment, which will be required by the applicable County for approval and is the sole responsibility of the Lot Owner.

The following design criteria shall govern combined Homesites:

- The buildings on the Homesite shall be planned and designed for a single principal residence.
- In all cases, a larger Structure shall appear to be the principal residence, surrounded by ancillary Structures of smaller scale.
- Buildings on combined Lots shall be planned and designed such that, while somewhat larger, the Primary Structure (including all Structures or components) does not appear out of scale or character (in any one element or as an entire composition) with the rest of Powder Haven.

- The new Building Envelope area resulting from combining the Lots requires ARC approval prior to application submittal. Under no terms shall the new Building Envelope exceed 30,000 SF.
- Following the approval by the ARC and Master Developer, any required regulatory approvals shall be the responsibility of the Owner. Owners and their design team are encouraged to be sensitive to these important issues when preparing their applications.
- The Master Developer shall retain the vacated water and sewer connections as well as the Equivalent Residential Unit (ERU).
- Once Lots are combined they may not be re-subdivided.

2.6 Site Grading and Drainage

The majority of the Homesites located in Powder Haven sit on sloping topography and will require some grading to accommodate the residence and driveway, and to manage stormwater runoff. The planning of the site and placement of the home is to be designed to minimize grading, control erosion and sediment transport, and avoid significant disturbance to the natural landscape.

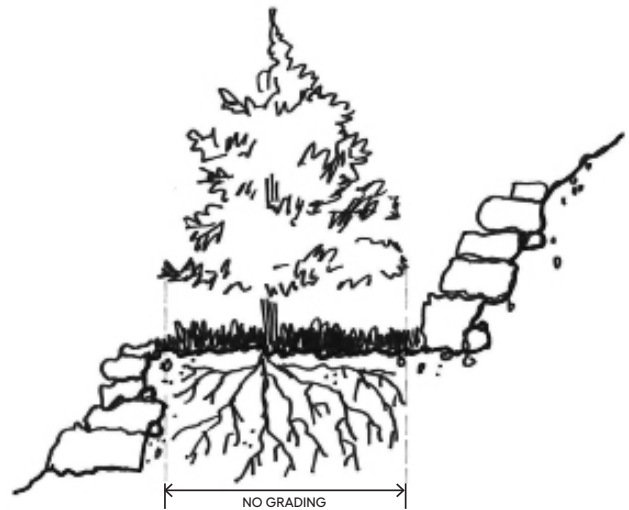
All grading and drainage Improvements are to avoid a “man-made” appearance and blend into the natural setting to appear as extensions of the existing natural landform. Site grading should generally be designed to balance cut and fill on-site.

All grading and drainage Improvements are to be located within the Building Envelope. Grading within the Natural Area (other than for driveway and utilities) is prohibited. In general, Structures shall be designed to step with the Natural Grade.

STANDARDS AND GUIDELINES

- No grading outside the Building Envelope or the driveway corridor is allowed.
- No cut or fill slopes with vertical exposure greater than 6 feet is allowed.
- No Flat Pad grading is allowed.
- All cut and fill slopes are to be re-vegetated with native/naturalized plant materials and blended into the surrounding natural landscape. Revegetation of slopes should be completed as soon as possible to minimize erosion. Forest vegetation shall be re-established in a comparable density and pattern to that which exists in the natural undisturbed forest areas or in accordance with these Guidelines. (Refer to Appendix B for a list of approved hydroseed mixes.)
- Erosion control measures shall be implemented upon initiation of all site grading. Refer to 2.7 and Appendix E for Erosion Control Seed Mix.
- Fill may not be used to raise significantly the elevation of the first-floor level.
- Where possible, naturally graded slopes are to be used rather than retaining Structures. Where retaining structures are the most feasible solution to reduce grading impacts, they are to follow the natural contours of the land.
- All cut and fill slopes are to be graded with smooth transitions at top and bottom of slopes to be extensions of the surrounding landform.
- Grading operations shall not cause any on- or off-site erosion or sedimentation, during or after construction.
- All topsoil disturbed by grading operations is to be stockpiled within the Building Envelope and reused as part of the landscape restoration. On Lots where on-site stockpiling is not possible, topsoil shall be stored off of the Lot at an ARC approved location which is described as part of the Construction Management Plan.

-
- No grading shall be allowed within the drip line of existing trees to be preserved.
 - Every attempt must be made to minimize the cut and fill necessary for the construction of a home. Documents of proposed cut/fill areas, retaining walls, and proposed revegetation shall be submitted to the ARC as part of the Architectural Design Review and and Final Plan Review packages.
 - All existing trees with a trunk caliper greater than 10 inches (measured at 2' above Existing Grade) occurring within the Building Envelope or Limit of Construction are to be protected by fencing during any grading operations and protection from soil compaction within each tree's drip line shall be provided.
 - Drainage within each Homesite is to be designed by a qualified Civil Engineer in coordination with the Landscape Architect.
 - Natural drainage courses on the Homesite must be protected and existing drainage patterns maintained wherever feasible. Special attention shall be paid to the proximity of drainage outlets and trees to ensure drainage design does not affect natural moisture levels.
 - Any designated drainage onto neighboring properties requires all Owners' consent and ARC approval.
 - New drainage courses are to be designed to appear and function like natural drainage ways. Refer to standard detail in Appendix D.
 - Drainage structures such as headwalls, ditches and similar drainage structures visible from off-site must be built of, or faced with, an approved stone material similar to other stone features that are part of the public infrastructure.
 - Drainage design must minimize any potential for erosion and consequent downstream water quality impacts. Erosion control required during construction can be found in Section 6.16 and shall comply with local Codes and regulations.
 - All stormwater dissipation outlets must be designed by the Master Developer Civil Engineer to avoid erosion or damage to roads, walls and/or other structures.
 - Driveways adjacent to roadside drainage swales shall require a culvert detail at the driveway crossing. See Appendix D- Approved Standard Homesite Details.



Altering Grades Around Existing Trees

2.7 Erosion & Sediment Control

All development is to be in conformance with applicable County regulations. Erosion control measures shall be in place at the perimeter of any Building Envelope prior to initiation of any grading activity or disturbance of native ground. At a minimum, these will consist of silt fences/waddles or diversion berms along with settlement basins. It is the responsibility of the Owner and their Contractor to ensure the proposed erosion control methods are adequate and maintained throughout the construction period.



Hydroseed all disturbed areas within the LOC with approved native seed mix(es) (See Appendix D).

2.8 Retaining Walls

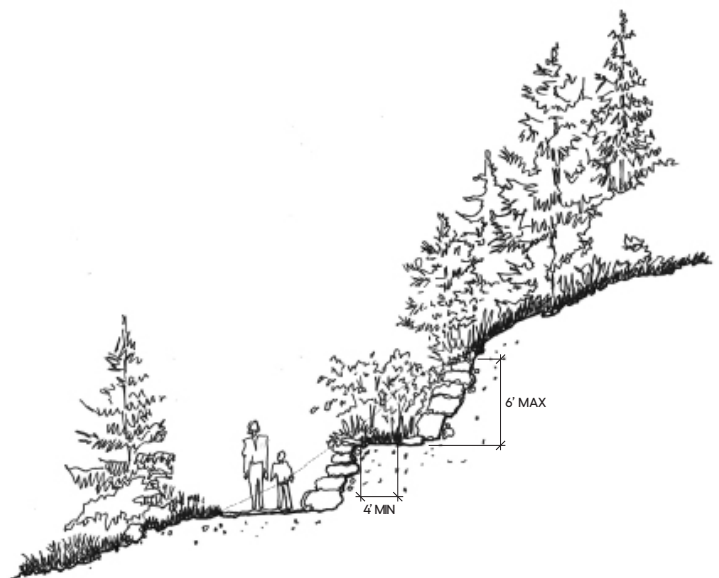
All retaining walls (except as required for driveway access) must be located within the Building Envelope. Retaining walls that are visible from the street, ski area, or from Common Areas shall be built of materials and patterns that are consistent with the proposed architecture or surrounding Common Area Improvements.

OBJECTIVES

- Minimize impacts to the site and surrounding landscape.
- Integrate retaining walls with existing topography to reinforce the connections to the site.
- Integrate landscaping, such as screen shrubs, with retaining walls to soften visual impacts and obscure large site walls from off-site views.
- Buildings, terraces, and site stairs are to incorporate their own retaining walls, rather than the more traditional method of retaining walls used extensively throughout the site.
- Retaining walls are to be located entirely within the Building Envelope, except walls required for driveway access, and/or screen walls for electrical transformers in the utility Easement.
- Retaining walls are not to exceed four feet (4') in height.
- Wherever possible, site walls shall step with the site, breaking into tiers interrupted and softened by planting beds with a minimum width of 4'-0". Stepped retaining walls shall be limited to a maximum of two (2) 4'-0" height walls as a series, separated by a minimum of 4'-0" of planting zone.
- Retaining walls in excess of four feet (4') are highly discouraged and require approval from the ARC on a case-by-case basis, provided they are not obtrusively visible from off site, and where it can be demonstrated to the

STANDARDS AND GUIDELINES

- All proposed retaining walls shall be reviewed by the ARC and are subject to their approval. All retaining walls must be submitted at Architecture Review submittal and are subject to approval by the ARC at Final Design Review stage.



Stepped Retaining Walls

ARC that such a solution would reduce overall impacts to the site. Approval may be granted if it can be demonstrated that such walls minimize impact to the existing topography and align with the intent of the DSG. These walls must be designed by a licensed structural or geotechnical engineer in the State of Utah. The maximum height of ARC special approval for retaining walls is 6'-0".

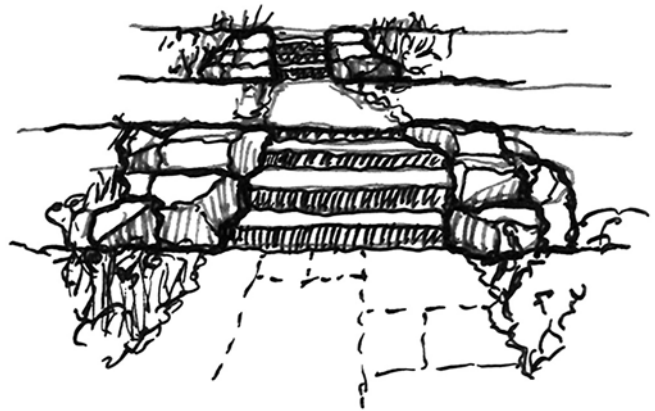
- Retaining walls not directly associated with architecture and exceeding a height of 4'-0" shall be required to have a minimum batter of 1:12. Walls associated directly with the architecture may be vertical.
- In general, walls are to follow the natural contours, with the ends of the walls stepped or transitioned to blend with the existing landform. Abrupt or exposed wall ends should be avoided.
- In general, retaining walls must not delineate or articulate the boundaries of the Building Envelope or property lines for long distances.
- Walls are to utilize multiple vertical and horizontal offsets that step with the site's topography and house design.
- Provide subdrainage for all walls as recommended by the Geotechnical Report.

- Stacked boulder walls may be approved provided they are "hand-crafted" in appearance.

See Appendix D - Approved Standard Homesite Details.

Offsets and Stepped Tops of Walls

The tops of site retaining walls shall generally step with grade on steep gradients. Unrelieved repetitive stepping of site walls is discouraged. Curvilinear alignments may be appropriate as limited accents. Geometric offsets and/or vertical steps are preferred and shall be used where walls are tied to buildings to form outdoor rooms and resolve site conditions.

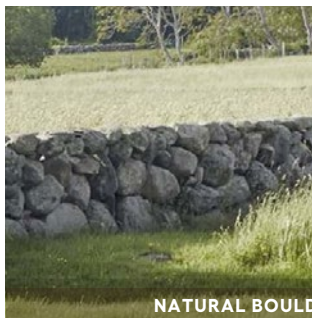
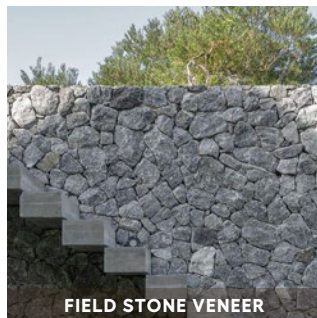
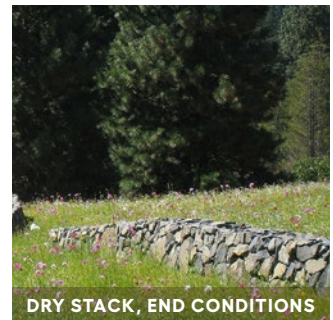
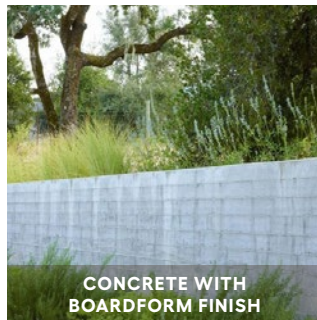
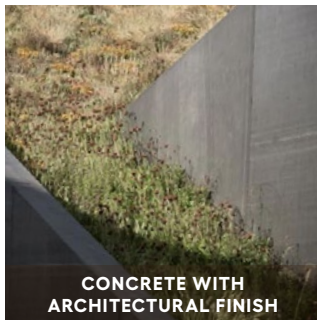


Walls are not to exceed four feet (4') in height. Stepped or terraced walls with ample planting pockets and terraces are to be used where graded changes exceed four feet (4') in height.

Materials

Materials shall complement the style of the architecture and are to be used in a consistent and intentional manner.

- Approved materials:
 - Formed concrete with exposed finish (including board-form)
 - Natural stone laid with organic shapes and a dry-stack appearance, or as cut stone laid in horizontal courses. Textured surfaces are encouraged
 - Natural boulders
 - Gabion
 - Wood or Timber (with ARC approval)
- Prohibited Materials:
 - Rammed earth
 - Unfinished masonry
 - Tile
 - Metal
 - Stucco
 - Redi Rock
 - CMU



Approved Retaining Walls Materials

Dry-Stack Stone Walls

- Stone walls shall be structural in appearance, composed with coursework and jointing consistent with a dry stack masonry wall
- Thin stone veneers that are not structural in appearance shall be avoided.
- Walls shall utilize a variety of appropriate stone sizes and use a “chinking” method to strengthen the wall and avoid large gaps or holes between stones. Excessive chinking should be avoided.
- Walls using a dry-stack pattern shall be laid with a structural appearance. They are to incorporate a mix of sizes and shapes, with larger stones predominating at lower levels. Horizontal coursing should predominate. Smaller stones may be used to fill in gaps, but without becoming a dominant pattern.
- Dry-stack stone walls shall use a full size unit at the top of the wall (no wall cap.)

Dry-Stack Boulder Walls

- Dry-stack boulder walls are at the discretion of the ARC and shall not impact other site walls in the community open space above roads or adjoining Homesites.
- Boulder walls shall utilize a binding fabric material as a foundation as recommended by the consulting Engineer.
- Larger stones/boulders should be set at the base, with progressively smaller stones/ boulders used as the wall increases in height.
- Dry-stack boulder walls shall use a full size unit at the top of the wall (no wall cap.)

2.9 Driveways, Autocourts and Parking

The design intent is to unify the neighborhoods by controlling the look and location of the driveways and parking, as they have a strong influence on the visual character of the streetscape. Driveways may be required to be reviewed and approved by the County Fire District prior to Architectural Design Review submission.

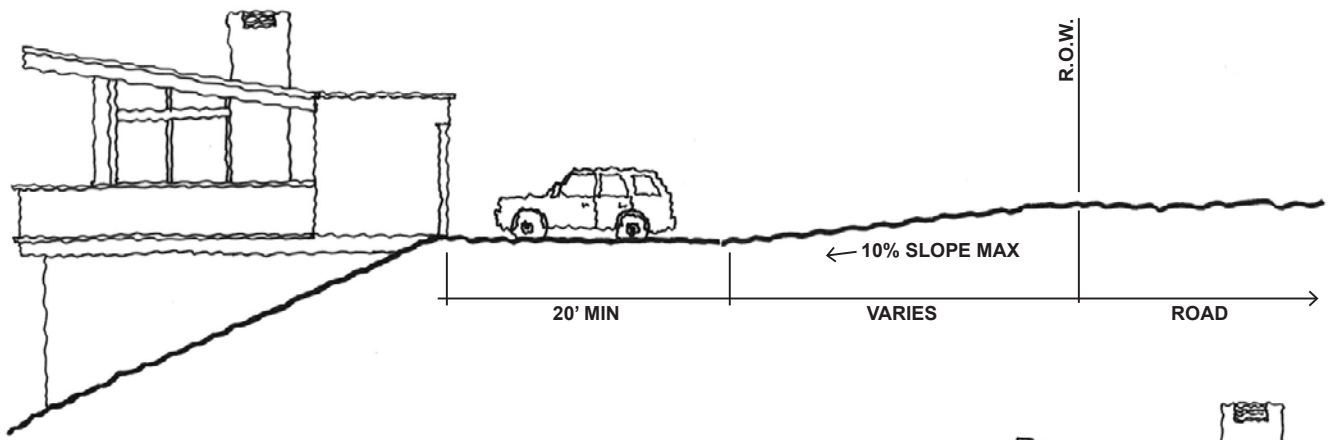
When planning your home, minimize the visual impacts of vehicular access and parking. Where feasible, create Auto Courts through the use of special paving, architectural devices, and/or plantings to create a pleasing arrival sequence for Owners and guests. Outdoor parking is strictly limited on each individual Homesite and must be contained within the designated Building Envelope. Autocourts are not intended to be visible off-site and shall use materials that complement the style of the architecture and generally follow the intent of these Guidelines.

STANDARDS AND GUIDELINES

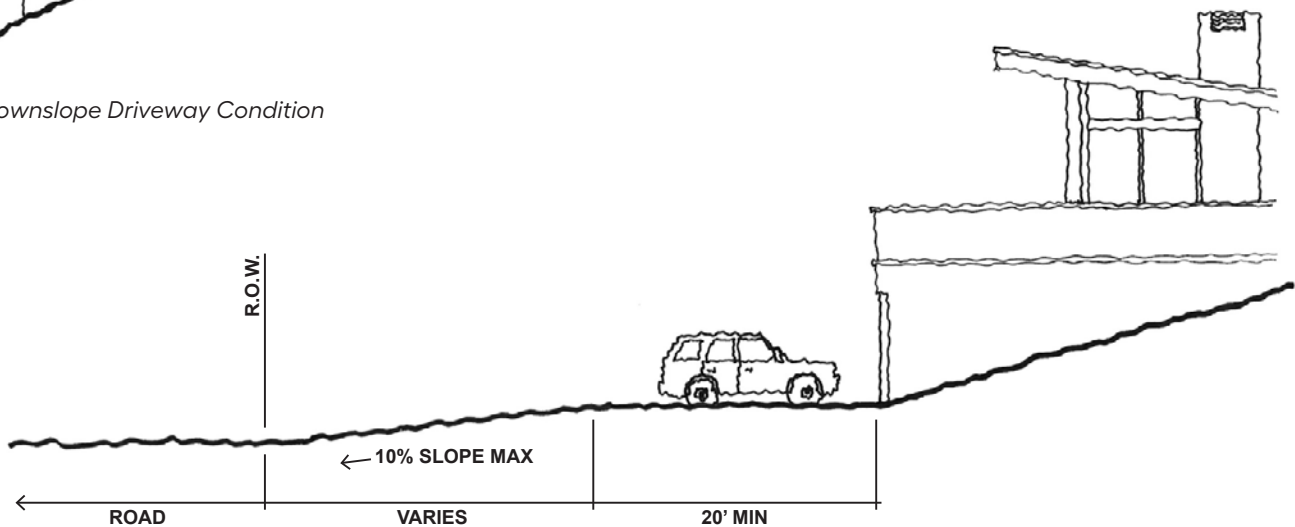
- Design of driveways, Autocourts and parking, including layout, materials, patterns, finishes, and colors are subject to review and approval by the ARC.
- A suggested driveway access is located on the Site Notebook for each Lot within Vision Neighborhoods.
- To unify the streetscape, use only one material for the entire length of the driveway to the Autocourt. The design of the driveway apron and culvert shall be installed by the Contractor according to an Approved Driveway Apron and Culvert detail. See Appendix D, Approved Standard Homesite Details.
- Use the driveway to manage part of the slope before entering the building. Allow for parking areas, and where space permits, autocourts that can support off-street visitor vehicles.
- All driveways are to follow alignments that minimize grading, tree removal, and other disruptions to the site. The driveway, parking and Garage layouts are to minimize the visibility of driveways, off-street parking and Garage doors from the streetscape, open space areas, community trails and adjoining Homesites.
- Driveway widths shall be a minimum of 14' and maximum of 18'. Driveway widths may vary to respond to Lots with limited Building Envelopes.
- Driveways shall meet all requirements for fire access as established by the Weber and/or Cache County Fire District including the fire truck hammerhead layout, required paving width, and approved materials.
- Only one driveway entry and curb cut shall be permitted for each Homesite. A proposed driveway access point is indicated on the

Site Notebook. Alternative locations may be approved by the ARC if the applicant demonstrates that such relocation furthers the objectives of the Powder Haven community. Cost of driveway relocation, including relocation of existing utilities and existing driveway apron and drainage culvert if already installed, would be the responsibility of the Owner.

- Maximum driveway gradients shall be 10%. No exceptions.
- Generally, driveways shall intersect the street at right angles between 70 and 90 degrees. Angled driveways (beyond 70 to 90 degrees) will be considered by the ARC on a case-by-case basis where topography or other existing site features mandate an alternative.



Downslope Driveway Condition



Upslope Driveway Condition



Autocourt

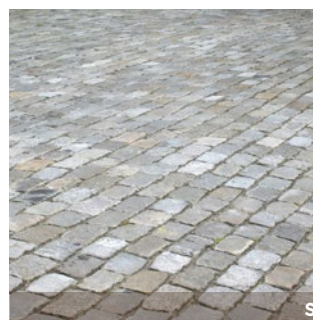
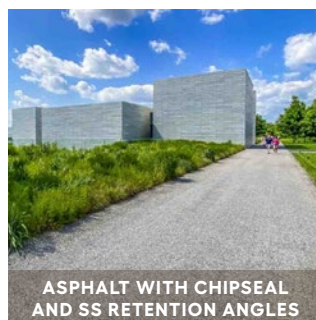
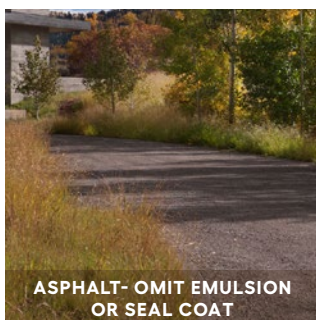
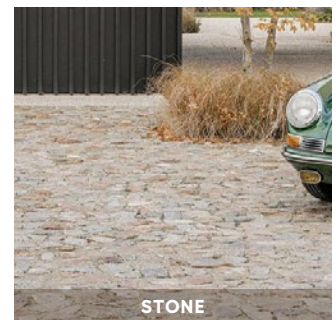
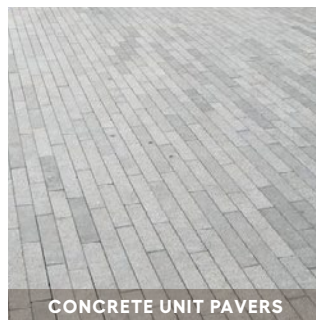
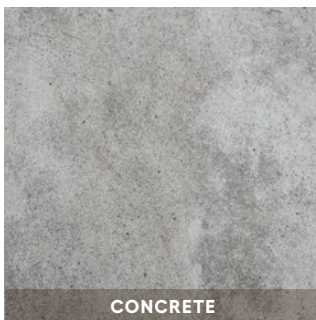
- Autocourts and grading related to both driveways and Autocourts shall be located entirely within the Building Envelope. The quantity of hardscape in Autocourts shall provide adequate room for parking and vehicular movement and should avoid excessive paving that impacts the surrounding landscape.
- Driveways and Autocourts should be designed appropriately to accommodate snow storage and removal. Additionally, Owners should be mindful that no on-street parking is allowed at Powder Haven and plan their visitor parking needs accordingly.
- Asphalt with edge treatment such as concrete band or gravel is the suggested driveway material. Other acceptable hardscape materials are identified on following page.
- Driveways exceeding 150 feet in length, but less than 800 feet in length, will provide a fire turnout near the midpoint of the driveway and which must be approved by Fire District.
- Where the driveway exceeds 800 feet, fire turnouts shall be provided no more than 400 feet apart. All driveways exceeding 150 feet in length shall provide a turnaround or hammerhead at the end of the driveway.
- Formal driveway planting, such as regularly spaced trees alongside driveways and straight driveways are prohibited.

Allowed materials:

- Asphalt
- Concrete
- Concrete with integral color
- Gravel with a compacted base or cellular stabilization system (an edging system*)
- Concrete Pavers
- Stone

Prohibited materials:

- Stamped Concrete
- Crushed Rock
- Crushed Concrete
- Loose Gravel without base or edging system
- Asphalt Pavers
- Brick
- Artificial Turf
- “Grasscrete” (void structured concrete)



Approved Driveways Materials

2.10 Other Parking Considerations

Parking areas and Garages are required to be sufficient to accommodate enclosed storage of the resident's vehicles, vehicle turn-around space and guest parking.

OBJECTIVES

- Minimize the visibility of cars in the landscape.
- Design car storage to be the minimum needed to achieve program requirements.
- Create Garage and parking areas that are natural extensions of the residence.
- Utilize materials which complement the architecture and other site materials.

STANDARDS AND GUIDELINES

- All parking needs shall be accommodated within the Building Envelope including guest and service parking.
- Extensively paved areas or areas for the long-term external storage of vehicles are prohibited.
- Carports are not permitted.
- Parking of boats, trailers, RVs, or similar types of recreational vehicles must be parked in an enclosed Garage. Parking of such vehicles outside of a Garage on any Homesite is prohibited.

- Where possible, Owner and guest parking areas are to be screened from off-site views.
- Long-term external vehicle storage is prohibited.
- Vision Neighborhood Requirements:
 - A minimum of two exterior (2) parking spaces, in addition to two (2) enclosed Garage spaces is required per Primary Dwelling. Dwellings with more than four (4) bedrooms require three (3) exterior parking spaces in addition to three (3) enclosed Garage spaces.
 - Where the gross residential square footage area exceeds 5,000 square feet and the house has more than six (6) bedrooms, a minimum of one (1) additional parking space for each additional bedroom must be provided in addition to guest parking.
 - Parking spaces shall have a minimum dimension of 9' x 20'.

2.11 Freestanding Walls and Fences

In general, walls and fences are prohibited on all Homesites.

In Legacy Neighborhoods, no walls or fences are allowed.

In Vision Neighborhoods, exceptions to allow fences within Homesites shall comply with County/State requirements and shall only include: screening of a utility or service area, attached pet enclosures, or required pool/spa safety fences. Requests for fence exceptions will be reviewed on a case-by-case basis and must be included in the Architectural Review submittal. All walls and fences are subject to approval by the ARC at the Final Design Review application stage. Proposed fencing should borrow from regional building traditions to seamlessly blend with the surrounding mountain environment.

STANDARDS AND GUIDELINES

Fences (Vision Neighborhoods)

- Utility screening, pool enclosures and pet enclosure fencing, including invisible fences, are the only fencing allowed.
- Pool enclosure fencing shall meet all applicable County/State Code requirements.
- Fences shall appear as a visual extension of the Dwelling, attached at one end, and use similar materials and finishes.
- Fences shall be a maximum height of six feet (6') and shall be screened with landscaping where visible from neighboring Homesites or

Common Areas. A planting plan is required to be submitted along with any fence request.

- Fences or walls shall not be used to delineate, or enclose the entirety of the Building Envelope boundary, and in no case shall be allowed to enclose the property boundaries.
- All fences shall provide at least 75% visibility.
- Prohibited fences:
 - Privacy fencing
 - Chain-link fence
 - Vinyl fencing

Gates (Vision Neighborhoods)

- Gates are permitted only as a component of an approved fence and will not be approved outside the Building Footprint.
- All gates shall be operable in Owner's absence for emergency operations and snowplowing.
- Driveway entry gates and associated monuments are prohibited.

2.12 Exterior Hardscape

OBJECTIVES

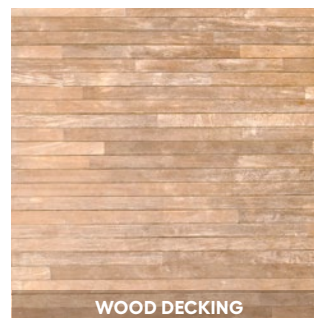
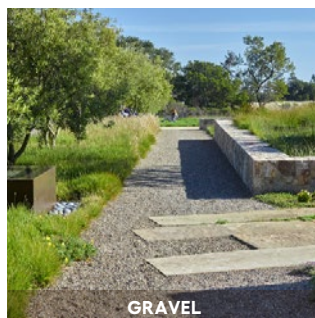
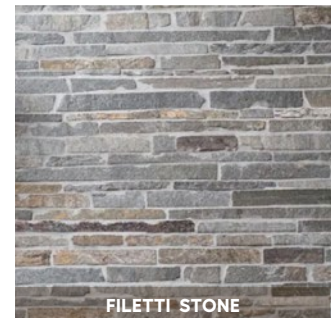
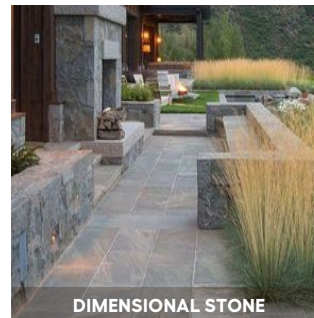
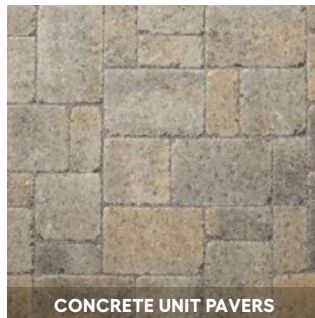
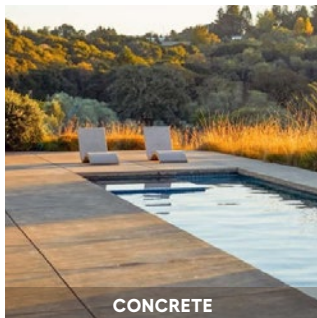
- Courtyards, terraces, paths, and outdoor stairs shall be designed to blend with the natural topography, while also being integrated with the architectural design. Site walls and the building foundation are to be used to create outdoor rooms and spaces.

STANDARDS AND GUIDELINES

- Use of paving materials with SRI (Solar Reflectance Index) Values greater than 29 are required, as these colors are cooler in sunlight and reduce heat island effect.
- Designs should minimize the use of many and/or contrasting materials to provide an understated and contextual design.

Approved exterior hardscape materials:

- Stone
- Gravel
- Cobblestone
- Concrete pavers
- Natural gray concrete
- Wood Decking
- Concrete with integral color (color to be approved by the ARC)



Approved Hardscape Materials

Prohibited materials:

- Asphalt pavers
- Stamped concrete
- Artificial Turf (See planting material, section 2.15 for allowed uses)
- Grasscrete Paving
- Flagstone
- Chipseal
- Pervious Concrete



Including covered and uncovered outdoor spaces is highly recommended and aids in transitioning to the natural environment. Buildings should be nestled into the landscape.



Stairs terraced into hillside compliment adjacent landscape.

2.13 Pools, Spas and Saunas

Outdoor pools, spas or outdoor saunas are specifically prohibited in Legacy Neighborhoods.

Pools, spas and outdoor saunas in Vision Neighborhoods may be incorporated into outdoor terraces or courtyards, provided they are landscaped for privacy from neighboring homes, and are enclosed by required perimeter walls or fencing to meet County and State Codes. All Improvements related to the Pool, spa or outdoor sauna must occur within the Building Envelope.

STANDARDS AND GUIDELINES

- In-ground pools and spas, and above ground saunas are allowed on Homesites within Vision Neighborhoods and are subject to ARC review and approval.
- Pools, spas and saunas, including all associated equipment and heaters, patios, and access paths, shall be located entirely within the Building Envelope. Saunas shall count toward the Maximum Total Building Square Feet.
- Pools, spas and saunas are to have an integrated site and landscape design, with screening by plantings and site elements so as to not be visible off-site.
- All hot tubs, spas, or similar outdoor water features installed within patios, decks, or other exterior spaces must be fully screened from view from adjacent homesites, common areas, and public streets. Acceptable screening methods include placement within a recessed deck vault, integration into patio or deck structures so that the rim of the hot tub is at or below deck level, or construction of an architecturally compatible wall, screen, or enclosure that appears as a natural extension of the home's design.
- Swimming pools shall be recessed into grade. Swimming pools and spas constructed more than 18" above finish grade are prohibited.
- Pools and spas shall comply with local Codes for health and safety including required perimeter safety features and covers.
- The exposed edges of infinity or "negative" edge pools must utilize an approved natural stone, dark tile, or plaster. Exposed pool walls or surfaces that are visible from off-site must be screened with plantings.
- All pool or spa equipment shall be fully enclosed, either within the footprint of a building or by site fencing a foot higher than the equipment. Such equipment shall not be visible or audible from adjacent Homesites. Equipment shall not emit off-site noise that creates a nuisance to adjacent Homesites and must not exceed 65 decibels (dBA) during daytime or 45 decibels (dBA) at night.
- Earthwork or grading is prohibited within Setbacks to accomplish pool designs. Excess dirt shall be located in a re-graded rear Yard or front Yard area that is not visually obtrusive, mimics the natural topography and preserves existing mature trees whenever possible or removed from the site.

2.14 Mechanical Equipment and Exterior Service Areas

OBJECTIVES

The primary objectives for mechanical equipment and service areas are to minimize the auditory and visual impact of these areas through providing enclosed spaces that are screened from view of Common Area or adjacent Homesites.

- Screening and noise abatement may be achieved by architectural massing, other structural screening, and/or landscaping.
- Where feasible, it is ideal if the mechanical equipment areas are integrated into the architectural massing.

STANDARDS AND GUIDELINES

- All mechanical equipment shall be entirely located within the Building Envelope.
Location of all exterior mechanical equipment shall be included in the Final Design Review Application and must be approved by the ARC.
- All outdoor work areas, HVAC units, pool equipment, and other outside mechanical equipment (including meters, and utility boxes) are to be completely screened from off-site views, as well as protected from snow and ice falling from the roof by the use of architectural features, plant materials, and/or integrated into the building massing.
- Exterior noise from pool or spa equipment or other mechanical equipment shall be completely abated by enclosing all such equipment within the Primary Structure, a subterranean vault, or a pool building specifically designed for such containment.

2.15 Planting

Standards and Guidelines

- Planting design is to respond to and preserve the existing natural environment and emphasize the connection to the mountain and its setting.
 - The landscape should be a sequence of layers within the existing forest stands with a mature forest canopy and a revegetated, native understory. Buildings and Improvements are to be “set into” a landscape framework.
 - Preserve and enhance the existing natural forest setting at Powder Mountain, by maintaining the existing vegetation and using native drought tolerant vegetation within the Homesite.
 - All disturbed areas shall be re-vegetated with an Approved erosion control seed mix and appropriate shrub and tree planting.
 - No permanent irrigation is allowed until Powder Mountain Water and Sewer District regulations allow for regular/ongoing irrigation. All proposed landscapes must account for this in the design, placement, and planting schedule on each site. Establishment irrigation is required for all new tree plantings; this water shall be sourced from temporary surface irrigation, water trucks, cisterns or other ARC approved sources until such time as water may become available.
 - Automatic irrigation systems are required for all disturbed and re-vegetated site areas.
- Irrigation may be temporary, with piping shallowly covered by soil. Temporary irrigation may be abandoned after 1 to 2 growing seasons, when plantings have become established. Trees must be on separate irrigation zones to allow deep watering.
- All proposed planting within each Homesite shall match and enhance the existing site plant palette. All proposed exterior landscape material shall be indigenous to the Wasatch Mountains with the applicant providing all proposed plant material species for ARC review and approval as part of the landscape plan.
 - Plant materials are to be planted in drifts or large groupings similar to the natural landscape patterns on the site.
 - Because landscape plant materials are attractive to wildlife, young trees shall have protective tree staking and may also require protective invisible polypro deer fencing/netting. Native plantings with berries shall be minimized adjacent to Homesites.
 - Protective fencing shall be required during construction to protect existing trees and vegetation.
 - Homesites occur within various planting zones at Powder Haven. Native species are to be planted in accordance with elevation, soil conditions, light levels, and existing conditions. Refer to the Site Notebook and Appendix E, Recommended Plant List.

-
- Prohibitive plant lists are found in the following sources:
 - State of Utah Noxious Weed List, <https://ag.utah.gov/plant-industry/noxious-weed-control-resources/state-of-utah-noxious-weed-list/>
 - State of Utah Invasive Species List, USDA Natural Resources Conservation Service, https://efotg.sc.egov.usda.gov/references/public/UT/NRCS_UT_Invasive_Species_List_2012.pdf
 - Draft Summary Report Powder Mountain, Utah Ecological Health - Settings and Conditions prepared by Stratify X, last updated November 4, 2024.
 - Landscape designs may also be asked to incorporate additional Fuel Management standards recommended by the ARC.

Existing Trees

- An ARC representative shall meet with the general Contractor prior to land disturbance to review the staking of the footprint and flag trees to be preserved. Contractors shall preserve as many trees as possible.
- Where feasible, existing large trees shall be retained as part of the design and used to inform the placement of buildings and related Improvements.
- Trees should be retained along shared property lines. Exceptions may be made for

Lots with side Setbacks less than 20' wide in order to reduce wildfire risks.

- Removal of any mature trees requires replacement as mitigation. Refer to Section 2.16 for additional information.

Proposed Trees

- Tree planting is encouraged to soften the Homesite frontage along the neighborhood road providing shade and wind protection.
- Where feasible, additional tree plantings at the Side Yard Setback areas are encouraged to increase privacy between adjacent Homesites.
- New trees shall not be planted in view corridors.

Shrubs & Grasses

- Shrubs and grasses should have an emphasis on natural massings. Shrubs at the foundation of a structure may be grouped with architectural elements. Potted shrubs and garden plantings are allowed but should be used in limited quantities and within private outdoor spaces.

Ground Cover

- Ground cover is encouraged as an effective erosion control measure. Seed mixes are an effective way to visually and economically cover large areas of soil. Vines are not part of the existing landscape and are prohibited on site.

Lawns & Artificial Turf

- Lawns and artificial turf should be used as seldom as possible and must be limited in size and screened by plantings and site elements so as to not be visible off-site.
- Lawns and artificial turf shall be located adjacent to Dwellings and are prohibited in the front Yard.
- Lawns and artificial turf may extend up to 30' from the home, measured from roof overhangs.
- Lawns and artificial turf may border a patio, or terrace. It is not recommended that lawns and artificial turf is planted next to the exterior walls of a home; a landscape element with vertical proportion should ease the transition.
- The ARC must review plans for lawns and artificial turf and their applied locations. Approval depends on the Lot and its relationship to the street and public amenities.
- Lawns and artificial turf over six inches (6") in height are not permitted.
- The use of lawns and artificial turf is limited to a maximum area of 1,500 square feet.

Drainage Swale and Shoulder Planting

- Drainage swales and road shoulders are constructed by the Developer and will have limited hydroseeding applied. Owner

swale planting Improvements are to use an Approved drainage swale seed mix and boulders per the Approved Detail in Appendix D. The individual Owner shall be responsible for landscape Improvements to the drainage swale as part of their landscape design for the Homesite, with review and approval by the ARC.

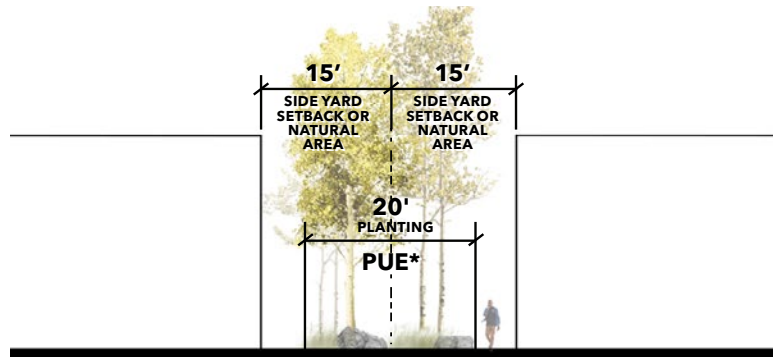
Planting Within the Public Utilities Easement (PUE)

- The PUE identified on the site notebooks may, or may not contain existing utilities within the Easement. As part of the site survey, Owners should confirm whether utilities are present within the Easement.
- Where existing vegetation is not present in the PUE, Owners are encouraged to plant shallow-rooted vegetation such as grasses, ground covers, and small shrubs to prevent erosion. Planting trees or large shrubs within the PUE is generally discouraged or prohibited because large roots can damage utility lines or interfere with access for maintenance and repairs.
- Owners should be aware that Utility Easements grant utilities the right to access and maintain underground infrastructure, such as power lines, water pipes, or sewer lines. As such, any planting within the Easement may be removed at the utilities request and Owner's expense.

SIDE YARD (15' - 25')

- DECIDUOUS TREES ONLY
- LOW GROWING HERBACIOUS PLANTS WITHIN 20' OF STRUCTURE
- 5' CLEAR AREA AROUND HOME PERIMETER
- 10' SPACING BETWEEN TREE CANOPY

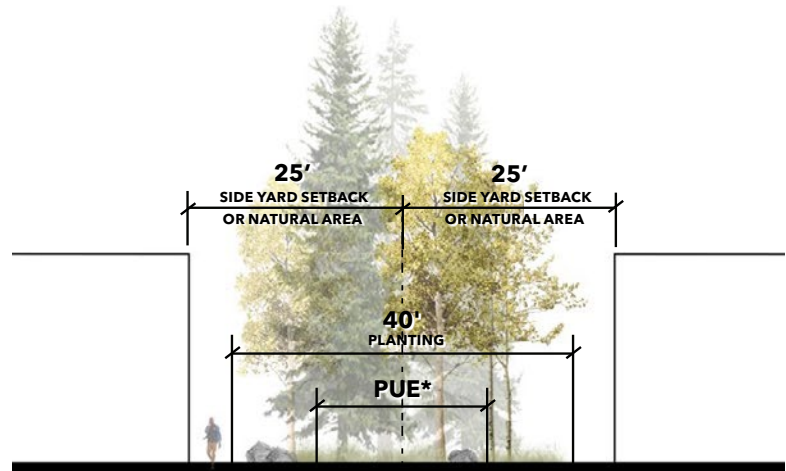
* EXISTING VEGETATION MAY OCCUR WITHIN THE PUE; OWNERS ARE ENCOURAGED TO PLANT WITHIN THE PUE



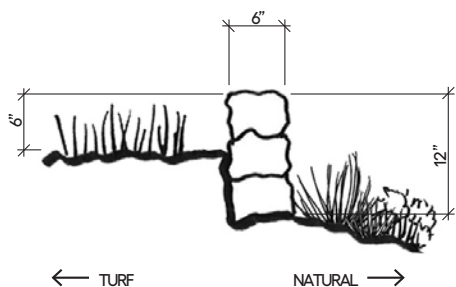
SIDE YARD (25' OR WIDER)

- DECIDUOUS TREES + EVERGREEN TREES
- LOW GROWING HERBACIOUS PLANTS WITHIN 20' OF STRUCTURE
- 5' CLEAR AREA AROUND HOME PERIMETER
- THIN + PRUNE CONIFEROUS TREES

* EXISTING VEGETATION MAY OCCUR WITHIN THE PUE; OWNERS ARE ENCOURAGED TO PLANT WITHIN THE PUE

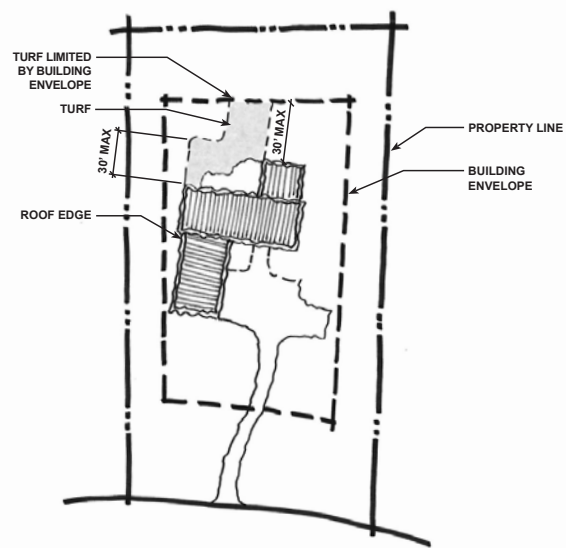


Side Yard Planting



Turf must be visually and physically contained to prevent non-native grasses from spreading into the Natural Landscape.

A containment device aids in reducing the view of non-native plants from off of the Homesite.



Turf Areas should physically adjoin outdoor living spaces

2.16 Tree Removal

Building Improvements are to be designed around existing landscape features such as aspen groves, evergreen stands, and mountain shrub massings and shall be located at the edges of natural landforms. The removal of vegetation on Lots is permitted only for: the clearing of a driveway or home construction; removal of diseased or dead trees; removal which promotes the growth of other trees; fire prevention; or for other safety reasons. Unauthorized removal or cutting of trees/shrubs is not allowed and is subject to fines of up to Fifty Thousand Dollars (\$50,000), depending upon the size of the tree/shrub.

Owners are required to engage a certified Arborist at the beginning of the Design Review process to consult on all matters pertaining to tree health and welfare. The removal of trees within Homesites is to be avoided wherever possible.

All removal of trees larger than 10 inches in diameter measured 24 inches above Natural Grade will require ARC approval. No trees are to be removed prior to securing ARC approvals. Requests for removal must demonstrate that such removal is the minimum necessary under the circumstances, will not involve a risk of substantial adverse impact on other valuable resources, and cannot reasonably be avoided.

In the event that trees are proposed to be removed, the Owner must mitigate at a ratio of 1:1 for all trees over ten inches in diameter measured 24 inches above Natural Grade. Mitigation requirements are as follows:

- Evergreen replacement trees must have a minimum caliper size of 1 inch (8'-10' height), with 50% over 2 inches (12'-14' height).
- Deciduous replacement trees must have a minimum caliper size of 1 inch (8'-10' height), with 50% over 2 inches (12'-14' height).

Mitigation trees shall be planted in the fall to take advantage of seasonal precipitation. Supplemental establishment irrigation for these trees may be provided via cistern.

Should a tree that was not approved for removal by the ARC, and which in the ARC's opinion is an essential screening tree, require removal due to construction impact, the ARC will require additional mitigation for the tree. In such cases, the ARC may require that the diameter of mitigation trees be equal in total to that of the removed tree. Each replacement tree must be a minimum of 6" in diameter. The ARC may require additional measures, as necessary, to provide the same quality of screening lost by the removal of the original tree.



Care should be taken to preserve existing tree stands within Homesites

2.17 Irrigation

OBJECTIVES

Reduce water consumption through appropriate plant material selection, planting design and use of efficient irrigation design systems.

STANDARDS AND GUIDELINES

- All new plantings require establishment irrigation.
- The preferred method for establishment irrigation is a fully automated system that provides 100% coverage to new plant material and is connected to the domestic water supply.
- If the domestic water supply is not permitted for irrigation use (whether an establishment, or permanent irrigation system), then the Owner will need to provide establishment irrigation to all new plantings. This can be accomplished via water truck, or by connecting an irrigation system to an on-site cistern.
- Planting design requires efficient and minimal irrigation as the basis of all landscape submittals. Plant materials shall be grouped according to their water consumption needs.
- Landscape Architects shall be required to provide landscape water use calculations to the ARC at Preliminary and Final Design, to ensure that the proposed water use will not exceed the allowance for the Homesite.
- Water-conserving systems are required, such as drip irrigation systems equipped with moisture sensors that shut off irrigation during or after rainfall. Above-ground equipment, including but not limited to controllers and backflow preventors, shall be located inside the building or appropriately screened from public view.
- Powder Haven Association reserves the right to suggest appropriate adjustments to the water cycle, volume and duration, based on the Weber Basin Water Conservancy District Contingency Plan.
- Irrigation overspray shall not fall upon adjacent roads, neighboring Homesites, or community open space or conservation or visual buffer areas.
- Trees shall be irrigated separately from lawns, shrubs and groundcovers to allow for deep watering and deep rooting. Trees shall be irrigated with drip irrigation systems or bubblers.
- Avoid irrigation within the root zones of established trees and avoid trenching and placement of irrigation lines within the driplines of existing trees.
- All cleared, graded, and re-vegetated slopes shall require temporary spray irrigation to establish native seed mixes.
- Mulch all areas of new planting according to local practice and for fire safety.

2.18 Exterior Lighting

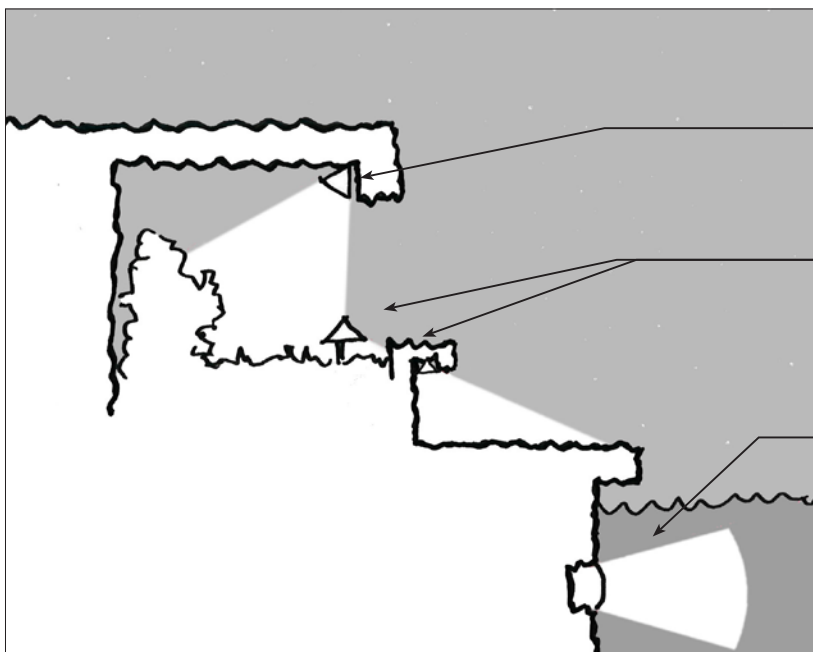
Exterior lighting is permitted to the extent required for safety within the Homesite but should be kept to a minimum so as to preserve the night-time ambiance throughout Powder Haven. Exterior light sources and brightly illuminated interior and exterior surfaces that are visible from beyond the Homesite are prohibited. Powder Haven is subject to Weber County's Dark Sky Ordinance.

OBJECTIVES

- Preserve the dark night-time sky.
- Establish a warm and inviting character, while ensuring safety.
- Restrict light spill within the Homesite.
- Create a rural low-light ambiance.

STANDARDS AND GUIDELINES

- An exterior lighting plan is required to be submitted to the ARC for review and approval.
- All outdoor lighting shall be designed to be Level 1 Dark Sky compliant and comply with applicable laws and Codes.
- Exterior building and site lighting shall be the minimum needed to provide for general illumination, safety and security of entries, patios, courtyards and outdoor spaces.
- All lighting must occur within the Building Envelope.
- Bollard lighting may be approved for long, steep, curved driveways on a case-by-case



BUILDING MOUNTED LIGHTS
DIRECTED ONTO LANDSCAPE,
NOT BUILDING WALLS.

LANDSCAPE LIGHTS DIRECTED
ONTO HORIZONTAL SURFACES,
NOT BUILDINGS OR WALLS.

UTILIZE SUBTLE POOL LIGHTS FOR
POOL SAFETY AND AMBIANCE.

Lighting Concepts

basis and subject to review and approval by the ARC. Bollard lighting shall be low-wattage, fully shielded, directional (directed onto the driveway surface) and on a motion detector and timer.

- Lighting shall maintain a warm color temperature of no more than 3000 Kelvins. All light sources are to be 'warm light' except for seasonal holiday lighting.
- String lighting is permitted in the Building Envelope but shall not be visible from offsite.



Low level landscape lighting



Low level exterior ambient lighting highlights architectural features

2.19 Cisterns and Rainwater Harvesting

Although not required at Powder Haven, rainwater harvesting is encouraged as a great way to reduce water demand on the municipal water system as most household water is used on outdoor landscapes.

Owners may install cisterns for rainwater harvesting to provide for the safe storage and use of rainwater for irrigation purposes within the Building Envelope.

STANDARDS AND GUIDELINES

- All cisterns must be located below ground within the Building Envelope and must comply with local Codes. Refer to standard detail in Appendix D.
- Cisterns may be used for harvesting of rainwater only.
- Rainwater harvesting must meet the Utah State Code Chapter 73-3-1.5 and be reviewed by the ARC.
- Submersible pumps in cisterns are recommended.
- The gutter, downspout and cistern should be thought of as special design elements. The Owner and Architect should design the rainwater harvesting features of the house so that they are integrated elements within the overall design.

2.20 Wildfire Prevention and Defensible Space

Fire safety and defensible space provisions on Homesites are the responsibility of the Owner. More information regarding defensible space can be found at the Utah Division of Forestry, Fire and State Lands Homeowner Education page (<https://ffsl.utah.gov/fire/wildfire-communitypreparedness/Homeowner-education/>).

In addition, the HOA is required to employ fire protection techniques to mitigate the potential for wildfire before, during, and after construction.

Owners shall comply with the Wildfire Prevention and Response Plan, including fuel break landscaping requirements (see the Powder Mountain Development Agreement, Exhibit I -Wildfire Prevention and Response Plan, dated July 2008), or as updated.

2.21 Snow Management

Where feasible, snow storage for each individual Homesite must be located within the Homesite and is prohibited within the right-of-way or within the snow storage Easement in front of each Homesite.

All Autocourts and parking areas within a Lot should be designed to accommodate snow storage and snow removal maintenance procedures. Wherever possible, snow storage areas must be located away from public views and visually sensitive areas. When planning for snow storage, keep in mind that delicate landscape elements such as small trees and railings may be damaged by snow removal activities.

Snow stakes may be placed along driveways and temporary access routes between October 1st and May 1st of each year.



Seasonal Snow Stakes Identify Driveways

2.22 Exterior Utilities

STANDARDS AND GUIDELINES

- The Master Developer will stub sewer and water to the right of way.
- Power and communications will be stubbed to the pedestals within the right of way or to the PUE. All Vision Neighborhoods will have communication stubbed to the right of way.
- All site utilities within the Homesite are to be installed underground. Utility boxes (HVAC, equipment, electrical service meter panels, etc.) are to be located so that they are accessible to service personnel. All utility boxes must be screened by an appropriate architectural enclosure combined with plantings that meet fire safety standards.
- Propane tanks must be located underground within the front or side Yards and within the Building Envelope. The location, securing, and bracing of propane pipes entering the home are regulated by current building Codes and must be compliant. Proposed tank location must be approved in writing by the local Fire Marshal prior to Final ARC approval. All exposed piping, regulators and meters are to be fully protected from snow and fully secured to the building.
- Noise from the operation and maintenance of any equipment must be controlled to avoid creating a nuisance to neighbors. The maximum allowed amount of noise coming into adjacent property or Common Areas is 65 decibels (dBA) during the daytime and 45 decibels (dBA) at night.
- Architectural screens are to be integrated into the design of the Dwelling to camouflage mechanical features such as air conditioning units or generators. Screen walls shall completely enclose the units with a wall that is a minimum of 12" higher than the highest part of the unit. Where appropriate, privacy walls can be used to screen equipment. Pool and spa equipment, heating and air conditioning equipment are to be located behind freestanding site walls. Such enclosures may not occur within the side Yard Setback zone without ARC approval.
- Roof-mounted utilities and HVAC units on roofs are generally not allowed. Roof-mounted units may be allowed on smaller Homesites, where space is limited on grade and if it can be demonstrated that a roof-mounted solution provides less of a nuisance factor than an on-grade location. If roof-mounted, units shall be installed on flat roofs screened by a parapet wall. Units may not be installed on sloping roofs.
- Acoustic wall and/or covers may be required if it is discovered that noise emanating from equipment enclosures are a nuisance to adjoining Homesites or Common Areas.

2.23 Utility Connections

- The location of all exterior mechanical equipment shall be included in the site plan and must be submitted to and approved by the ARC.
- Where required, roofed shelters or well-ventilated enclosures must be installed at all exterior propane regulator valves and meters. Additionally, all piping must be properly secured to avoid leaks.
- Utilities may be relocated with ARC approval.

In general, utilities should be located in the least visible areas and cause minimal disturbance to the natural landscape. Utilities at Powder Haven are run underground and shall remain that way on all Lots. Where feasible, limit the use of above-ground stand-alone utility boxes by using underground cable runs, sub-grade vaults, and/or service connections as permitted by the applicable County. Utilities should be run under roadways, driveways, and walks in order to minimize disturbance to the area outside the Building Envelope of the property. Above-ground natural gas or propane storage tanks, exterior water softener or water treatment equipment, and cisterns are not permitted.

2.24 Address Identification

Address identification is intended to be part of the community landscape design, with consistent materials and details. Individual mailboxes at/on each Homesite are eliminated from the community to benefit the privacy, tranquility, and character of Powder Haven. Courier packages and transportation services are allowed to enter and drive to individual Homesites.

STANDARDS AND GUIDELINES

- Simple and well-designed small-scale numerals must be affixed to each home for identification purposes. House numbers must be of a contrasting color. The font may not appear overly decorative and must be approved by the ARC. Letters and numerals may be no wider than 4-inches and must be 6-8-inches in height. Refer to Approved Address Identification in Appendix D.
- Address identification must be visible from the driveway and protected from snow to maintain visibility in inclement weather.

2.25 Miscellaneous Site Elements

Signs

In accordance with these Design Standards and Guidelines, Owners are strictly prohibited from displaying or installing signs or advertisements within Powder Haven. Temporary Homesite identification signs and Construction signs are permitted. The Master Developer is exempt and may place signs as it deems appropriate.

Temporary Homesite identification signs and construction signs are limited to one sign per Homesite. The Temporary Homesite identification sign will be provided by the HOA; the HOA will remove this sign after the Homesite is sold. An approved construction sign shall be placed on the Homesite by the Contractor prior to commencement of construction. For construction sign Guidelines, refer to Section 6.29.

Outdoor Artwork

- Art and other freestanding objects must be located within the Building Envelope and should not be visible from adjacent Homesites or public areas such as community amenities, open space, roads, and trails.
- Approval by the ARC of all outdoor artwork is required prior to installation. The final design submittal is to include detailed information on size, location, materials, colors, mounting details, and lighting.
- Artwork may not be illuminated.

Patio Furniture

Exterior storage of patio furniture and outdoor living accessories in areas visible from off-site are allowed provided it meets the following requirements:

- If stored uncovered, the furniture is stored in the same location as if it were in use.
- If stored with covers, the covers must be made from non-reflective material in earth tone colors or black.
- The ARC reserves the right to reject any such items if deemed they are not consistent with the intent of the DSG and the Community's aesthetic objectives.

Photovoltaics

- Photovoltaics are prohibited on the ground plane.

Flagpoles, Antennas & Satellite Dishes

- Free standing flag poles are prohibited. Attached flag poles are allowed and are required to be attached to a structure at not more than a 45°-degree angle to the vertical surface of the residence. Maximum of 2 attached flag poles allowed per Homesite.
- Satellite Dishes and antennas are prohibited.



Exterior fire pits and fire places serve as a focal point for outdoor entertainment

Outdoor Fire Pits, Fireplaces, Barbecues, Heat Lamps & Misting Systems

- All fire pits, fireplaces, barbecues, and heat lamps must be natural gas or propane; there shall be no open burning of logs or other combustible materials.
- The plumbing for barbecues, heat lamps, and misting systems are to be built into walls or the overhead structures and the finish shall be architecturally consistent with the Dwelling.
- All equipment that is visible from other residences or Common Areas shall be non-reflective and have muted coloration.
- All outdoor living features, including, but not limited to, fireplaces, fire pits, barbecue grills, outdoor kitchens, and other items shall be shown on Site Plans or landscape plans and must be approved by the ARC at the Preliminary and Final Design Review stages.

- Fire-safe distances and clear areas shall be maintained between these outdoor living features, any plants, or other combustible materials.
- No person shall use a permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material

Trash and Recycling Containers

Trash container storage areas must be designed and maintained to be completely inaccessible from wildlife and are required to be located and stored inside a Garage. Trash, recycling and all other disposal containers may not be stored for longer than 24 hours outside.

Security Measures

Owners may incorporate additional security measures into their plans, subject to the following controls.

-
- Exterior high-intensity lighting shall be avoided. Exterior lighting must be Level 1 Dark Sky compliant and designed to avoid spillover into adjacent Homesites or public areas. Homes shall prevent prolonged periods of lighting through the use of motion sensors and timers.
 - Audible alarm systems are not permitted because of their potentially disruptive impact to wildlife and the rural ambiance of Powder Haven.

Sports Courts, Recreation & Play Equipment

- Exterior sports, including basketball, tennis, and pickleball courts, are strictly prohibited.
- Exterior recreational or play equipment such as swing sets, slides, play structures, jungle gym, and similar equipment may be approved by the ARC as long as they are located within the Building Envelope and screened from view of neighboring Homesites and Common Areas.

Domestic Animals

The number of cats and/or dogs per Residence is limited by County Code. Barnyard animals, horses, chickens, exotics, llamas, mules, donkeys, goats, and wild animals are prohibited. No house pets shall be permitted to make an unreasonable amount of noise or create a nuisance. Notwithstanding the foregoing, no pets may be kept on or in any Lot or Parcel which, in the opinion of the Master Developer

or Board, result in an annoyance to other Owners or Residents in the vicinity. All pets shall be leashed when not on property owned by the pet's owner or on which the pet's owner is a Resident or guest, and persons walking any pet shall promptly and properly remove and dispose of the pet's waste. Pets must be restrained such that they cannot leave the Homesite unattended. All pets must be on a leash when taken from the Homesite. Dog runs and pet enclosures may be provided on Homesites when approved in advance by the Powder Haven HOA. Dog runs or fixed chains/tethers are not allowed.

Wildlife Protection

The beautiful mountain setting, including its flora and fauna is one of the greatest assets of Powder Haven. There is a wide variety of animals living in the Wasatch Mountains including bears, elk, moose, deer, mountain lions, cougars, bobcats, coyotes, foxes, porcupines, raccoons, beavers, badgers, rabbits, weasels, and pika, as well as a large number of bird species including eagles, owls, hawks, ducks, and geese. Domestic pets, outdoor lighting, and noise can significantly affect the behavior and migration patterns of the wildlife within the Community.

Hunting or trapping of wildlife is strictly prohibited. State initiated wildlife control measures may be undertaken by the Master Developer or with HOA Board approval.

3

Architectural Design



3.1 Architectural Design Vision

Known for its heavy snowfall, fierce winds, high altitude, and tight knit community, Powder Haven evokes a newly emerging mountain architecture, fostered by these unique conditions, which draws inspiration from established precedents.

The architecture reflects the overall community-wide goals of creating a casual, indoor-outdoor lifestyle, and expresses the character and vision for Powder Haven. Powder Haven enjoys a privileged location, with majestic mountain views and picturesque vistas of the valley and the Great Salt Lake below.

As a result of the extraordinary setting and view opportunities, as well as challenges presented by the mountain environment, these prevailing design considerations shall guide the design of homes at Powder Haven.

Blending tradition with modernism, Powder Haven establishes an architectural agenda for a new mountain architecture that responds to the site, climate, and land with specific materials, architectural forms, and construction strategies.

Owners will have better clarity and success in reinforcing the Powder Haven design aesthetic by working within the following guidelines:

- Utilizing roof forms that respect the prominent mountain landscape and establishing a solidly grounded foundation to strengthen connections to the land.
- Incorporating building elements that align with construction and climate - including sustainable materials, foundations well-anchored into the terrain, and roofs designed to support heavy snow loads - fosters harmony between the mountain landscape and the community of homes.
- Creating building forms and massing appropriate to the scale of the home, regardless of the specific design strategy.
- Incorporating passive design strategies and access to natural light to improve building performance and reduce energy needs.
- Building state-of-the-art homes that include innovative technology and appliances for water and energy savings in combination with tested construction techniques for sustainable, enduring building performance.
- Embracing the open space between Structures as an opportunity to recapture the mountain wilderness surrounding each home creates natural planning variations and helps optimize views.
- Uniting core elements of traditional mountain vernacular with open interior space plans and contemporary architectural expression to define the present-day ski home at Powder Mountain.

-
- Home designs take their cues from the unique attributes of their specific Homesite to sensitively integrate the architecture with the topography and the mountain setting. Building Footprints, heights, projections, and materials shall work with existing vegetation, slope gradients, and tree locations to ensure that the architecture is secondary and nestled within the predominant landscape.
 - Home designs shall minimize their adverse impact on views from surrounding Homesites and community amenities such as the clubhouse, ski ways, trails, and open space. Specific home sites with greater visibility and deemed as “Iconic” shall demonstrate to the ARC how their siting and overall design are in harmony with the overall community.
 - To withstand the extreme weather in this high mountain, snow country location, exterior materials must be both durable and resilient. Exterior materials must be engineered to withstand wide temperature extremes, high wind, driven snow, and UV exposure with minimal change to appearance and performance. Finishes should weather well and reflect the rugged, organic, raw qualities of the mountain landscape.
 - Consistent with the High Alpine design approach, the number of primary exterior wall materials shall be kept to a minimum. Materials shall have the appearance of natural finishes and shall not be reflective.

3.2 The High Alpine Style

The High Alpine aesthetic recognizes the architectural precedents of the surrounding alpine region while offering an opportunity to develop inventive designs consistent with the forward-looking aspirations of the community.

Homes are encouraged to include a diversity of design solutions. At the same time, the intent is to produce a unified and harmonious community based on a continuity of architecture at Powder Haven.

Rather than being a broad variety of different styles, Powder Haven's architecture is a curated collection of contemporary design, with roots in modernism and in traditional alpine lodge design, but adapted to the region's high mountain conditions. Architectural design in Powder Haven has assumed unique forms in adapting to the area's climate, settings, and lifestyle, with innovative forms and use of regional materials well-suited to seasonal mountain living.

Powder Haven's expression is focused forward, and embraces the potential for a new expression, fundamentally mountain and modern, borrowing from the regional vernacular and modernist roots, but solidly embracing new technology and new materials.

As such, architectural references to the High Alpine style are preferred themes in Powder Haven, within a wider range of interpretations ranging from chiefly modern to a more transitional blending of styles. Architectural expressions should make

use of the dramatic landscape, nestling within the mountainous terrain with a light touch, never appearing heavy or out of scale.

The intention is to have a range of architectural expression, to accommodate a range of personal taste and yet “live well together” through shared elements and details. These Styles have the following shared approaches:

- Materials
- Color Palette
- Massing Considerations
- Roof Forms
- Deep eave extensions with a modern expression

The High Alpine style is intended to provide sufficient variance in expression to facilitate exploration of a variety of different details and architectural forms:

Elements of the High Alpine Style

- Roofs should use simple traditional pitched forms, gable, or shed roofs, and may connect larger Massing volumes
- It is “warm” in its expression, including wood or wood-look materials at the soffit treatment to the roof and at some exterior walls.
- Large, view windows are sheltered under strong extended eaves.
- Framed views are encouraged.

- Large wall openings that create opportunities to connect indoor living spaces to outdoor terraces.
- Glazing is set back from the edge of the eaves to create shade and shadow.
- Secondary roofs occur at lower volumes as flat or low-pitched roofs.
- Landscaping appears natural and restrained in overall expression.
- Indoor-outdoor elements with projecting roof forms, cantilevers, and stepping with the site topography are present.

High Alpine Design Approach

Within the High Alpine framework, the following Design Approaches have been identified as appropriate, given the range of Homesite sizes and slopes across all Power Haven neighborhoods.

Chalet Design Approach

- This is a minimalist interpretation of a traditional European mountain chalet with a more expansive primary roof.
- The primary roof should use a single, large, chalet-inspired gable roof, incorporating deep eaves, framed views, a roughly 4:12 slope, and a natural stone base.
- The roof eaves should extend a minimum of 6 feet or 25% of the building width, whichever is less restrictive, except that minimum eave extension is 3 feet on Lots with Building Area less than 70 feet wide. The gable end roof rake should extend at least 6 feet, but 12 feet is preferred.
- The Primary Structure is a simple, rectilinear volume, not more than 35 feet wide with a footprint no more than 1,800 sf.
- The second floor may be the same area and

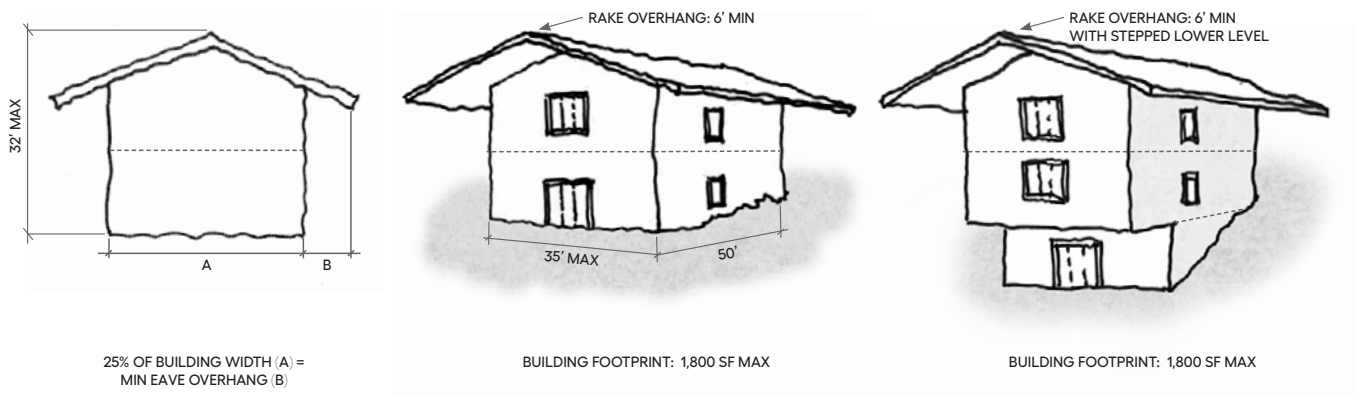


Figure 3.2a - Chalet Design Approach

dimension as the first floor. Multi-Story exterior walls are permissible. The foundation or ground floor may step back from the face of the upper floor.

- For this architectural style, the maximum home size is limited to 4,000 sf. It is appropriate for smaller Homesites and Owners who want smaller homes.
- A discreet, secondary volume is allowed, preferably single-Story with a flat roof and minimal eaves.
- The design should not incorporate ornamental elements or trim, consistent with Powder Haven guidelines.

Repeated Form Design Approach

- This approach utilizes a connected composition of simple, repeated, Primary Structure volumes that step downhill with the site topography and work carefully with views and the landscape. It is best suited for steeply-



sloped Homesites.

- The Primary Structure volumes should be nearly identical, but the interior layouts and functions can be unique. The repeated building volume should be a simple, rectilinear volume of one or two stories.
- The roofs may be flat, low pitch, shed, or gable, but should incorporate eaves that extend a minimum of 6 feet to frame the view and shelter outdoor space.
- Covered outdoor spaces are best incorporated as subtracted space, rather than additive balconies and terraces.
- Two-Story exterior walls are permissible.
- Secondary volumes serve as discreet connecting elements with minimal roof articulation and eave expression.
- Where allowed, Detached Structures shall also incorporate a discreet roof expression.
- The design should not incorporate ornamental elements or trim, consistent with Powder Haven guidelines.

Long House Design Approach

- This approach utilizes a single, large, Primary Structure volume, of one or two stories, that stretches along the site contours to embrace the view with long, fully glazed exterior walls. It is best suited for flat or gently sloped

Figure 3.2b - Repeated Form Design Approach

Homesites that are ideal for homes with a strong horizontal expression.

- If needed, Secondary Structure volumes with similar roof forms can be connected with the Primary Structure volume.
- If allowed, Detached Structures shall also incorporate a similar roof expression to the Primary Structure.
- The roofs may be flat, low pitch, shed, or gable, but should incorporate eaves that extend a minimum of 6 feet to frame the view and shelter outdoor space.
- Covered outdoor spaces are best achieved by extending roof eaves over terraces and over roof decks.
- Two-Story exterior walls are discouraged.
- The design should not incorporate ornamental elements or trim, consistent with Powder Haven guidelines.

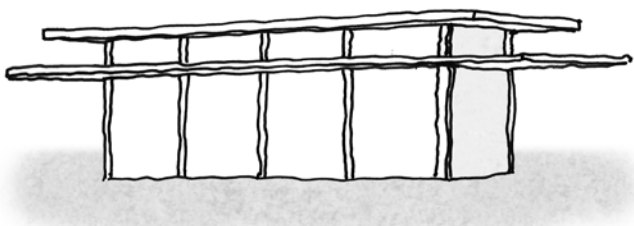


Figure 3.2c - Long House Design Approach

Main House Design Approach

- This approach utilizes a single, large, Primary Structure volume connected to surrounding Secondary Structure volumes that step downhill with the site topography to frame views and outdoor space. It is well-suited for both steep and gently-sloped Homesites.
- If allowed, Detached Structures shall incorporate a flat roof or a similar expression to the Primary Structure.
- The roofs may be flat, low pitch, shed, or gable, but should incorporate eaves that extend a minimum of 6 feet to frame the view and shelter outdoor space.
- Covered outdoor spaces may be achieved by extending roof eaves over terraces and balconies or by subtracting volume from the body of the Primary Structure.
- Two-Story exterior walls are permissible.
- The design should not incorporate ornamental elements or trim, consistent with Powder Haven guidelines.



Figure 3.2d - Main House Design Approach

3.3 Inappropriate Architectural Styles

The architectural character of Powder Haven is intended to be timeless and forward thinking, without strong references to historic or period-based architectural styles. For ease of understanding this intent, the following list of architectural styles should be considered inappropriate in Powder Haven:

- Log Cabin Style
- All-Black exterior
- Adirondack
- Caribbean
- Art Deco
- Art Nouveau
- Baroque
- Brownstone
- Cape Cod
- Colonial
- Classical
- Dutch
- Elizabethan
- French Chateau
- Geodesic Dome
- Georgian
- Italian Villa
- Mediterranean
- National Park Rust
- Southern Plantation
- Postmodern
- Pueblo
- Revival
- Queen Anne
- Swiss
- Tropical
- Tudor
- Usonian
- Victorian

3.4 Building Forms and Massing

- The maximum size of the second-Story volume shall not exceed fifty percent (50%) of the main volume. From the rear, the upper Story above the main Story shall have a reduced scale not to exceed fifty percent (50%) of the main volume, except where the Chalet design approach is implemented. Refer to Figure 3.4a Building Forms and Massing.
- Structures are to be directed outward to reinforce the indoor-outdoor relationship. Each room may have an exterior door and an ample quantity of windows. In general, Structures should have the appearance of having broad, sheltering roofs with minimal walls on view elevations.
- Massing shall reflect room size volumes or groups of rooms rather than one dominant Mass. Each building shall be constructed of a series of visual building Masses. To be classified as a visual building Mass, the Mass shall be offset by at least two feet (2') horizontally and three feet (3') vertically from another Mass. Masses are to be appropriately proportioned and balanced within the overall composition. Refer to Figure 3.4b Building Mass Offset.
- The size, Massing and placement of buildings are to be responsive to the context of the site. Every Homesite has unique attributes—not necessarily shared by adjoining Homesites or those in other areas.
- This means that building siting shall respond to:
 - Existing slope conditions, steepness, orientation, and views
 - Offsite views from community open space areas.
 - Climatic conditions such as freezing temperatures, high winds, storm-driven snow & rain, and bright sunlight.
- The play of light and shadow between visual building Masses shall be carefully formulated to help articulate Masses, accentuate entries, and/or building levels and to help define texture.
- Foundation walls are to merge with the ground plane and generally be expressed as structural stone or architectural concrete, one-Story (12' maximum) or less in height. The intent is to obscure and blur the line of demarcation between Structures and the site's natural features by using stone or textured concrete foundations where possible. Other foundation materials may be acceptable; however, untextured, unfinished concrete foundations are discouraged and should be minimized, unless integral to the modern architectural design of the home. Exterior wall materials should be carried down to the minimum distance to Finished Grade allowed by building code to minimize visibility of unfinished concrete foundation walls.

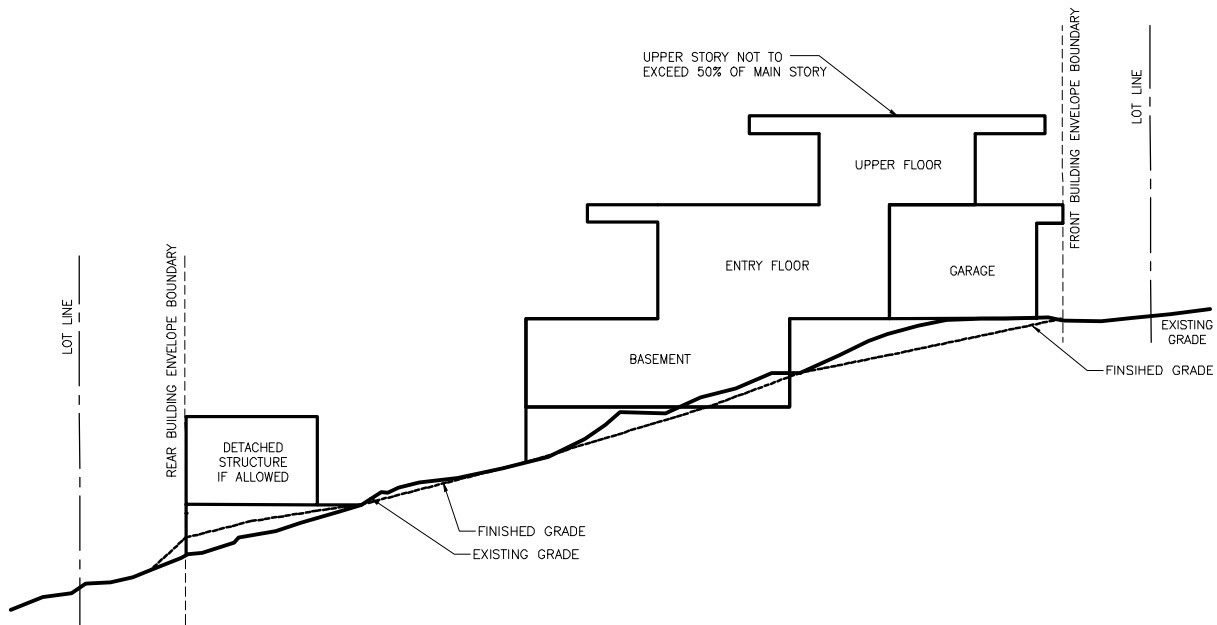
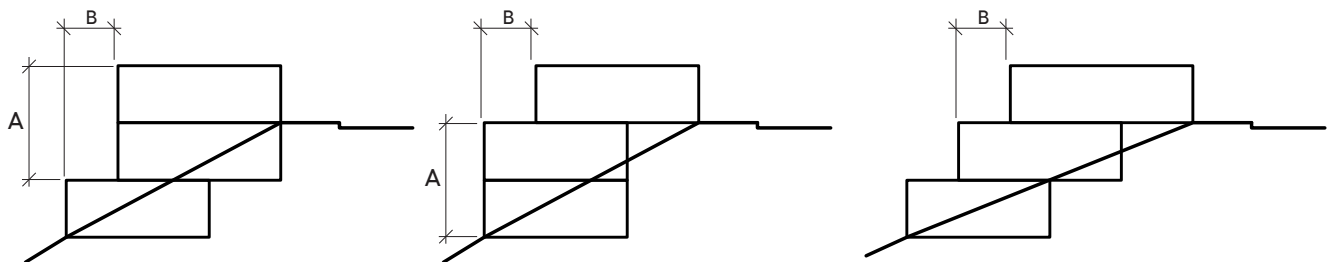


Figure 3.4a - Building Forms and Massing



A = A two-Story facade is allowed provided that either the top floor or lowest floor at least partially Above Grade is offset by minimum distance 'B'.

Figure 3.4b - Building Mass Offset

3.5 Building Height

Maximum Building Height is determined by the vertical distance from the highest point on the roof to any point around the building perimeter at Existing Grade or Finished Grade, whichever is more restrictive. See "Figure 3.5 - General Height Limitations"

For Legacy Neighborhoods, height is described per type of unit or specific to Lots. Without exceptions, Owners shall follow the applicable established heights the Legacy District Standards in Chapter 4.

For Vision Neighborhoods, Site Notebooks provide information regarding the maximum height allowed on each Homesite. In the event no maximum height is provided, buildings shall not exceed 32 feet. Under no circumstance is a fourth Story allowed for both Legacy and Vision Neighborhoods.

Vision Neighborhoods - General Height Limitations

The following general height recommendations for Structures within Vision Neighborhoods shall generally apply, unless otherwise noted in the Site Notebook. Due to the topography, many Homesites shall have a two-Story Massing over a Basement that steps downhill as perceived from downslope.

To foster creative design solutions, alternative design options and possibilities are encouraged within the framework of these guidelines.

In general, height limitations are as follows:

- One-Story homes (one Story over Basement): 20 feet maximum height is allowed for a one-Story building, except that twenty (20%) percent of the Primary Structure, if one-Story, may be 26' feet in height to allow for a higher volume space.
- Two-Story homes (two stories over Basement): 32 feet maximum height is allowed for a two-Story building.
- Three-Story homes (three stories over Basement) are permitted only on Homesites greater than 2 acres and surrounded by mature tree canopies, subject to a Maximum Allowable Height of 32 feet. A two Story facade is allowed provided that either the top floor or lowest floor above or partially Above Grade is offset by the minimum required distance from the two-Story facade. Refer to Section 3.4 and Figure 3.4b Building Mass Offset.
- Where included, Basements must include windows and outdoor access on at least one side. Basements may not be entirely below grade.
- A flat roof on a Detached Structure or Garage shall be a maximum of 12.5 feet high. Note: Auto courts may be set below roadway grade approximately 4' feet.

- Roof terraces and associated interior conditioned space are allowed, with 800 sf size restriction for enclosed, conditioned space, that shall be incorporated into the architecture and roof form.
- Windows and other articulations that create the impression of an additional Story are not permitted.
- Building Height calculations are to be clearly illustrated on all elevations of each submittal to the ARC. Refer to Chapter 4 – Design Review Procedures and Submission Requirements.

Additional stories above the main entry level (second Story elements) may not exceed fifty percent (50%) of the Primary Structure floor area without specific approval from the Powder Haven

ARC. This calculation excludes the floor area of Garages and any Detached Structures.

Second Story elements that exceed the fifty percent requirements may be permitted by the ARC if they meet the following criteria:

- Further the overall aesthetic goals of the Community.
- Are consistent with the proposed architectural style.

The Design Guidelines are intended to discourage and prevent the building of any residence or other Structure that appears excessive in height or out of character, in the opinion of the ARC, when viewed from the street, Common Areas, or another Homesite.

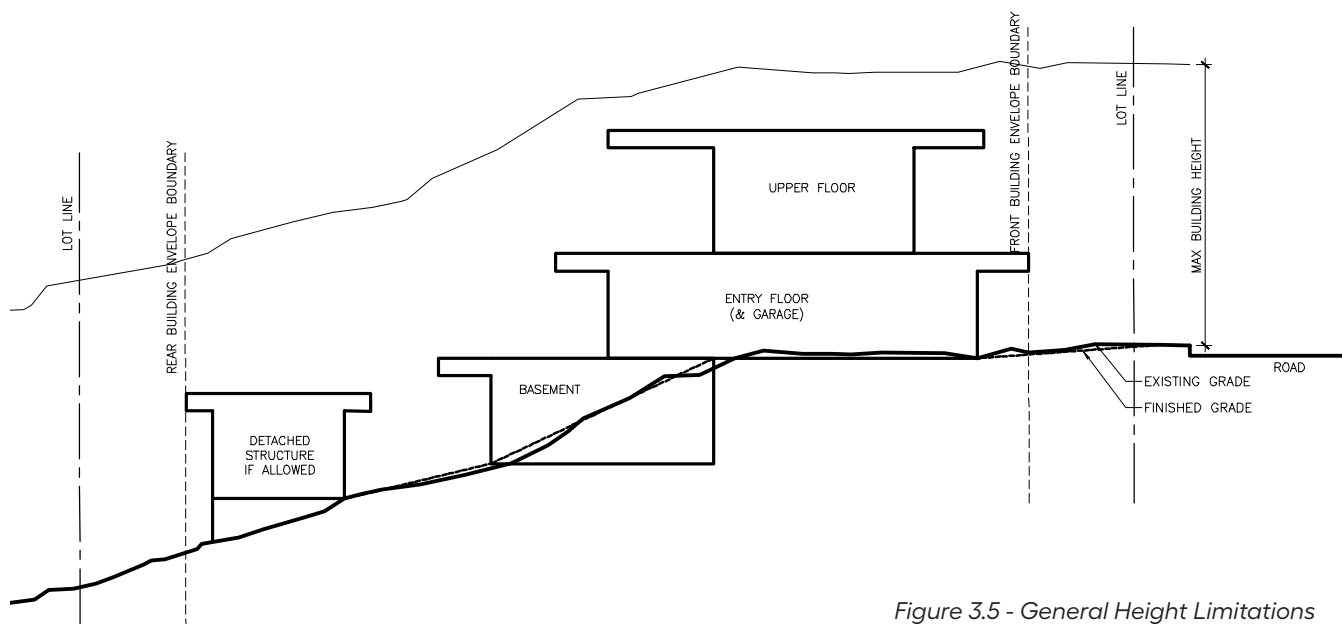


Figure 3.5 - General Height Limitations

3.6 Roofs

Roofs are highly visible elements and their collective expression is a major design feature in Powder Haven. Roof designs should respond to the surrounding climate and high mountain terrain with their specific materials, colors, and slopes. Because roofs play a key role in defining the character of each neighborhood, it's important to establish a rationale for unifying home designs while facilitating design innovation. Each roof expresses the collective neighborhood architecture through its defining visual characteristics.

Massing

- Design simple roof forms to complement the architectural style of the home:
 - Simple horizontal roof forms, potentially with thin or tapered eaves.
 - Simple gable roofs that create a “cluster” of sheltering roofs.
- Expressing the roof as an autonomous element for each house.

Inappropriate Massing

- Broken roof styles, especially those that combine irregular shapes and disparate roof slopes, forms, and styles.

Precedent References

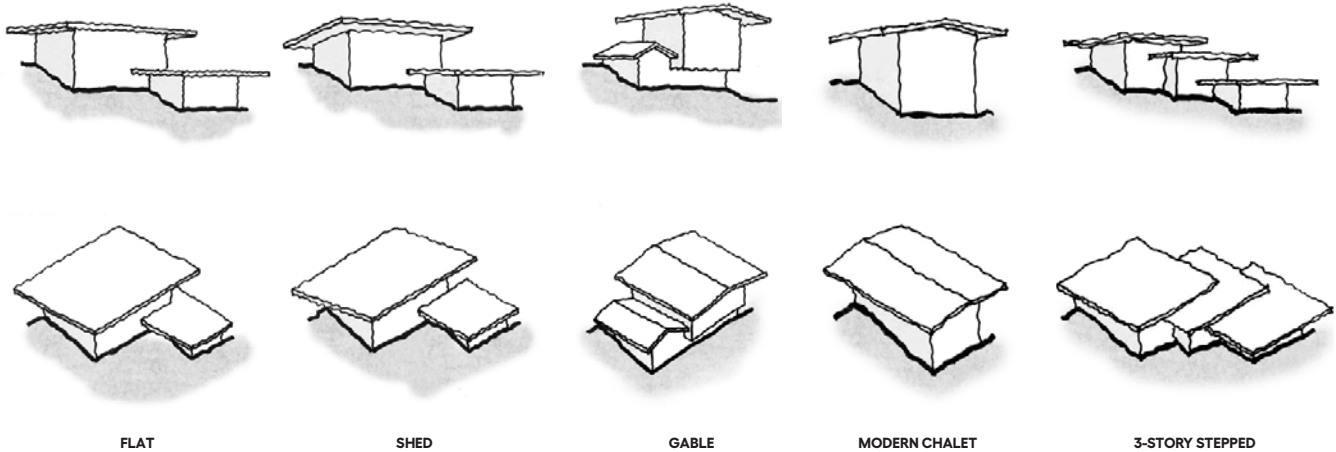
- Encourage contemporary roof designs that utilize advances in materials and technology to provide horizontal roof designs with deep, extended eaves and a “light” appearance.
- Roof forms should give the appearance of broad, sheltering planes that float above the building volumes. Clear, simple forms are encouraged.
- Complex roof forms shall be subject to review for potential accumulation of snow and ice at intersecting valleys, which also invites the accumulation of roof debris.
- Flat roofs are preferred at porches and connecting elements.

Large Roofs and Ridgelines

- Large, expanses of roof shall be stepped with the topography to reduce perceived building Mass and height.
- Long, uninterrupted ridgelines are discouraged unless used with the longhouse design approach.
- Preference is for separate roof forms over each distinct volume, rather than one large roof over fragmented Massing.

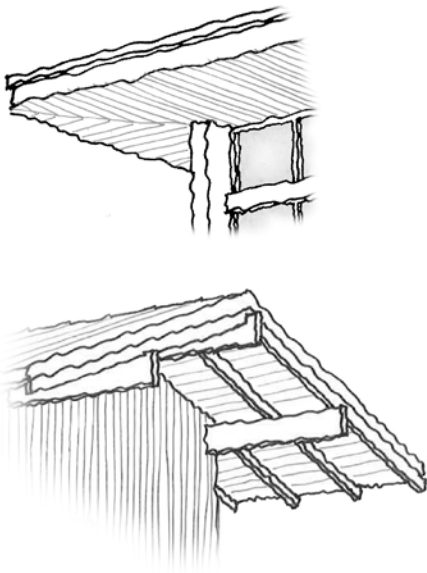
Roof Slope

- Flat roofs are encouraged and shall be designed with slope drainage of at least 1:12 pitch.
- Low slope shed roofs with slopes from 1:12 to 2:12 are encouraged.
- Shed and gable roofs with slopes from 2:12 to 4:12 are allowed.
- Roof pitches between 4:12 and 6:12 are discouraged.
- Roof pitches greater than 6:12 shall comprise less than 30% of the total roofed floor area and are subject to approval by the ARC.
- Exceptions up to 8:12 slope are acceptable for the Legacy neighborhood.



Eaves and Overhangs

- Primary Structures shall incorporate 6 foot deep eaves and other roof or canopy elements to provide ample shade to vertical surfaces, especially large, glazed surfaces.
- On Lots with Building Envelopes less than 70 feet wide, 3 foot deep eaves are allowed along the sideyard. Eaves less than 6 feet deep require ARC approval.
- Clipped eaves are only allowed on roofs of Secondary or Detached Structures.
- Reinforce the roof articulation with well-detailed eaves, soffits, fascias, and overhangs.
- Roof and eave vents shall be designed to resist the introduction of airborne sparks, in keeping with the requirements of this fire zone.



Snow Management

- Roofs shall be designed to either hold or shed snow, consistent with the home's snow management strategy.
- Use integrated eave panel and heat trace snow melt systems at valleys, integral eave gutters, and downspouts to prevent snow corning and ice accumulation at critical areas such as walkable paths and building entries.
- Entries, pedestrian areas and parking areas shall be protected from snow shedding and sloped to prevent the accumulation of water and ice. Specific consideration shall be given to protecting walkways, ski-ways or other publicly accessible and traveled areas from snow shedding.
- Utilize snow clips and/or snow fences at sloped roofs to minimize sudden shedding of snow and ice.

Equipment and Utilities

- Roof-installed equipment and appurtenances shall be concealed within the architecture. Rooftop screens may constitute appropriate concealment.
- Photovoltaics shall be allowed when integrated the building design. Photovoltaics are not permitted on-grade within Homesites.
- Photovoltaics shall be integrated with the roof and/or walls in regard to both form and

materials. Either photovoltaic roof shingles or roof panels are appropriate.

- The location of these elements and their install/concealing strategy shall be reviewed and approved by the ARC.

ROOF MATERIALS

Intent

- Materials and colors should blend with those of the natural landscape.
- A thoughtful approach to the roof material enhances the prominent feature and

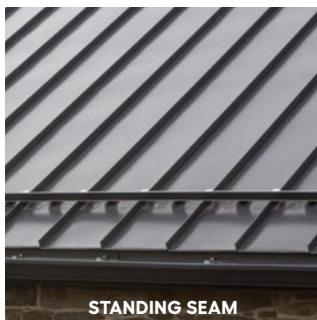
integrates an enduring and resilient element for each home expressing the roof as an autonomous element for each house.

- Utilize appropriate, durable materials and colors to blend houses into the landscape.
- Roof colors and materials shall be selected from Approved materials and with approval of the ARC.
- All exterior materials shall conform to applicable building Codes and meet requirements for fire-resistive construction consistent with the Utah Wildland Urban Interface Code.

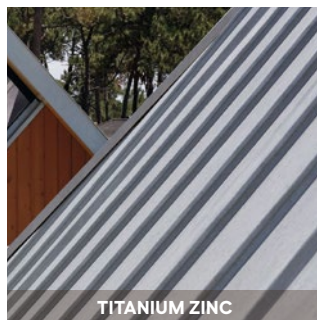


Approved Roof Materials

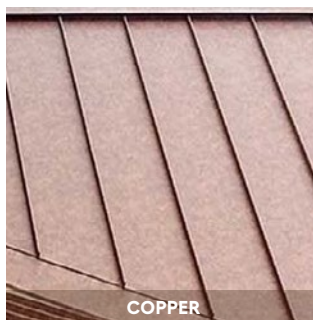
- Flat roofs: EPDM membrane (gravel ballast color to be approved by ARC) or EPDM flat roof tiles
- Standing seam metal with factory painted finish (18" to 24" wide, no prominent seams)
- Titanium Zinc (Product: Rheinzink or VM Zinc)
- Copper (pre-weathered and sealed to stop oxidation before reaching aqua color)
- Flat lock interlocking roof tiles (square, rectangular, or diamond tiles)
- Composite roof tiles (textured per slate or wood)
- Photovoltaic roof panels or roof tiles



STANDING SEAM



TITANIUM ZINC



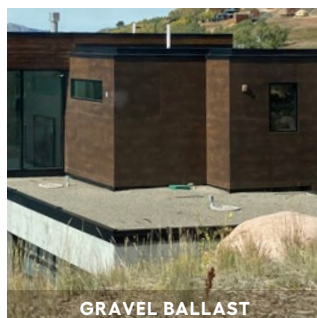
COPPER



COMPOSITE ROOF TILES



PHOTOVOLTAIC ROOF TILES



GRAVEL BALLAST



EPDM ROOF MEMBRANE

Prohibited Roof Materials

- Vegetated or Green roofs
- Wood or wood-look shingle or shake roof tile
- Barrel tile or barrel-look roof tile
- Asphalt shingle
- Tar and Gravel roof

Approved Roof Colors

- All exterior finishes and colors shall be matte finish including roof, wall, window frames, and trim.
- Light to medium warm gray, copper or zinc with a pre-weathered finish.
- Dark colors shall be allowed.
- Gravel ballast on flat roofs shall be approved by the ARC in regard to material and color.

Prohibited Roof Colors

- White or cream
- Primary and secondary colors: green, blue, red, purple, orange
- High gloss paints and finishes with high reflectance

GUTTERS, DOWNSPOUTS, AND FLASHING

- Gutters and downspouts that drain water from roofs shall be designed to empty away from building foundations and paved surfaces. Downspouts shall direct water into a site drainage piping system that conveys the water off-site.
- Due to the steepness of the sites, certain surface drainage swales may need to be used to convey water downslope and toward the nearest drainage swale, using the side Yard Easement and/or lower portion of the Homesite. Surface conveyance and discharge shall require an engineered solution, using flexible black pipe tied to black hoses, concealed where visible, and conveyed to remote surface drainage swales, and as designed by Civil Engineer. Refer to Section 2.6
 - Grading and Drainage.
- Gutters and downspouts shall be visually minimized. Any exposed downspouts shall be located and designed to integrate with vertical building elements and the exterior color palette.
- Materials for gutters, downspouts, flashing, and associated trim shall be durable with color schemes designed to blend with the adjacent roof.
- Approved materials for gutters, downspouts and flashing:
 - Copper, pre-weathered
 - Zinc, pre-weathered
 - Painted, galvanized aluminum
- Prohibited materials for gutters, downspouts and flashing:
 - Vinyl or plastic
 - Flues and vents with unpainted, reflective finishes.

3.7 Balconies, Decks and Porches

Porches, decks, and balconies can help create interest and dramatic form. Owners are encouraged to create welcoming, well-designed, outdoor spaces that are natural extensions of the interior spaces. The spatial organization of the residence as well as the outdoor spaces are to be designed in concert with one another. Create well-proportioned, comfortable outdoor spaces that respond to the dramatic temperature variations of the mountain environment. Locate patios, terraces, and decks where full sun, partial sun, and full shade are possible at various times of the day. The creation of all outdoor living spaces shall be designed to integrate and blend with the natural topography and vegetation.

Balconies and Decks

- Balconies and Decks shall have railings or parapets to conceal furnishings as viewed from the street or other units.
- Balconies and Decks shall not project beyond the Building Envelope.
- The use of structural cantilevers to support decks and balconies is preferred over free-standing columns.
- Roof decks are permitted so long as no portion of the deck exceeds the Maximum Building Height. Roof decks are prohibited on the roof of the topmost floor.
- Decks sheltering usable outdoor space must provide rain protection and drainage to prevent water from dripping through to the spaces below.
- False balconies with no outdoor standing space, such as railings installed across sliding glass doorways, are prohibited.
- Uncovered decks shall consider snowmelt.

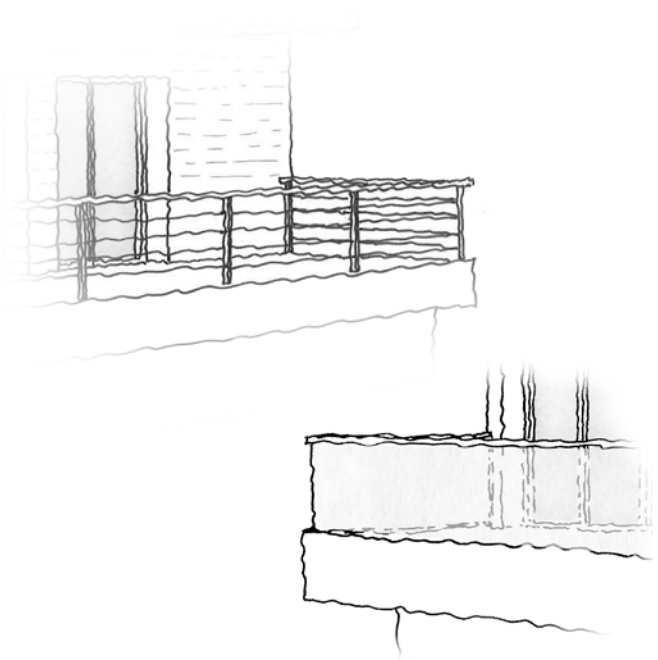
Porches and Decks

- Entry Porches in the form of sheltered recesses facing the street at building entries are encouraged.
- Covered porch elements may be used to emphasize and shelter entries and provide an inviting transition from outdoor to indoor.
- Natural materials including wood and stone are preferred. “Trex” and similar composite decking is not permitted except as approved by the ARC. Porches and decks must be included in the Architectural Review submittal and are subject to approval by the ARC at the Final Design Review Application stage.
- Decks may weather naturally or may be stained with a dark (Light Reflectance Value, LRV of 35 or lower) semi-transparent stain.

3.8 Railings and Privacy Screens

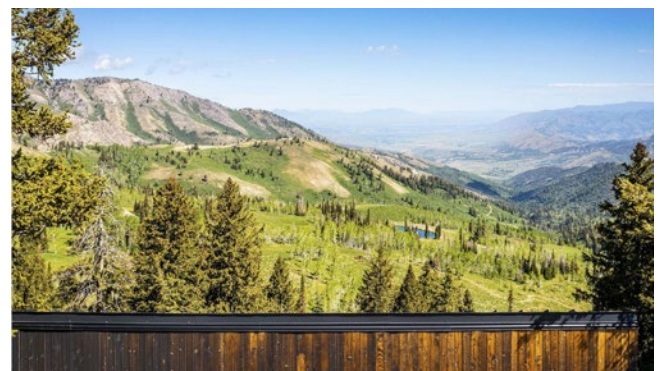
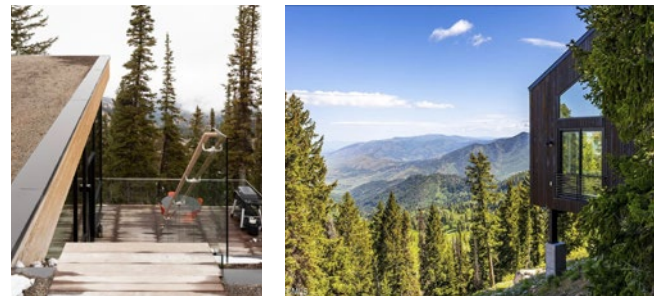
Railings

- Exterior railings should be made of materials consistent with the building design and should be non-reflective, with the exception of glass.
- Railings should reflect the simplicity of the home design and should not draw attention to themselves. Decorative or ornate decorative railings are generally not allowed.
- Acceptable metal railing components include metal bars, pickets, and cap rails, perforated metal panels, metal grids, and stainless steel cable railings.
- Glass railings are encouraged but not required. “Frameless” glass railings are encouraged for home designs. Refer to Code mandated requirements for all glass railing systems to be installed.



Privacy Screens

- Privacy screens are generally discouraged. If privacy screens increase the perceived volume or bulk of the home, they are not allowed.



Railing Integrated into Architecture

3.9 Building Projections

Building projections such as chimneys, flues, and vents shall be compatible in height and materials with the Structure from which they project.

Vertical Projections

STANDARDS AND GUIDELINES

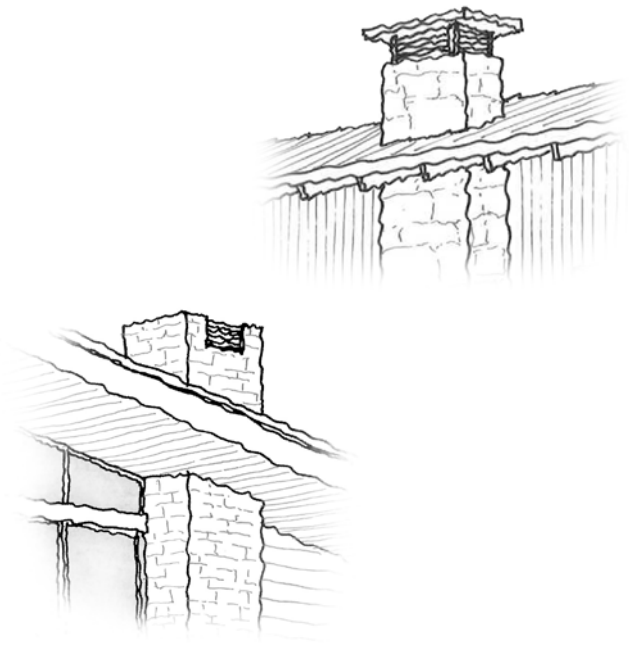
- Elevators and stairs may not project above the roof line.
- Flues and vents shall be painted to match the roof and may project a maximum of 3 feet above the directly adjacent roofline, except where required by the governing building Code.
- Chimneys may project a maximum of 5 feet above the directly adjacent roofline, except where otherwise required by the governing building Code.
- The total combined area of roof elements shall not constitute more than five percent (5%) of the overall Building Footprint.
- Chimneys, vents and flues shall comply with Codes and include safety features such as screens and spark arresters to minimize the spread of fire and to prevent harm to wildlife.
- Chimneys shall be constructed of inflammable material, preferably stone or masonry.
- For energy conservation, fireplaces shall incorporate energy efficient features such as heat exchangers.

- The specific location of these elements shall be reviewed to ensure that they do not interfere with the views from uphill units.

Horizontal Projections

Horizontal projections are not allowed beyond the Building Envelope boundary. Horizontal Projections include:

- Belt courses, sills, and lintels
- Cornices, eaves and gutters
- Outside stairways, fire escapes, flues, chimneys and fireplace Structures
- Unwalled porches including roof-covered patios, terraces, and balconies
- Building cantilevers
- Bay windows



3.10 Exterior Walls and Finishes

Building walls shall be expressed as simple vertical planes possessing texture from their materials. They may be constructed using natural stone, architectural concrete, board-formed concrete, timber, wood siding, or other appropriately selected materials as approved by the ARC. Battered foundation walls are allowed up to a 1-in-12 angle from vertical, provided the foundation walls are board-formed concrete or clad in stone masonry.

STANDARDS AND GUIDELINES

- Residents shall take into consideration the proper maintenance regimen for the materials specified, especially when using natural materials such as wood, exposed concrete and stone.
- Wall construction shall be consistent with local construction means and methods, while meeting structural needs and thermal insulation requirements for the governing building and energy performance Codes.
- Exterior walls and finishes are to reflect a logical and appropriate combination of colors,

textures and forms to express the Structure of the buildings.

- A maximum of three (3) materials shall be used, with one (1) material clearly dominant over the others.
- Detached Structures are to utilize the same or similar wall treatments as the Primary Structure.
- Materials are to be consistently applied to all elevations of the Structure.
- At a change in wall material, there is to be a break in the plane of the surface, and details appropriate to the materials. Wall materials shall not change at outside corners.
- Wall planes shall be stepped and layered to avoid large, uninterrupted wall expanses.
- Wall surfaces shall be broken up with stepped back or stepped forward terraces, volumetric voids, projecting volumes or bays to reduce their presence in the surrounding landscape.

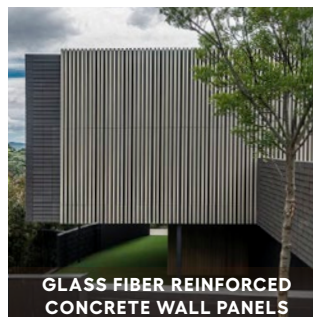
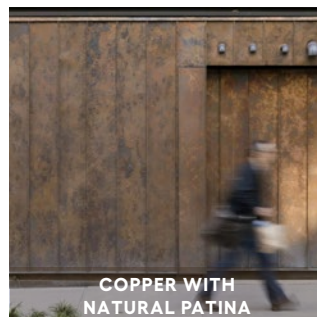
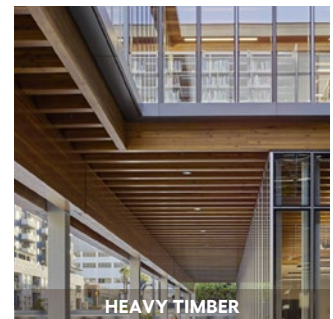
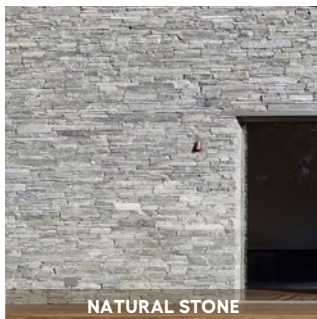


- All exterior materials shall conform to applicable building Codes and meet requirements for fire-resistive construction consistent with the Utah Wildland Urban Interface Code.

EXTERIOR WALL MATERIALS

Approved Exterior Wall Materials:

- Natural Stone
- Traditional wood plank siding (Must be sealed, maintained, and sheltered under deep overhangs. Finish shall be transparent or semi-transparent stain, not painted or opaque stained.)
- Thermally modified woods (Heat-treated wood products such as Thermory which are resistant to decay, are flame-resistant, and more stable than standard wood products).
- Heavy Timber, if used in a contemporary architectural expression
- Mass Timber
- Copper (pre-weathered and sealed to stop oxidation before reaching aqua color)
- Glass Fiber Reinforced Concrete (GFRC) wall panels (Example: Rieder fibreC)
- Architectural metal panel (Example: Alucobond)
- Corten steel, designed to rust as final finish (accent walls)



Approved Exterior Wall Materials

-
- Blackened steel
 - Architectural or Board-formed concrete:
Formed/poured concrete (paint or limewash finish)

Prohibited Exterior Wall materials:

- Cement Plaster (Stucco) is problematic in this environment and prohibited.
- Faux stone or cast stone (Examples include Redi-Rock or Eldorado Stone)
- Unfinished wood
- Recycled barn wood
- Fiber cement board products such as Hardie Board and Hardie Plank
- Engineered wood cladding (OSB, plywood, waferboard), even if treated for exterior use.
- Corrugated metal siding
- Metals not specifically approved
- Exposed brick or CMU

Stone

- Stone can create a strong connection to the ground and anchor the house to the mountain topography and landscape. It is most appropriately used at the base of the Structure where walls meet the landscape.

- The permanence and design quality of the home can be reinforced with large-format natural stone masonry.
- Dry stack or deep grout lines create strongly rusticated textures.
- Stone can be used as a rugged and durable landscape material that ties exterior terraces, decks, and circulation to house forms.
- Stone shall be laid with a structural appearance, with more horizontal than larger pieces as the base and with more horizontal joints than vertical (as though dry-stacked) and with joints incised and grouted to match the stone. Stone may use organic shapes or cut pieces laid with horizontal courses predominating.
- Approved stone materials include:
 - Local stone native to Powder Haven
 - Granite
 - Quartzite
 - Basalt
 - Ashlar
- The stone color range shall be derived by using one color from the existing landscape to generate a narrow range of tonal and color variations. Note that white and near-white colors are not allowed.
- Stone materials shall be submitted for approval by the ARC.

Exterior Wood

Embracing wood as a renewable, natural, and intrinsic siding material is consistent with development goals for Powder Haven. Exterior wood siding blends with the natural mountain environment, supports sustainability, and enhances the architecture by:

- Introducing scale to the volume of the home through vertical orientation of boards or panels that relate to the scale of the standing seam roof material.
- Balancing the heavy roof and base with wood as a lightweight, workable which lends to pre-built fabrication.
- Enabling the rustic character and texture of the wood will develop over time, maturing with the community.
- Exterior wood must be of minimum 2x4 nominal thickness to be durable enough for use in exterior applications. Exterior wood is limited to approved exterior-grade hardwoods deemed appropriate for use in this mountain climate. These include:
 - French or American Oak
 - Cedar
 - Larch
 - Hem-fir
 - Mass Timber (Douglas Fir)
- Wood materials shall require protective sealants that do not create “sheen” and shall be regularly maintained. Natural weathered and unsealed wood, or other non-approved wood materials are not allowed, as they will discolor ‘streak’ and deteriorate in this harsh (mountain) climate.
 - Appropriate wood wall treatments include:
 - o Board and Batten
 - o Vertical or horizontal siding
- Stain finishes shall be transparent or semi-transparent so that the natural grain and texture of the wood is more reflective of the colors in the natural environments. Stains shall generally be a warm color complementing the architecture and surrounding tonal ranges of the mountains and vegetation.

Thermally-modified Wood

Because Thermally-modified woods are more durable, more dimensionally stable, and more resistant to warping and splitting, the minimum allowable plank dimension is reduced to 1x thickness. Outside corners where 1x wall cladding planks would meet must be detailed with thicker 2x material where the planks abut.

Faux Woods

Faux woods such as textured cement board siding (Hardiplank) are not allowed.

Metals

- Corten Steel (Intentionally rusted finish)
- Blackened Steel
- Zinc Coated (gray metal)
- Painted Steel
- Copper (pre-weathered and sealed to stop oxidation before reaching aqua color) may be used as an accent wall material, including the following applications:
 - Soffits
 - Accent wall, shingled or textured
 - Downspouts and gutters
 - Roofs

Exposed Concrete

- Concrete may be used as a foundation and/or wall material as a complement to other exterior materials. Concrete shall be either board-formed or architectural concrete in order to provide an appearance with sufficient texture.
- Cast-in-place concrete walls are generally appropriate for large building supports, terraces and site walls.

3.11 Windows and Doors

The size and location of windows and doors tie the home design to the unique features, site access, and view opportunities for each property. Their features and detailing help establish the quality and character of the home, enhance its design, and contribute to the character of the neighborhood. Operable windows provide an inherently valuable means of climate control, consistent with sustainability concerns and initiatives, take advantage of the outdoors, views, breezes and cross-ventilation.

STANDARDS AND GUIDELINES

Generally the window and door design should accomplish the following:

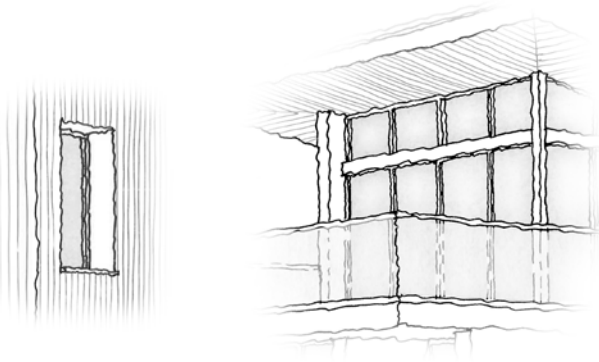
- Create strong connections between the more modern interior and natural exterior through a strategic approach to openings and how they connect spaces.
- Frame and integrate expansive views with a thoughtful approach to windows, providing ample natural light deep into the house, and highlighting the spatial quality under the eaves with window walls at the gable ends.
- Utilize high performance windows and incorporate sustainable design measures to minimize heat gain and loss, provide ventilation and maximize daylight.
- Detailing of openings (windows, doors, framed openings) should accentuate thick walls.

Windows

- Optimize energy performance by selecting and locating windows to frame views while also improving heat gain and loss. Energy modeling, insulation, and reducing the fenestration-to-wall ratio will help to maximize heat gain and reduce heat loss from the Building Envelope.
- Glazed, large opening wall systems, either pocketing multislides, life-and-slides, or stacking accordion-folding, are encouraged at larger spaces that open onto outdoor terraces and hot tub decks.
- Window divisions achieved with true mullions or structural sized members shall be consistent across each grouping of windows. Decorative or snap-in muntins and simulated-divided lites are not allowed.
- Reduce the Mass and weight of the homes, with smaller punched opening windows at side Yards that maintain privacy while framing views and landscape.
- Windows or window groupings shall be sized to be in-scale with the wall on which they are located. Window vocabulary shall utilize a consistent, contemporary design aesthetic on all sides of the building.
- Windows shall use high-performance, anti-reflective, insulated glass and high-quality

factory finish frames. Unfinished metal window frames and mirrored glass are not allowed. Windows, doors, skylights, and glazing shall conform to all applicable energy performance Codes and standards.

- Incorporate interior shade control systems to provide light control on each level and to minimize exterior light pollution and preserve night sky for Dark Sky compliance.
- Approved window materials include:
 - High-quality with aluminum with a painted or bronzed anodized factory finish.
 - High-quality steel-framed windows with patina finish or with factory painted finish.
 - Wood window frames or aluminum-clad wood window frames
 - For efficient home design and construction, Powder Haven may select preferred window manufacturers and models.
- Windows selection and colors are subject to approval by the ARC.



Doors

- The Main Entry to the home should make a statement and be recognizable as the destination for an arriving guest entering from the street.
- The main entry door should be sized in proportion to the interior volume of the home, with an estimated 12 to 14 foot interior ceiling height. 10 feet is the preferred door height, while 8 feet is the required minimum door height.
- An estimated 10 foot height single or double door unit is an appropriate size for a large entry space.
- The door may be constructed of one material or a combination of materials and shall complement the style of the architecture. Doors are to be made of high-quality materials with a custom and hand-crafted appearance.
- It is recommended that doors are recessed a minimum of approximately 5 to 6 inches.
- Exterior entry doors entering into secondary spaces with 10 to 11 feet interior ceiling heights shall require a door of 8 to 9 feet in height. Entry doors may be single or double door units.

Approved Exterior Door Materials include:

- High performance glass with a painted or bronze-anodized metal frame and high-performance factory finish.
- Maintenance-free metals such as copper, with a natural or burnished patina or steel with a baked enamel finish.
- Bronze or pre-weathered (patinated)
Bronze
- Hardwood with a sealant and/or protective stain finish (hardwood doors shall be limited to sheltered locations with deep overhangs only).



3.12 Detached Structures

In Legacy Neighborhoods, only one Structure is allowed per Homesite. No Accessory Dwelling Unit (ADU's) are allowed in Legacy Neighborhoods.

In Vision Neighborhoods, only one Structure is allowed on Homesites of 2.00 acres or less in size. For Vision Neighborhood Homesites greater than 2.00 acres, one (1) Detached Structure is allowed in addition to the Primary Structure. It may serve as and ADU, a Garage, or a combination of the two.

All Detached Structure(s) shall be located within the Homesite's Building Envelope. Detached Structures shall incorporate the same architectural design as the Primary Structure and be owned by the same Owner. A Detached Structure's use must be incidental to the Primary Structure. It may not be rented at any time.

The design of Detached Structures is subject to review and approval by the ARC.

STANDARDS AND GUIDELINES

Accessory Dwelling Units

- A detached ADU shall be minimum of 300 sf and maximum of 1,200 sf in size.
- Detached ADU and Garage area shall count toward the Maximum Total Building Square Feet.
- ADU's and detached Garages are subject to the same building Code requirements as the Primary Structure.
- Two (2) additional off-street parking stalls are required within the Homesite for the ADU. If the ADU is constructed prior to the Primary Structure, then the ADU shall have a minimum one-car Garage within the ADU Structure and one exterior parking stall.
- Prefabricated sheds or storage units are not permitted.
- Powder Mountain Water and Sewer District requirements for service require review and written connection agreement by the District prior to submitting to the Building Department for approval. If the District requires an additional water and/or sewer connection to service due to the ADU, the Master Developer shall review and consider the request and determine if desired connection is available for sale at their sole discretion. Water and sewer permits at Powder Haven are limited. Owners agree to compensate the Developer if additional water and sewer permits are required for their ADU, if an additional permit/connection is required and the Master Developer approves the connection.

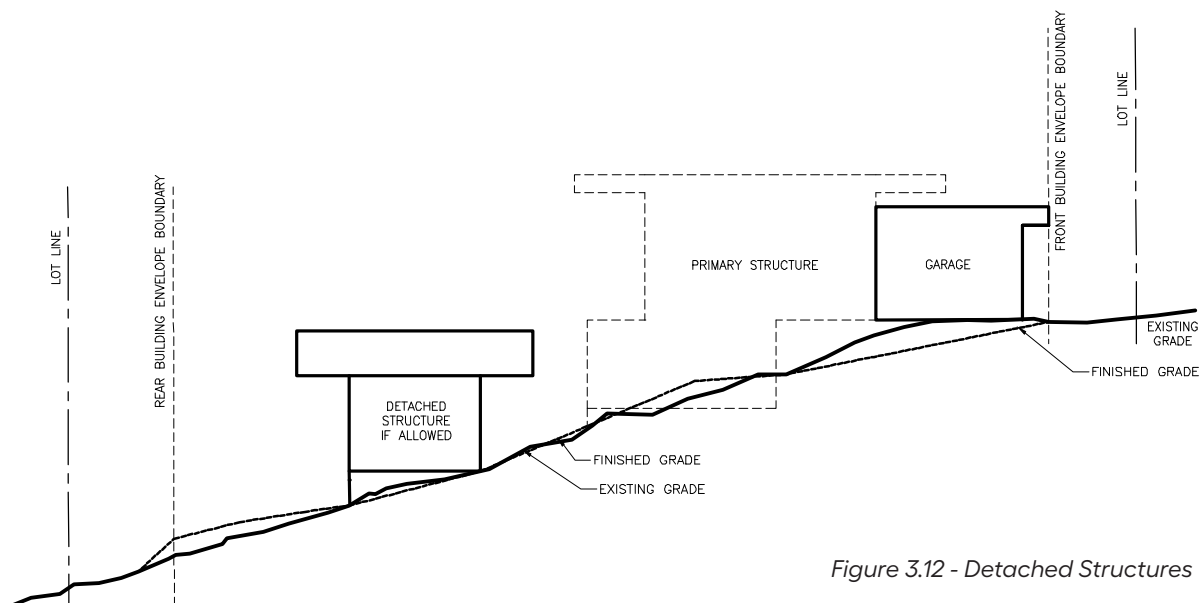


Figure 3.12 - Detached Structures

3.13 Garages

In planning your property, Garages should appear as natural extensions of the home. Indoor storage of all vehicles is desired. Size of Building Envelope, Maximum Total Building Square Footage, size of Dwelling, number of bedrooms, and area available for parking and vehicle turnaround within the Building Envelope should all be considered as part of the Garage design.

STANDARDS AND GUIDELINES

Garage Requirements

- All Garages and exterior parking shall be located entirely within the Building Envelope.
 - Owners shall design adequate parking to accommodate their needs, as there is no parking allowed on streets.
 - The maximum area dedicated to Garage use within a Primary Structure is fifty percent (50%) of the total gross residential square footage or 3,500 square feet (whichever is smaller).
 - Garages should be oriented away from the street and public areas whenever possible, preferably into an Auto Court. Street-facing Garages shall be screened by Structures, site walls, or vegetation. If site constraints necessitate a street-facing Garage, the street façade of the Garage wall must not exceed 40% of the total street-facing façade and requires ARC approval with valid justification, such as narrow Lot size (less than 100 feet in width), topography or other specific constraints.
 - Garage designs shall group or separate rows of Garage doors to avoid a repetitive façade.
- Adjacent placement of more than two (2) Garage doors is prohibited. Additional Garage doors must be separated by a horizontal break or positioned at a 90 degree angle to avoid long, uninterrupted rows of openings.
- Garage doors shall be solid wood or fabricated metal with finishes and colors consistent with the exterior finishes of the Dwelling. Garage doors with glass or windows are not allowed.
 - Garages may not be converted into indoor uses such as dens, recreation rooms, family rooms, workshops, etc.
 - Parking of boats, trailers, RVs, motorcycles, or similar types or secondary vehicles is only permitted on a Homesite when fully enclosed in a Garage.
 - Garage door openings shall be no higher than ten (10) feet.
 - Garage doors shall be kept closed, except when vehicles are entering or leaving.
 - Vision Neighborhoods:
 - Minimum Garage requirements are two (2) Garage spaces for all primary Dwellings. Dwellings that have more than four (4) bedrooms require three (3) Garage spaces. Dwellings with six (6) or more bedrooms should consider four (4) Garage spaces.
 - Garage door openings shall be no higher than ten feet, except for third or fourth bays that do not face the street, which can have up to 12 feet for a Garage door opening.

3.14 Colors and Finishes

A harmonious palette of complementary and subdued, natural colors is required to complement the natural forest setting and achieve a harmonious relationship that unifies the neighborhood architecture.

STANDARDS AND GUIDELINES

- Field and accent colors, stains, and paints shall create the appearance of natural, earth-tone hues that blend with the colors of the landscape.
- Buildings and roofs should generally recede into the landscape and not stand out prominently.
- Roofs shall not be extremely dark or vivid in color or stand out visibly. More muted tones such as grey, silver or natural rust are considered appropriate.
- Wall colors shall contrast with roofs and shall generally use natural earth and metal tones. Stark black and white colors are not allowed. A maximum of three (3) colors may be used.
- Exterior wall colors are not to exceed a light reflective value (“LRV”) of thirty-two (32).
- Accent colors may not exceed an LRV of forty-two (42).
- Windows, doors, and the associated trim colors should complement the overall colors of the building and are to be dark shades or other natural colors found on the site. Bright or light trim colors which create strong contrast are not allowed.
- All exposed wood surfaces, when treated, are to be treated with a semi-transparent stain or sealer to accentuate the grain and natural color variety in the wood.
- An exterior materials sample board including the proposed color palette shall be submitted to the ARC for review.
- All colors for all materials are subject to review and approval of the ARC.



3.15 Skylights

Where skylights are incorporated, they must be integrally designed into the roof Structure.

STANDARDS AND GUIDELINES

- Skylight glazing shall not be back lit or manufactured of reflective material.
- White or bubble skylights are not allowed.
- Skylight framing and glazing shall be colored or coated to match adjacent materials.
- Skylights shall be located, detailed, and/or screened so that they are not visible from off-site.
- Light emission shall not up-light trees and other vegetation or otherwise affect the quality of the nighttime sky.
- Openable and/or automated interior shutters may be used to moderate excessive light and heat during certain times of day.



3.16 Architectural Elements

Architectural details and ornament shall play a limited role within the overall design, applied as a secondary design element. These features shall be simple, minimalist, and visually integrated into the language of the home's architecture. Forms and materials shall express continuity with the architectural style of the home.

Examples of architectural details and ornament include:

- Brackets and posts at covered porches or arcades
- Rain chains and downspouts
- Main entry doors
- Detailing of door and window openings



3.17 Solar Equipment and Alternative Energy Systems

In order to conserve energy, Homeowners are encouraged to consider and use up-to-date and efficient technology and strategies for renewable energy. This includes the use of photovoltaic panels or tiles, integrated with the roof and walls of any Structures on the Homesite.

Photovoltaics

For visual consistency within the neighborhoods, certain approved materials, colors and manufactured equipment may be required by Powder Haven.

The following renewable energy systems are unsuitable and not allowed:

- Ground source heat pump systems (unless it can be demonstrated that there is suitable distance to bedrock and minimal impact to the environment to install the system.)
- Wind turbine systems (threat to bird population)

The ARC shall review and approve all solar panel or other power storage and generation systems, including replacement, additions and alterations to these systems.



3.18 Fire Sprinkler

STANDARDS AND GUIDELINES

Residential fire sprinkler systems shall conform to the following requirements:

- To ensure adequate fire protection, all buildings designed for human occupancy and all Structures taller than 5 feet, including Garages and covered outdoor spaces, shall be equipped with residential fire sprinkler systems.
- All buildings designed for human occupancy and all Structures taller than 5 feet shall be equipped with an automatic fire alarm system connected to a service provider that maintains 24-hour monitoring, meets National Fire Protection Association (NFPA) 72 requirements, is UL listed, has emergency back-up systems, and performs daily monitoring tests.
- As a second notification, it is required that the alarm service provider contact Powder Haven security in the event of an activation. This will allow security to respond immediately and assess the situation.
- Fire Marshal permit approval is required for all fire alarm systems, fire hydrant systems, and fire extinguishing systems including automatic sprinklers, wet and dry standpipes, water mains, and other fire protection systems.
- Water service lines to each Homesite shall be designed and installed per Powder Mountain Water and Sewer District standards.

3.19 Snow Management

Typical snow management strategy at Powder Haven is either to shed snow to designated areas with steep roof slopes, or to hold snow on low-pitched roofs, allowing it to dissipate slowly over time. Given the typical amount of snow in this location and the difficulty of managing the accumulated snow shed from roofs, the strategy of holding snow on roofs is preferred.

STANDARDS AND GUIDELINES

- Snow shedding from roofs must be taken into consideration and coordinated with neighbors to avoid shedding onto neighboring property or Structures and to minimize impact on views from neighboring properties.
- Roof pitch, material, snow fences, and snow guards shall be designed to minimize sudden snow shedding.
- Roof design shall not contribute to snow accumulation on walking paths and driveways.
- Homes shall utilize Integrated snow melt and heat trace systems to minimize ice accumulation in vulnerable areas such as rain gutters, downspouts, roof drains, sliding glass doors and exposed building entries.
- Roof vents shall be concealed and protected from damage by snow creep and shedding.
- Plan driveways and parking areas with properly allocated space for plowed snow.
- Snowmelt systems should incorporate sustainable strategies, such as the use of solar panels to supplement the required electricity.

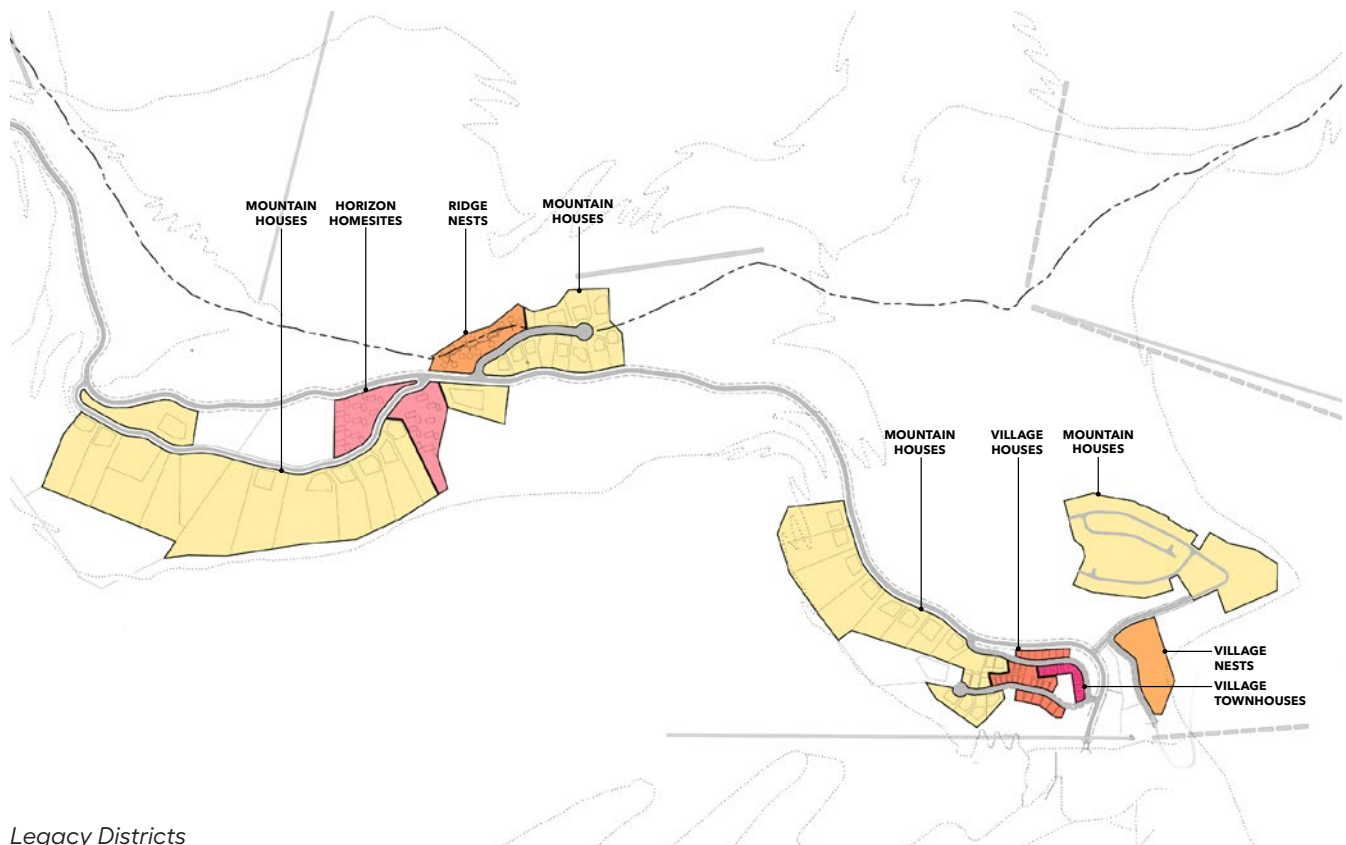


A scenic landscape photograph featuring a snow-covered foreground, a calm lake, and a range of mountains under a soft, pinkish-orange sky. The text '4' is centered in the upper half of the image, with a short orange horizontal line positioned directly below it.

4

Legacy District Standards

Legacy Districts were established prior to 2025 and are governed by the June 2024 Powder Mountain Guidelines. Refer to Figure below for Legacy Neighborhood Districts. This Chapter incorporates the 2024 District Standards for Mountain Houses, Horizon Homesites, Ridge Nest, Village Houses, Village Nest and Village Townhomes herein.



Legacy Districts

4.1 District Design Standards

DESIGN STANDARDS

The Setbacks are coincident with the Weber County DRR-1 Zoning Ordinance unless further restricted, as may be shown on the recorded subdivision plat, or other recorded instrument.

Retaining walls and other site Improvements must be within the Building Envelope with the exception of the driveway connecting to the subdivision platted road.

Belt courses, sills, and lintels may project eighteen inches (18") into required setbacks. Cornices, eaves and gutters may extend three feet (3') into a required front yard setback, five feet (5') into a required rear yard setback, and two feet (2') into a required side yard setback. Outside stairways, fire escapes, flues, chimneys and fireplace structures not wider than eight feet (8') measured along the wall of a building may project not more than five feet (5') into a required front yard setback, ten feet (10') into a required rear yard setback, and three feet (3') into a required side yard setback. Unwalled porches, including roof-covered patios, terraces, and balconies, may project five feet (5') into a required front yard setback. Where a required rear yard setback is thirty feet (30') or greater, a projection of ten feet (10') into the rear yard setback is allowed. Where the required rear yard setback is less than thirty feet (30'), a five foot (5') projection into the rear yard setback is allowed. Cantilevers

may project no more than two feet (2') into the required front and rear setback. Cantilevers are not allowed in the required side yard setback. The setbacks set forth above may be further clarified by the District Guidelines.

Building Height and Number of Stories

In addition to the Height allowances in Chapter 3, Legacy Neighborhoods have the following standards:

There is a five foot (5') exception on Maximum Building Height for an elevator penthouse, chimneys, mechanical equipment screens and stair/roof access enclosures; provided, however, such exception(s) may not, in the aggregate, constitute more than five percent (5%) of the overall building footprint. The specific location of these elements shall be reviewed to ensure that they do not interfere with the views from uphill units.

A dwelling cannot be more than three (3) Stories with no more than two (2) Stories that are completely above the Finished Grade. If the structure has three (3) Stories (with the Basement included as a Story), one of the Stories must have no more than fifty percent (50%) of its exterior wall surface area exposed.

Windows and other articulations that create the impression of an additional Story are not permitted.

Walls

The maximum continuous height of a wall on the downward slope face is no more than two (2) Stories or twenty feet (20') whichever is less.

Spas, Pools and Hot Tubs

Spas, pools, and hot tubs are not allowed on the exterior of the structure. Any use of interior, balcony or roof terraces for spas should appear as extensions of the home and may require additional privacy measures. The design will be required to minimize noise transmission to neighboring properties, and if necessary, solid noise-absorbing covers may be required after equipment installation.

Accessory Dwelling Units

Accessory Dwelling Units are not permitted.

Recreational Vehicles

Parking of boats, trailers, recreational vehicles (including without limitation RVs, campers, side-by-side, and ATVs), or similar types of secondary recreational vehicles on a Homesite, including in a Garage, is prohibited.

4.2 Mountain House

4.2.1 OVERVIEW

Vision

The Mountain House District is a collection of distinctive houses set high along the open ridges of Powder Haven. Each house has a unique location in the landscape and has views into the canyons as well as long, horizon views of the surrounding mountains and Salt Lake Basin. Ample space between the sites provides an opportunity to create a sense of retreat and intimacy, gathering the landscape around the Dwelling while staging and reflecting upon the dramatic views. The Mountain House provides an opportunity to create dynamic spaces for social interaction, a key part of life in the Powder Haven community. The open, spacious quality of the surrounding landscape and the proximity of trails promotes an intimate experience of nature as well as a ski-in, ski-out experience.

In addition to the Master Guidelines set forth above, a Mountain House must comply with the following:

4.2.2 PLANNING AND DESIGN

Designing with the Land

Given the open space around the individual houses it is important that designs respond to the flow of the surrounding landforms while maintaining the continuity and integrity of natural elements such as tree groupings, outcroppings, and streams. Building masses shall be broken up and distributed to reduce the scale and visual impact. The following Design

Principles have been established for the Mountain House:

- Building massing and roofs shall follow the slope of the land
- Avoid large consolidated masses and tall, unbroken wall surfaces
- Minimize site Improvements such as driveways that create a significant disturbance to the natural landscape

Building Envelope/Buildable Area and Maximum Total Building S.F.

Each Lot has a Building Envelope within the Lot Line that defines the location of the House on the site. This area has been carefully chosen to take advantage of the unique features of each site and to ensure for adequate space between individual houses and the Buildable Area for each Lot is defined by the limits of the Building Envelope. The Maximum Building Footprint for the Mountain House is four thousand square feet (4,000 S.F.) The Maximum Total Building S.F. is five thousand five hundred square feet (5,500 S.F.), with the exception of the following Lots:

- Summit Eden Phase 1B: Lots 24-26, 28-34, 123 (Maximum Total Building S.F. is four thousand five hundred (4,500) S.F.)
- Summit Eden Phase 1C: Lots 73, 75, 77-78 (Maximum Total Building S.F. is four thousand five hundred (4,500) S.F.)

-
- Summit Eden Phase 1C: Lot 79 (Maximum Total Building S.F. is four thousand (4,000) S.F.)

4.2.3 DEVELOPMENT STANDARDS

Building Height and Number of Stories

- Maximum Building Height is twenty-eight feet (28') with the exception of the following Lots, for which the Maximum Building Height is thirty-five feet (35'):
 - Summit Eden Phase 1A: Lots 5-6, 8, 16-18, 21, 119
 - Summit Eden Phase 1B: Lots 26, 34, 123
 - Summit Eden Phase 1C: Lots 36, 73, 75, 153
 - Overlook at Powder Haven Phases 1-3: Lots 1-8, 16-22, 26-27, 35-36
 - Powder Point at Powder Haven: Lots 8-15

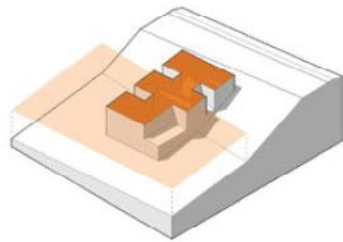
Parking

- Residential parking is required for each residence. Mountain House sites must provide permanent side-by-side parking for no less than two (2) cars.

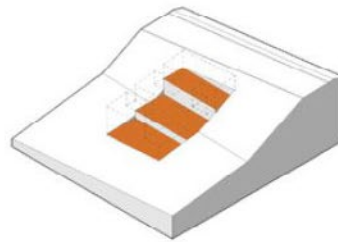
4.2.4 ARCHITECTURAL CONSIDERATIONS

Snow Management

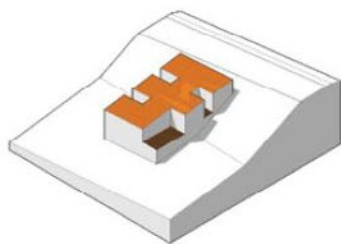
- Plan driveways and parking areas with adequate space to pile snow for plowing.



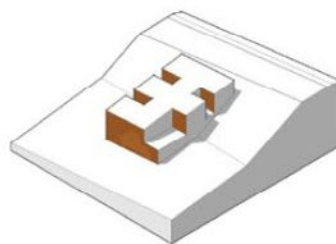
Building massing and roofs follow and align with the topography



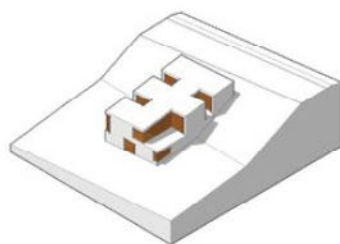
Stepped floors to minimize cut and fill



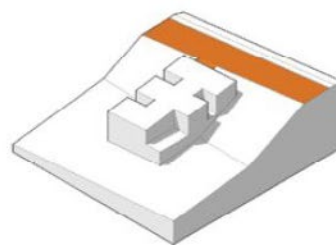
A combination of sloped and flat roof lines to vary massing



Minimize wall heights on downward facing slopes



Optimized fenestration/wall ratio by orientation to maximize solar heat gain and reduce heat loss from building envelope



Driveways situated directly off of roads to minimize site impact



Figure 4.2a - Mountain House Design Principles

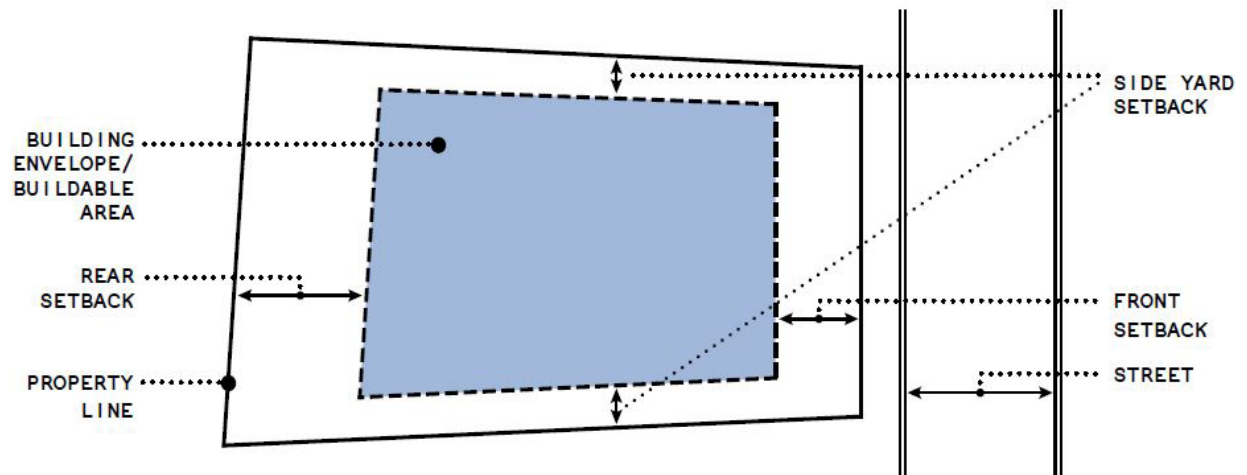


Figure 4.2b - Mountain House Setback Diagram

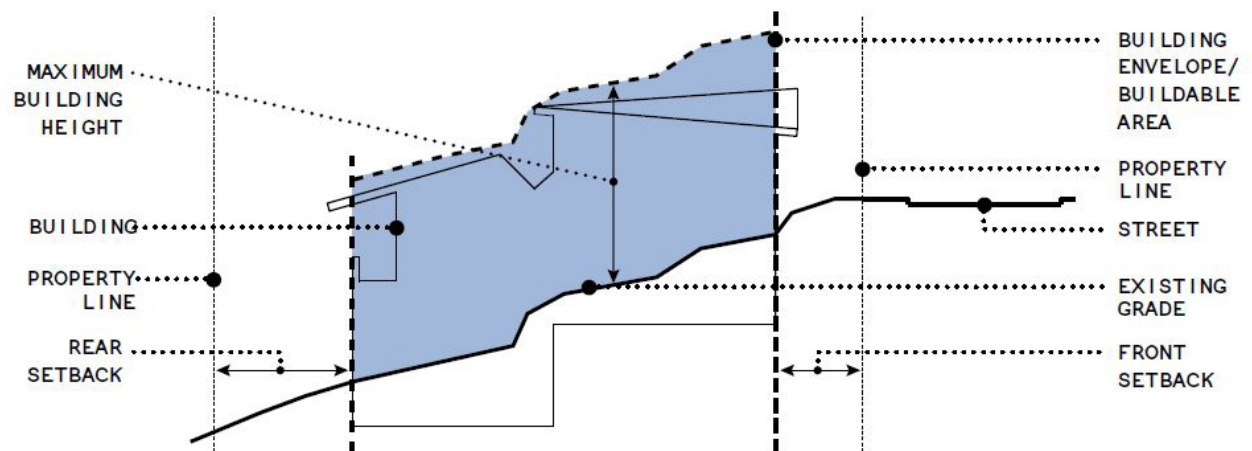


Figure 4.2c - Mountain House Height Diagram

4.3 Village House

4.3.1 OVERVIEW

Vision

The Village House District is located in the transition between the Mountain House and Village Core, combining the generous space of the Mountain House with the pedestrian-oriented amenities of the Village. The Village House type is grouped in a closely spaced configuration to increase the density of the Village and promote street oriented activity. Views of nearby Lefty's ski run and unimpeded long views of the surrounding mountains and Salt Lake Basin are provided at the upper floor of each House. Decks and building entry porches provide an opportunity to create dynamic spaces for social interaction, an important part of life in the Powder Haven community. Ski trails are woven through the District and allow for the ski-in, ski-out connections to the Powder Haven trail network.

In addition to the Master Guidelines set forth above, a Village House must comply with the following:

4.3.2 PLANNING AND DESIGN

Designing with the Land

Given the smaller Lot size, the massing of the Village House is vertically organized with major views and terraces oriented primarily to the south. Most of the Village Lots have steeply sloped sites which encourages a stepped massing design, keeping the Building Height relatively low while allowing for views

over the roofs of the houses below. Building Heights have been established so that the roof height of a down slope Dwelling is not higher than the main floor of the up-slope Dwelling. Designs that enhance social interactions along the Village streets such as porches and decks are encouraged.

The following Design Principles have been established for the Village House:

- Building massing and roofs shall follow the slope of the land
- Avoid large consolidated masses
- Minimize tall wall heights and unbroken surfaces, particularly on downward facing slopes
- The use of front porch and stoops along streets

Building Envelope/Buildable Area and Maximum Total Building S.F.

Each Lot has a Building Envelope within the Lot Line that defines the location of the house on the site. This area has been carefully chosen to take advantage of the unique features of each site and to ensure for adequate space between individual houses. The Buildable Area for each Lot is defined by the limits of the Building Envelope. The Maximum Total Building S.F. varies with the individual Lots, as set forth below:

-
- Lots 49, 48: four thousand two hundred (4,200) S.F.
 - Lots 64-69: two thousand five hundred (2,500) S.F.
 - Lot 70: three thousand two hundred five (3,205) S.F.
 - Lots 71-72: two thousand five hundred (2,500) S.F.
 - Lots 47, 81-86: five thousand five hundred (5,500) S.F.
 - Lots 144-151: two thousand five hundred (2,500) S.F.
 - Lot 152: four thousand five hundred (4,500) S.F.
 - Lots 154-157: per the approved by 2024 Weber County Building Department permits.

4.3.3 DEVELOPMENT STANDARDS

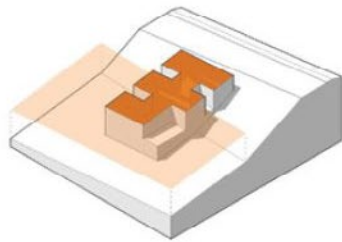
Building Height and Number of Stories

- Maximum Building Height is twenty-eight feet (28') above Existing Grade measured from the centerline of the buildable area for all Lots except Lots 48, 49, 72, 73, and 144-151, which have a Maximum Building Height of thirty five feet (35'). See Additional Building Height Criteria below for specific Building Height Criteria.

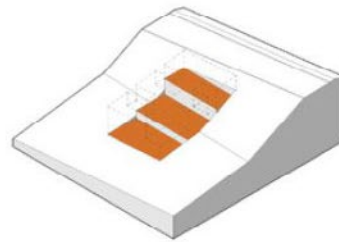
Additional Building Height Criteria

- For Lots 85, 86 the Building Height is fifteen feet (15') above the top back of curb measured from the center of the Lot or twenty-eight feet (28') above Existing Grade whichever is less, refer to height diagram Figure 4.3c.
- For Lots 81, 82, 83, 84, the Building Height is eleven feet (11') above the top back of curb measured from the center of the Lot or twenty-eight feet (28') above Existing Grade whichever is less, refer to height diagram Figure 4.3c.
- For Lots 47, 48, 49, the Building Height is twenty-eight feet (28') above the top back of curb measured from the center of each Lot or thirty-five feet (35') above Existing Grade, whichever is less, refer to height diagram Figure 4.3f.
- For Lot 152, the Building Height is twenty-six (26) feet Above Grade from the top back of curb measured from the center of the property line and twenty-seven (27) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3d.
- For Lot 66, the Building Height is twenty-seven (27) feet Above Grade from the top back of curb measured from the center of the property line and twenty-seven (27) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3d.

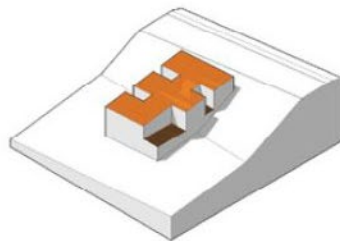
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- For Lot 69, the Building Height is twenty-seven (27) feet Above Grade from the top back of curb measured from the center of the property line and twenty-eight (28) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3d.
 - For Lots 70, 71, and 152, the Building Height is twenty-eight (28) feet Above Grade from the top back of curb measured from the center of the property line and twenty-eight (28) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3d.
 - For Lot 72, the Building Height is twenty-eight (28) feet Above Grade from the top back of curb measured from the center of the property line and twenty-seven (27) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3d.
 - For Lot 65, the Building Height is twenty-eight (28) feet Above Grade from the top back of curb and twenty-six (26) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3e.
 - For Lot 67, the Building Height is twenty-eight (28) feet Above Grade from the top back of curb and twenty-four (24) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3e.
 - For Lot 68, the Building Height is twenty-eight (28) feet Above Grade from the top back of curb and twenty-five (25) feet Above Grade from the center of rear Building Envelope/Setback, refer to height diagram Figure 4.3e.
 - For Lot 64, the Building Height is twenty-six (26') feet Above Grade from the edge of curb measured from the center of the property line center of the front Setback and twenty-two (22') feet Above Grade from the center of the rear Building Envelope/Setback. The maximum height is twenty-eight (28') feet Above Grade at the southwest corner measured back ten feet (10'), refer to height diagram Figure 4.3g.
 - For Lots 154-157: Building Height is established per the approved by 2024 Weber County Building Department permits.
- ### Parking
- Residential parking is required for each residence. Village House sites must provide enclosed parking for a minimum of one (1) car.
- ### 4.2.4 ARCHITECTURAL CONSIDERATIONS
- #### Front Porches
- Front Porches in the form of sheltered recesses facing the street at building entries are encouraged.



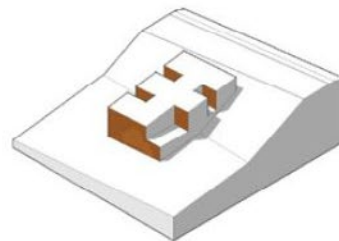
Building massing and roofs follow and align with the topography



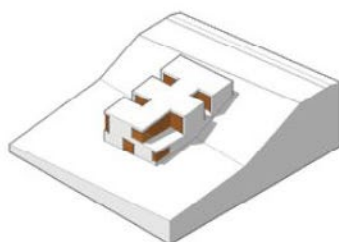
Stepped floors to minimize cut and fill



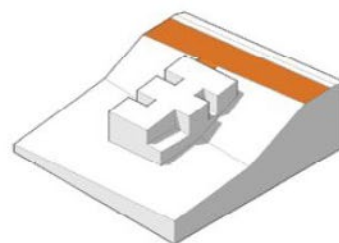
A combination of sloped and flat roof lines to vary massing



Minimize wall heights on downward facing slopes



Optimized fenestration/wall ratio by orientation to maximize solar heat gain and reduce heat loss from building envelope



Driveways situated directly off of roads to minimize site impact



Figure 4.3a - Village House Design Principles

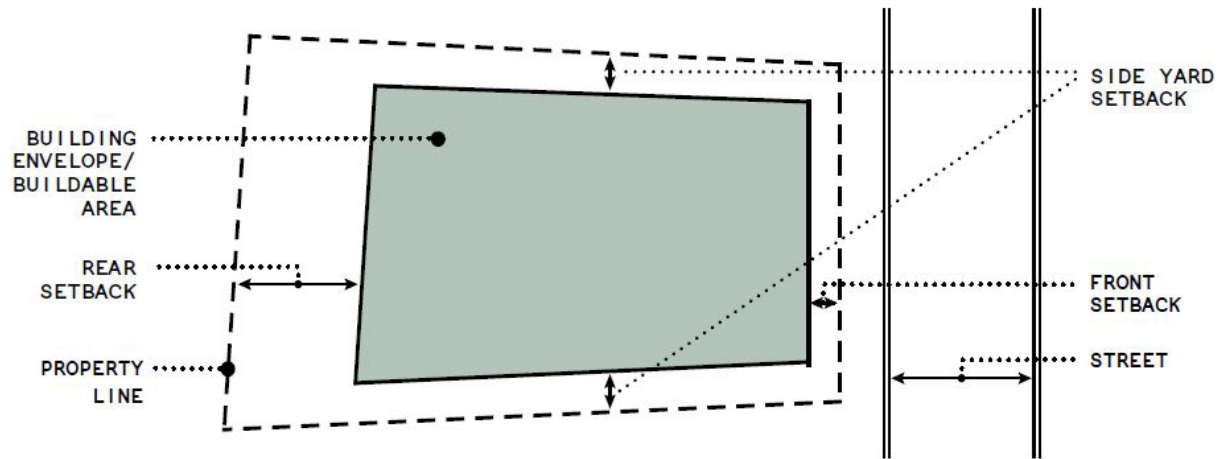


Figure 4.3b - Village House Setback Diagram

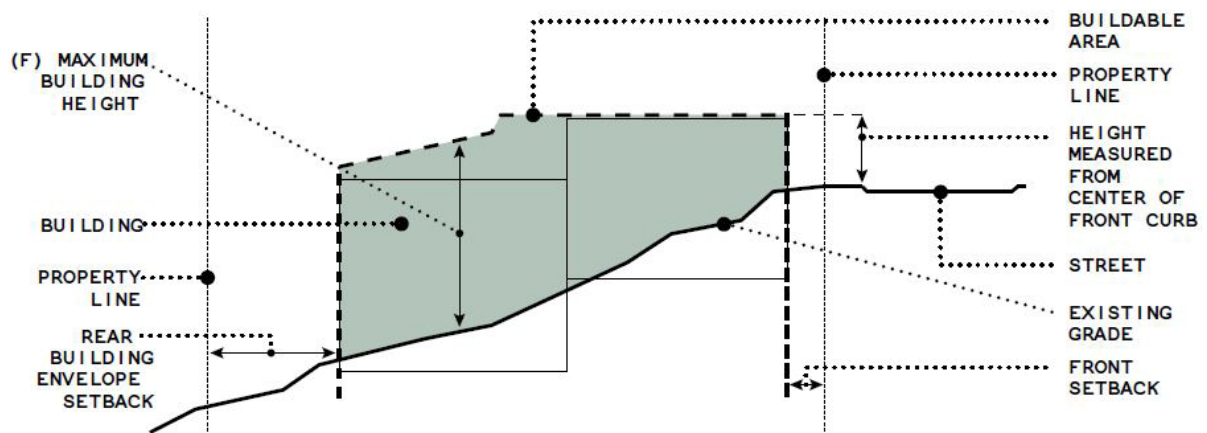


Figure 4.3c - Village House Height Diagram (Lots 81, 82, 83, 84, 85, 86)

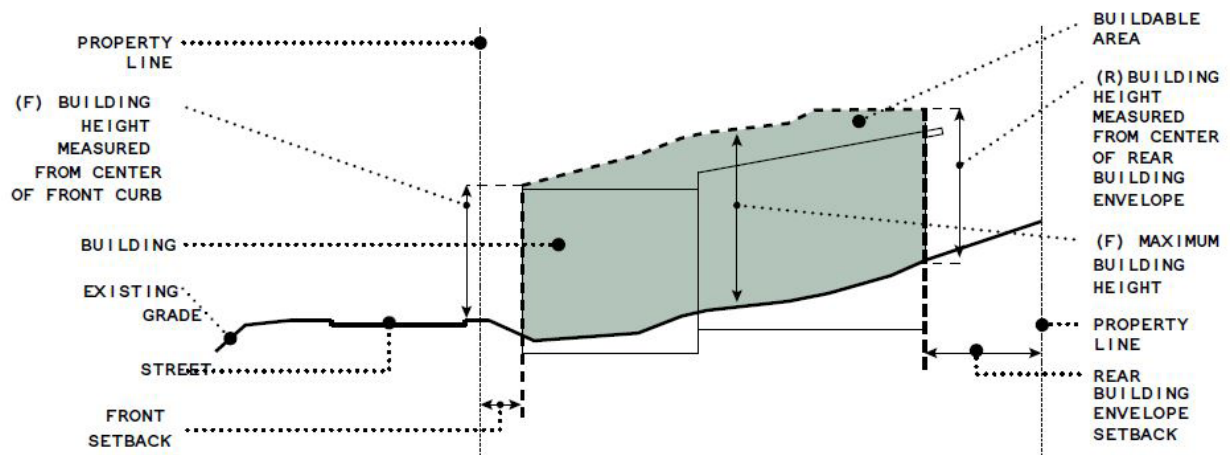


Figure 4.3d - Village House Height Diagram (Lots 66, 69, 70, 71, 72, 152)

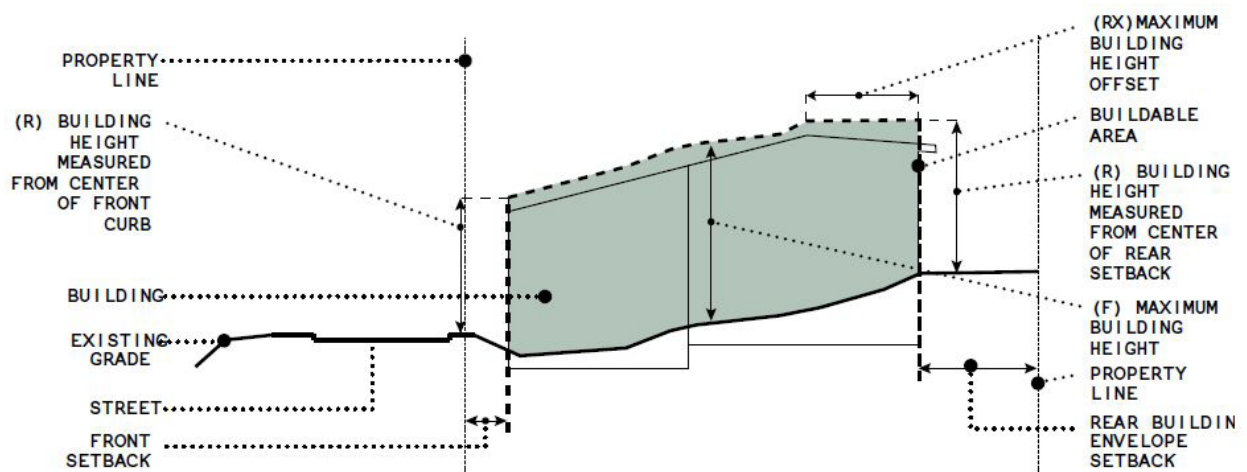


Figure 4.3e - Village House Height Diagram (Lots 65, 67, 68)

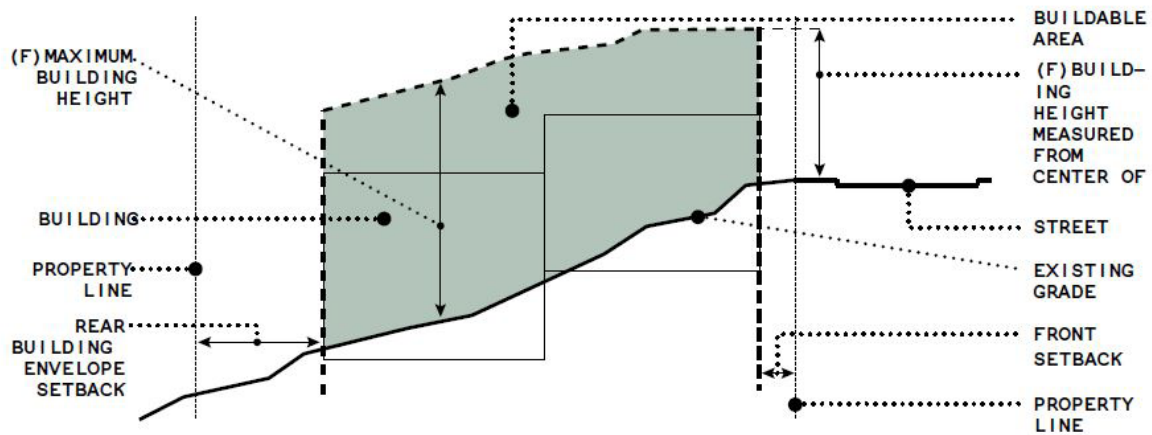


Figure 4.3f - Village House Height Diagram (Lots 47, 48, 49)

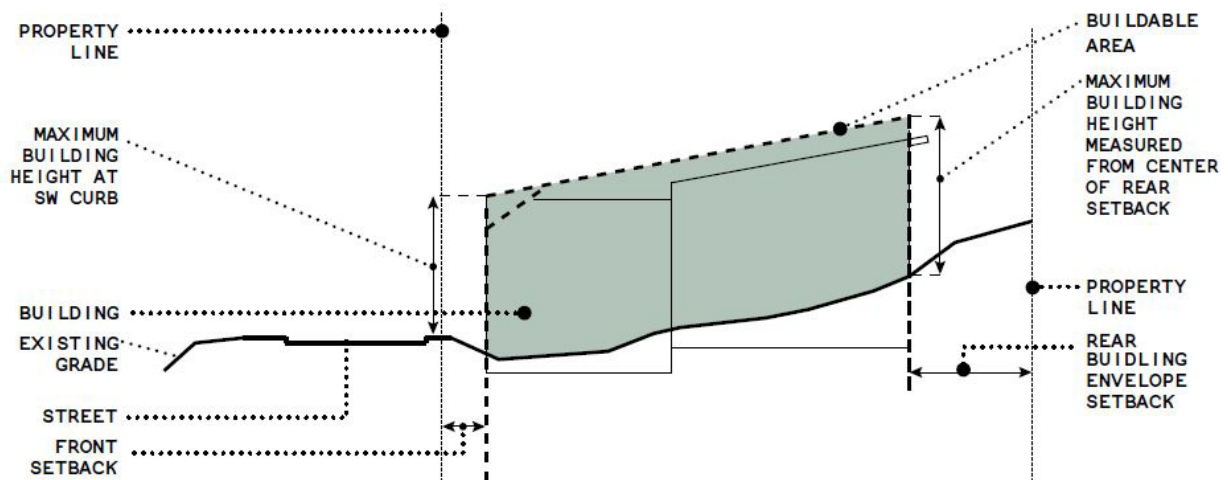


Figure 4.3g - Village House Height Diagram (Lot 64)

4.4 Village Townhouse

4.4.1 OVERVIEW

Vision

The Village Townhouse District is located in the transition between the Village House District and Village Core. The townhouse type is characterized by a row of Dwellings separated by common “party walls” to increase the density of the Village and promote street oriented activity.

Near views of nearby Lefty’s ski run and unimpeded long views of the surrounding mountains and Salt Lake Basin are provided at the upper terrace of each Dwelling, providing an opportunity to create dynamic spaces for social interaction, an important part of life in the Powder Haven community. Ski trails are woven through the District allow for the ski-in, ski- out connections to the Powder Haven trail network.

In addition to the Master Guidelines set forth above, a Village Townhouse must comply with the following:

4.4.2 PLANNING AND DESIGN

Designing with the Land

Given the smaller Lot size, the massing of the Village Townhouse is vertically organized with major views and terraces oriented primarily to the south and west depending upon the Lot. Most of the Village Lots have steeply sloped sites which encourages a stepped massing design, keeping the Building Height relatively low while allowing for views over the roofs of the houses below.

The following Design Principles have been established for the Village Townhouse:

- Building massing and roofs shall follow the slope of the land
- Avoid large consolidated masses
- Minimize tall wall heights and unbroken surfaces, particularly on downward facing slopes

Lot, Buildable Area, and Maximum Total Building S.F.

For the Village Townhouse District, the Buildable Area coincides with the Lot Line between two (2) adjacent Lots and the front and rear Setbacks are defined by the Powder Haven Plat drawing. The Maximum Total Building S.F. varies with the individual Lots, as set forth below:

- Lot 131: two thousand seven hundred thirty (2,730) S.F.
- Lot 132: two thousand six hundred (2,600) S.F.
- Lot 133: three thousand three hundred ten (3,310) S.F.
- Lot 134: two thousand seven hundred sixty-six (2,766) S.F.
- Lots 135, 137, 139-141: two thousand eight hundred (2,800) S.F.
- Lots 136, 138: two thousand nine hundred forty (2,940) S.F.
- Lot 142: four thousand (4,000) S.F.

4.4.3 DEVELOPMENT STANDARDS

Building Height and Number of Stories

- See Building Height Diagram 4.4b.

Parking

- Townhouse sites must provide parking for a minimum of one (1) car.

4.3.4 ARCHITECTURAL CONSIDERATIONS

Front Porches

- Front porches in the form of sheltered recesses facing the street at building entries are encouraged.

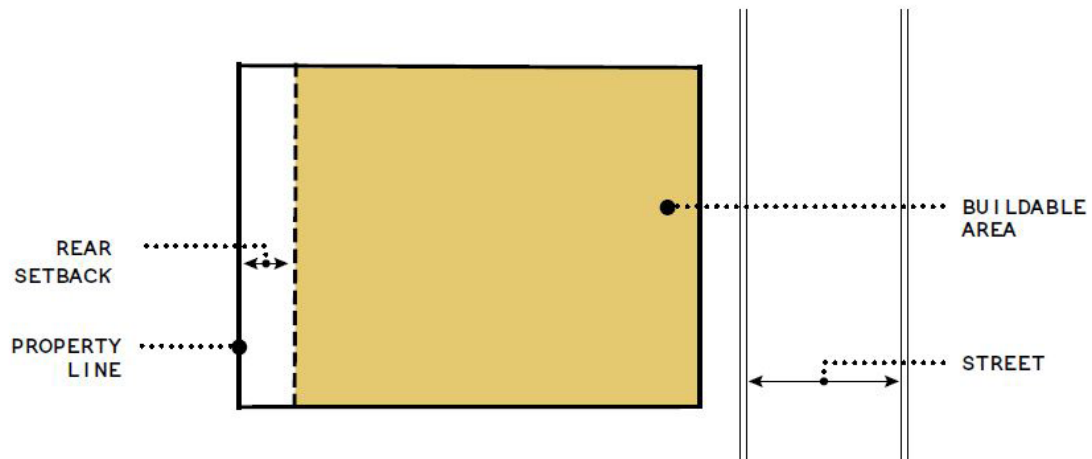


Figure 4.4a - Townhouse Setback Diagram

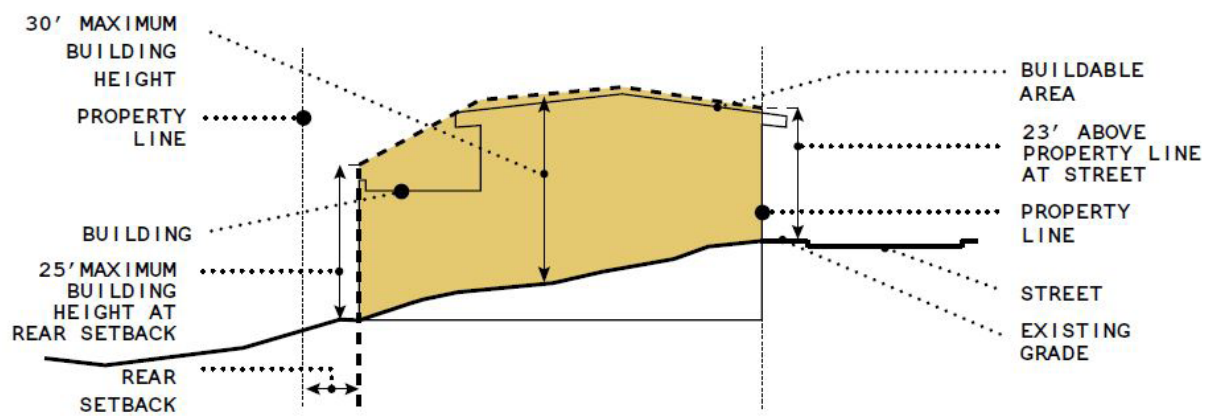


Figure 4.4b - Townhouse Height Diagram

4.5 Village Nests

4.5.1 OVERVIEW

Vision

The Village Nest District is a grouping of efficiently designed structures located on a grassy slope east of the Village, bordered by an aspen grove. The Village Nest District provides an opportunity of living close to nature while taking advantage of the amenities of the Village. As with other Districts, there is direct access to Powder Haven ski trails. The site has long views of distant ridges to the southeast.

In addition to the Master Guidelines set forth above, Village Nests must comply with the following:

4.5.2 PLANNING AND DESIGN

Form Based Planning

The planning for the Village Nest District is governed by the Powder Haven site plan that determines the location, maximum plan dimensions and maximum height for each structure. The land adjacent to the Building Envelope/Buildable Area for each Lot is a Limited Common Area and will be maintained by the Village Nests Homeowners Association. The intent is to maintain the surrounding landscape in its natural state with access limited to designated pathways. There are two (2) types of Village Nest units; a larger two- (2) Story unit along Daybreak Ridge Road that includes a Garage and a two- (2) Story unit without an attached Garage (detached Garages are provided adjacent to the roadway) located away from the road and served by a

network of stairs and paths. The building massing is specifically designed to provide a higher level of continuity within the development and allow for views to the east from the main level of a unit.

The planning has been developed according to the following principles:

- Minimizing car access
- Maximize views
- Minimize site disturbance
- Designated pedestrian path network

Design Intent

The Design Intent is to encourage variety within a set building volume. Variation can occur in the following ways:

- Roof profiles
- Building Materials
- Composition and size of windows and decks

Building Envelope, Buildable Area, and Maximum Total Building S.F

- The Building Envelope for Lots 1-8 and 15 is sized to accommodate the larger Village Nest unit and includes area for the Dwelling, an attached, single Garage and a projecting deck. The Buildable Area for each unit is one thousand five hundred thirty (1,530) S.F. The Maximum Total Building S.F. for each Lot is two thousand (2,000) square feet.

-
- The Building Envelope for Lots 9-14 and 16-20 is sized to accommodate the smaller Village Nest unit and includes area for the Dwelling and a projecting deck. The Buildable Area for each unit is nine hundred (900) square feet. The Maximum Total Building S.F. is one thousand four hundred (1,400) S.F.
 - See diagrams 4.5a through 4.5d for specific information related to Building Envelope / Buildable Area, projecting decks and at-grade patios.

4.5.3 DEVELOPMENT STANDARDS

Building Height and Number of Stories

- See diagrams 4.5b and 4.5d for specific information related to Building Heights.
- Buildings are not to exceed two (2) Stories.
- Lofts are permitted so long as they do not exceed twenty-five percent (25%) of the main floor area. Lofts are to be used for storage or utility functions only and are not considered Occupiable space.

Parking

- Village Nest units must provide parking for a minimum of one (1) car, either in an attached Garage or a detached Garage adjacent to the roadway, as set forth in Section 4.2 above.

4.5.4 ARCHITECTURAL CONSIDERATIONS

Roofs

- Specific consideration shall be given to snow shed from sloped roofs and the units proximity to walkways, skiways or other publicly accessible and traveled areas.

Walls

- Given the small size of the Nests, it is assumed that the exterior walls will be relatively simple, articulated with windows, with minimal overhangs and recesses except over the projecting balcony.

Decks and Bay Windows

- Decks shall have railings or parapets to conceal deck furnishings as viewed from the street or other units.

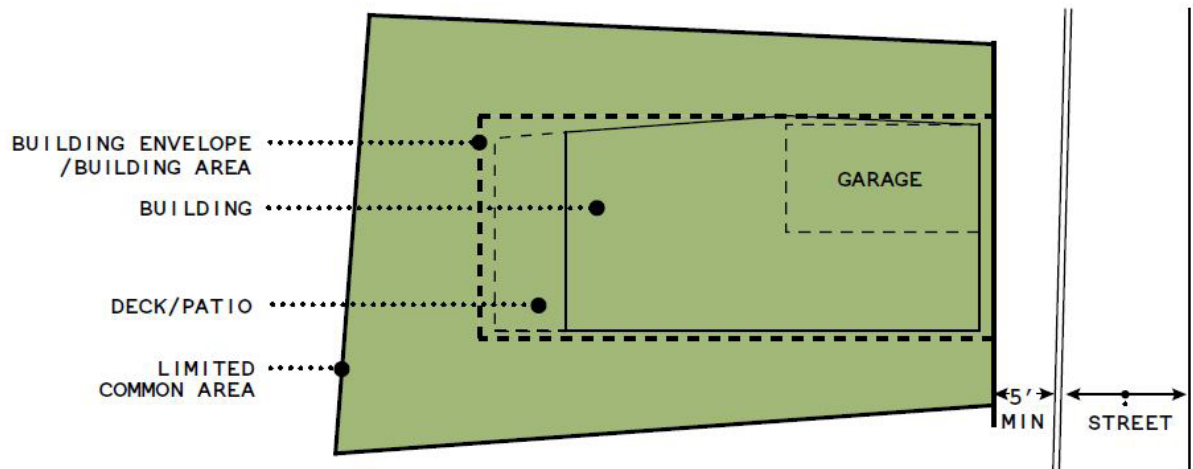


Figure 4.5a - Village Nest Lot Diagram (Lots 1-8, 15)

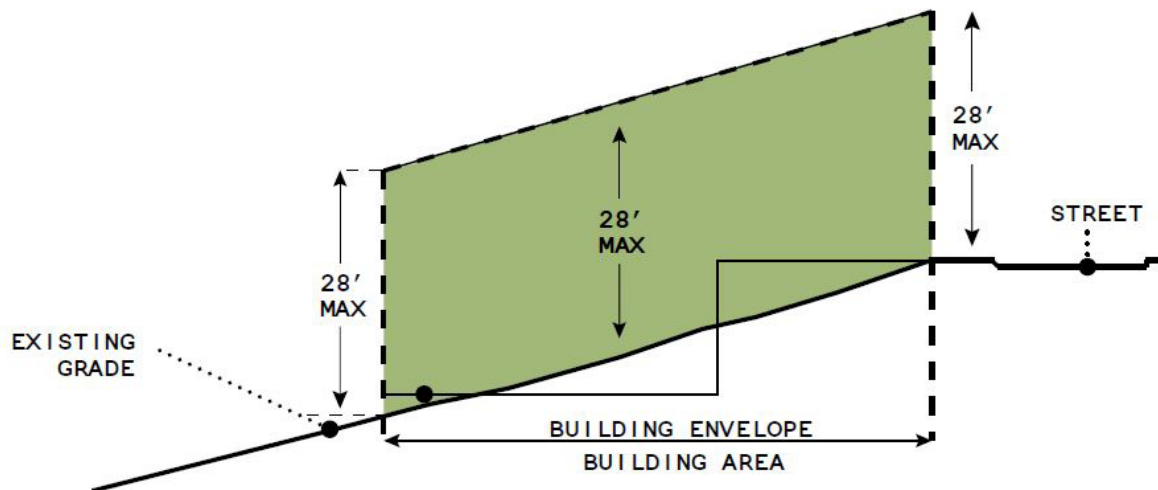


Figure 4.5b - Village Nest Height Diagram (Lots 1-8, 15)

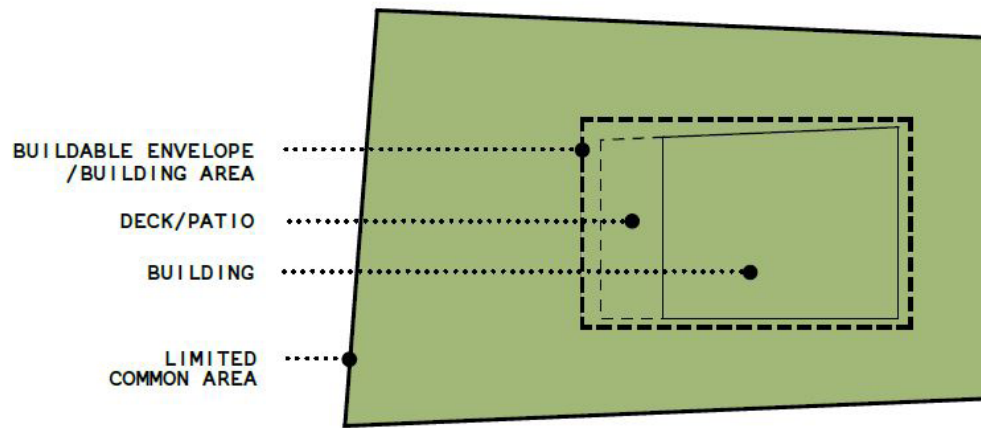


Figure 4.5c - Village Nest Lot Diagram (Lots 9-14, 16-20)

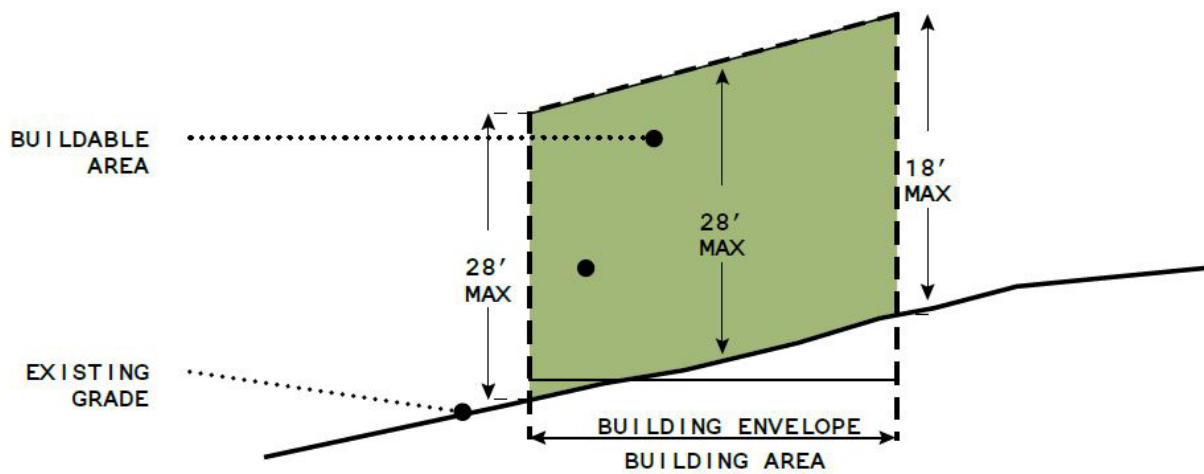


Figure 4.5d - Village Nest Height Diagram (Lots 9-14, 16-20)

4.6 Ridge Nests

4.6.1 OVERVIEW

Vision

The Ridge Nest District is a grouping of efficiently designed structures located on a treed ridge with distant Salt Lake Basin views to the north and direct access to Hidden Lake ski trails. The Ridge Nest District is envisioned as a place for highly creative and experimental designs that expand the possibilities of building in a high mountain environment.

In addition to the Master Guidelines set forth above, Ridge Nests must comply with the following:

4.6.2 PLANNING AND DESIGN

Form Based Planning

The planning for the Ridge Nests District is governed by the Powder Haven site plan that determines the location, maximum plan dimensions and maximum height for each structure. Parking is limited to designated parking areas remote from the units. The intent is to maintain the surrounding landscape in its natural state with access limited to designated pathways. The land adjacent to the Buildable Area is a Limited Common Area and will be maintained by the Ridge Nest Homeowners Association, Inc. There are two (2) types of Ridge Nests units; a one (1) Story unit and a two (2) Story unit.

The planning has been developed according to the following principles:

- Minimizing car access
- Maximize views
- Minimize site disturbance
- Designated pedestrian path network

Design Intent

As previously noted, the Design Intent is to encourage experimentation and variety in the architecture of the District. Experimental approaches are encouraged in the following areas:

- Building Materials
- Energy and Sustainability
- Social Organization
- Building Form

Lot, Buildable Area, and Maximum Building Area

The Building Envelope for all Lots in the Ridge Nests District is one thousand two hundred ninety-three (1,293) S.F. The Maximum Total Building S.F. varies with the individual Lots, as set forth below:

- Lots 1-7: one thousand eighty (1,080) S.F.
- Lots 8-14, 16: one thousand five hundred eighty-eight (1,588) S.F.

4.6.3 DEVELOPMENT STANDARDS

Building Height and Number of Stories

- Building Height not to exceed fourteen feet (14') above Existing Grade for Lots 1-7 and twenty- eight feet (28') above Existing Grade for Lots 8-14, and 16.
- Buildings are not to exceed one (1) Story for Lots 1-7 and two (2) Stories for Lots 8-14 and 16.

Parking

- One (1) parking space for each Dwelling is provided in nearby parking areas.

4.6.4 ARCHITECTURAL CONSIDERATIONS

Roofs

- Flat roofs are encouraged and snow guards or brakes are required on roofs with a slope over 2:12 to reduce avalanche potential.

Walls

- Large, unarticulated wall surfaces are discouraged.

Decks and Bay Windows

- Decks and bay windows can project beyond the Lot Line by thirty inches (30"). Deck and projecting bay window area shall be included in the ANSI Building Area.
- Roof decks are permitted so long as no portion of the deck exceeds the Maximum Building Height. Stair Enclosures accessing the deck can protrude eight feet (8') beyond the Maximum Building Height.

Spas, Pools and Hot Tubs

- Spas, pools, and hot tubs are not permitted in the Ridge Nests District.

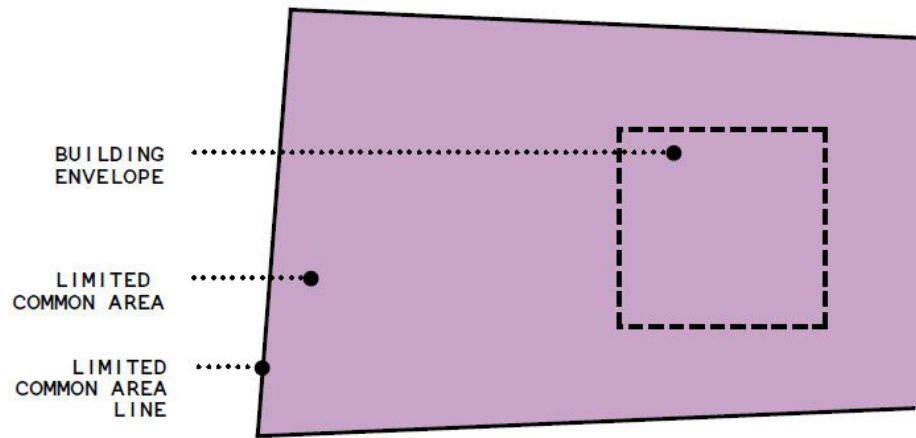


Figure 4.6a - Ridge Nest Lot Diagram

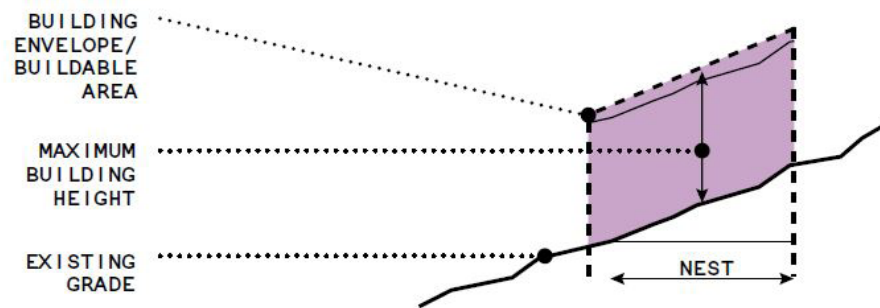


Figure 4.6b - Ridge Nest Height Diagram

4.7 Horizon

Horizon homes shall be rebuilt to the same architectural standards and massing as approved by Weber County PRUD in 2017. Refer to the approved building permit and Planned Residential Unit Development recorded in Book 80, pages 14 and 15 of the Weber County Records.

5

Design Review Process



5.1 Introduction

The Architectural Review Committee design review process is mandatory for Homesite Owners within the Powder Haven community, and has been designed to encourage dialogue with Homesite Owners, their design team, and the ARC early in the evolution of their plans so that physical factors and aesthetic qualities of the land can be fully understood and sensitively incorporated into the Owner's land use concepts.

5.2 Project Types to Be Reviewed

The ARC is responsible for reviewing all development and exterior modifications at Powder Haven. Improvement plans will be carefully reviewed by the ARC to ensure that the proposed design is compatible with Powder Haven as a whole, is responsive to the Homesite conditions, and complies with permits issued for Powder Haven.

All Improvements require ARC approval.

This design review process must be followed for development that includes, but is not limited to, the following development activities:

- a. Construction of all new buildings.
- b. Any site work, grading, building construction, or other site modification anywhere within Powder Haven.
- c. Any renovation, expansion or refinishing of the exterior of an existing structure.
- d. Major site and/or landscape Improvements –including, but not limited to, grading, pools, spas, driveways, paving and/or drainage structures.
- e. Any landscape or site modifications to a Homesite including driveways.
- f. Construction of, or additions to, fences or enclosure structures.
- g. Any changes to the natural landscape, including the clearing of native vegetation and removal of standing trees within the Homesite.

5.3 Variances

The ARC evaluates all development proposals based on these Design Standards and Guidelines. It is the intention of the design review process that all Improvements comply with these standards. However, the ARC has latitude to grant variances when doing so maximizes and reinforces the overall principles and standards of the DSG. No variance shall be effective unless in writing and signed by the ARC with the support of a majority of the Committee members. The ARC may require written approval from adjacent and/or impacted Owners before granting a variance.

5.4 Appeal

All Owners have the right to appeal ARC decisions to the HOA Board of Directors (Board). Appeals must be in writing, addressed to the Board of Directors in care of Management within 14 days of the date the decision is served on the Owner. The request must give reason that the ARC's restriction would create an unreasonable hardship or burden, and that the activity permitted under the variance will not have any substantial adverse effect on the Owners and Residents of the Property and is consistent with the high quality of life intended for Owners and Residents of the Property.

The Board shall conduct an informal hearing and invite the Owner to participate. The Board's decision on the appeal will be provided in writing to the Owner within fourteen (14) days of the Executive Session meeting. All Board decisions after the appeal are final.

5.5 Design Review Process

The ARC review process is not in lieu of, but is in addition to, the Weber and/or Cache County (County) review process. Any application for building or site modification within Powder Haven must be reviewed by the ARC to determine that it complies with the DSG, but any such application must also be approved by Weber and/or Cache County. ARC approval is necessary prior to commencing any construction within Powder Haven.

The ARC design review process consists of the following steps:

1. Pre-Planning Meeting
2. Architectural Design Review
3. Final Plan Review
4. Construction Activity Observations and Compliance Monitoring

In general, ARC design review meetings are conducted through Google Meet, Zoom, MS Teams or similar electronic means. In-person meetings may be required at the request of the ARC.

Any Improvement as described above will require and be preceded by the submission of plans and specifications describing the proposed Improvements (refer to Appendix B for ARC Application and Checklist). In addition to the final design approval from the ARC, the Owner is also required to meet all the submittal and approval requirements of all local regulations to obtain design approval, building and/or grading permits and any other required permits.

5.5.1 ARCHITECT AND LANDSCAPE ARCHITECT PROTOCOL

The Owner is required to retain competent services from a Utah registered and licensed Architect, licensed Civil Engineer, and licensed Landscape Architect. The team (Consultants) will also include a certified Arborist approved by Weber and/or Cache County and a licensed and bonded Contractor as appropriate.

Architects and Landscape Architects are subject to approval by the ARC to work on a particular Homesite at Powder Haven provided the conditions listed below are met and the Architect exhibits the level of competence, experience and understanding necessary to execute the design and construction of a residence in accordance with the DSG. All Architects and Landscape Architects must be approved for each Homesite in accordance with the conditions listed below:

1. Compliance with all National Registration Requirements:

- The Architect and Landscape Architect shall provide the ARC with a copy of his/her license and/or the license of his/her firm to practice architecture/landscape architecture in the state of Utah.

2. Compliance with Regulations:

- The Architect and Landscape Architect shall review the DSG, the CC&Rs and the Site Notebook for Powder Haven.

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- The Architect and Landscape Architect shall both review the zoning and building regulations of Weber and/or Cache County.

3. Request to use Architect:

- The Owner shall provide the ARC with a Request to use an Architect and Landscape Architect prior to the beginning of the ARC process. The request is included in the ARC Application and must be complete with the Property Owner's signature.

4. Approval by the ARC:

- The ARC shall have sole discretion to approve or disapprove any Architect and/or Landscape Architect submitted by an Owner. The ARC may disapprove an Architect and/or Landscape Architect if in the ARC's reasonable opinion, the Architect and/or Landscape Architect does not have the qualifications, training, license, experience or understanding of the design requirements of Powder Haven to execute the design and construction of a residence at Powder Haven.
- The approval of an Architect and/or Landscape Architect to design a particular Homesite for a particular client does not in any manner whatsoever require the ARC to approve him/her for any other Homesite(s).

- The ARC shall have the sole and absolute discretion to rescind any approval given to an Architect and/or Landscape Architect if a year or more passes between any of the following:

- The date of the Architect/Landscape Architect approval and the date of Architectural Design Review or Pre-planning Meeting.
- The date of the Architectural Design Review and the date of Pre-planning meeting.
- The date of Pre-planning meeting and the date of Final Plan Review.

- ARC approval is valid for twenty-four (24) months after issuance, at which point such approval shall be deemed expired, and the Owner will need to resubmit an application.

The Owner and consultant(s) shall carefully review the CC&Rs, DSG, and Site Notebook prior to commencing with the design review process.

5.6 Pre-Planning Meeting

The Homesite Owner and the Owner's Architect are required to attend this meeting in order to understand completely the goals of the design review process.

Schedule

Prior to scheduling the Pre-Planning Meeting:

- Owners should work with their approved Consultants to develop a written program and budget for their house.
- The pre-planning meeting may not be scheduled until after the Owner has selected a design team so that all of those who will be involved in the planning of the site may attend. Also, it is important that the meeting takes place before any conceptual plans are drawn for the Owner.
- Owners shall submit all required documents and pay the ARC fee.

Submittal Requirements

For the meeting, the Owner must provide:

1. Completed and signed Application form and checklist (See Appendix B).
2. A certified site survey and geotech report.
3. Images or conceptual renderings that illustrate the style of building contemplated and building location within Building Envelope.

4. A preliminary list of the facilities and building elements to be constructed on the site.

Meeting

At the Pre-Planning Meeting, the ARC, the Owners and Consultants will discuss:

- The House program in context of the attributes of the particular Homesite. Focus will be placed on sensitivity siting the house relative to view corridors, tree removal, topography, ridgeline heights, driveways and surface parking.
- Expectations of the individual Consultants.
- The design review process and role of the ARC.

The outcome of the working session will be a mutual understanding of the site constraints, the design opportunities unique to the site, the potential visual impacts to neighboring Homesites and to the Ogden Valley, the possibility of environmental impacts (including removal of trees and other vegetation), and any other site-specific concerns that may require mitigation.

For applications for minor changes to existing structures or landscape, the requirement(s) for this meeting may be waived at the discretion of ARC.

5.7 Architectural Design Review

Architectural Design Review begins with the Owner's submittal of conceptual site and building plans. The Architectural Design Review is intended to provide more detailed direction and guidance to the Owner and the Owner's design team by the specific identification of any site or development issues and concerns that, in the opinion of ARC, must be resolved. Conceptual drawings typically indicate overall design and site planning directions but are not intended to fully resolve all technical or design issues. They illustrate (1) the siting of conceptual building program elements; (2) the preliminary resolution of building form and massing; (3) the Owner's general thoughts about architectural character, style, and materials; (4) the visual and functional linkages; (5) the view relationships with neighboring sites; (6) grading required for driveway access and the siting of the building; and (7) the general extent of site disturbance.

Schedule

Upon request by the applicant, an Architectural Design Review meeting of the ARC shall be scheduled on the provided meeting dates no sooner than 7 days prior to the meeting. Contact the ARC Committee Chair for schedule openings. A complete package of conceptual plans must be submitted to the ARC prior to requesting a meeting.

Submittal Requirements

Applicants for Architectural Design Review shall submit the following:

1. Completed and signed ARC Application and checklist (See Appendix B).
2. A conceptual site/grading plan indicating the proposed boundary of the development envelope, the driveway corridor, and the driveway alignment within it; the location of all planned Improvements and structures, including outdoor activity areas and retaining walls; all utility lines and any related utility Easements required by service providers; (which, whenever possible, should follow the alignment of existing disturbed areas, e.g., a sewer lateral alignment) and the ski-in/ski-out locations. The plan shall also indicate the Building Envelope(s) of adjacent Lots, the estimated limits of grading and site disturbance within the development envelope and preliminary finish grades and floor elevations at doorways and paved surfaces. Drainage should be clearly depicted through the indication of swales and proposed drainage structures. The format of presentation materials may be at the discretion of the Architect, however, one (1) 11 x 17 scaled copy of the plans is required for ARC records and can be submitted by email in PDF format.

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3. The conceptual site/grading plan shall include the proposed removal of vegetation for fire suppression purposes. Fire suppression issues should be discussed with the Weber and/or Cache County Fire Marshall prior to Conceptual Design Review. If it is the desire to implement the Fire District's recommendations, the recommendations must be in writing from the Fire District and presented to the ARC at the time of Conceptual Plan Review. Removals of vegetation for fire suppression purposes must be considered as part of the Architectural Plan Review since such removals may impact the visibility and siting of Improvements.
 4. Conceptual floor plans, roof plans, sections, and elevations of all Structures, including Secondary Structures. Building plans and elevations shall be at a minimum scale of $1/8" = 1'$, or larger, provided the sheet size does not exceed 24" x 36".
 5. A preliminary landscape plan illustrating concepts for framing or screening important views to and from the structures. The plan should show all trees and other native vegetation to be removed, new plant massings and describe generally the types and quantities of plants (trees, shrubs, ground covers) to be added to the site.
 6. A description of desired exterior finishes, building and paving materials, and colors.
 - a. In addition to all drawings and materials listed above, the applicant shall survey and stake the corners and ridgelines of the proposed structures, the centerline and edges of the proposed driveway, and the limits of site disturbance. Staking shall indicate the actual height of the proposed structures by means of story poles where required by the ARC and the most visual portion of the structure(s) highlighted with an orange marking disc for ease of recognition from off-site. Each stake shall be numbered. A staking plan superimposed on the site plan shall be submitted showing the location and number of each stake. It is the Owner's responsibility for the removal and proper disposal of all staking materials. Staking requirements are as follows:
 - All proposed buildings and other site amenities must be defined with 4 foot wood or steel stakes and the outlines(s) defined by string connecting the stakes. The main floor elevations must be clearly marked on all stakes.
 - Ridgeline staking of all main ridgelines is to be erected concurrent with the staking of the building footprint.

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- Footprint and ridgeline staking is to be in place by the submittal date provided by ARC.

Architectural Design Review Meeting

The Owner and/or his/her design representative shall make an informal presentation at the meeting to outline the development program and design goals. Feedback from the ARC will be more substantive if the underlying rationale for the applicant's design decisions is well articulated. The ARC will evaluate the conceptual plans for conformity with the DSG and the concepts discussed during the pre-planning meeting.

Architectural Design Review Response Letter

Within seven (7) days of the Architectural Design Review meeting, the ARC shall issue a written response to the Applicant that records outstanding issues and concerns and summarizes the ARC member's comments. If unresolved issues appear to warrant them, the ARC may recommend a follow-up meeting with the Applicant before the plans are submitted for final review.

5.8 Final Plan Review

The Final Plan review begins with the Owner's submittal of the final drawings set to be submitted to the County.

Schedule

The final plan review cannot occur prior to receipt of the architectural review response letter from the ARC. Final plan review must be initiated within one year of preliminary design review approval. Upon receiving the complete package of final documents, the Owner and/or architect may request a Final Review by contacting the ARC Committee Chair. The Owner and/or their design team are required to attend the Final Plan Review to present the plans or the submittal will be postponed until another meeting can be scheduled. The ARC will review and comment on the construction documents including the final site plans and landscape plans for conformity with the DSG and determine that all outstanding issues discussed in previous review sessions have been resolved. A vote for approval will be held by the ARC following the meeting.

Final Design Approval

Within fourteen (14) days of the meeting, the ARC shall either approve, approve with conditions, or disapprove the final plan, or extend the approval date by issuing a request for further information. The notice of approval shall be in writing and will be sent to the applicant.

If the application is approved with conditions, the Consultant(s) must submit the revised sheets to the

ARC for review and approval within fourteen (14) days of the approval date.

If an application is denied, the ARC shall provide the Owner with a written statement of the basis for such disapproval to assist the Owner in redesigning the project so as to obtain the approval of the ARC; the applicant may resubmit revised documents at any time. Subsequent review may be subject to the payment of an additional ARC review fee.

Submittal Requirements

The final submission package shall respond to issues raised by the ARC in earlier phases of review and shall include the materials listed below:

1. Final site plan at a scale of 1" = 20', indicating layout and dimensions of the development envelope, all building and accessory elements, the driveway, all utilities, and all landscaped areas.
 - All utility or other Easements must be surveyed and clearly indicated on the plan with bearings and distances, which dimensions must correspond to a legal description.
2. Final building floor plans, roof plans, sections, and elevations at a scale of 1/8" = 1'.
3. Final grading and drainage plan.
4. Final landscape plan detailing all plantings by species, size and quantity. Native, low

5.9 Resubmittal of Plans

water use plant species are required. A Final Landscape Plan (including water source and estimated water usage) shall be submitted by the Applicant prior to the 4-Way Building Code Inspection and is subject to the review and approval of the ARC. Submittal of the Final Landscape Plan, and its review by the ARC, is deferred until this point to ensure that the ultimate landscape Improvements address and mitigate all areas disturbed in the construction process.

In the event that final submittals are not approved by the ARC, the Owner will follow the same procedures for a resubmission as for original submittals. An additional design review fee will be charged to the Owner's account for each resubmission as required by the ARC. See Section 5.16 for application and design review fees.

5. Final material samples, specifications, product cut sheets, and color samples for all exterior finishes.
6. Construction details, sections and elevations as needed to illustrate design intent and any accessory elements such as spas and other outdoor facilities.
7. Exterior lighting plan, with cut sheets or details of all fixtures.
8. Details of proposed gates, fencing, or screened elements, if any.
9. Development phasing plan, if applicable.

5.10 Subsequent Changes

Additions or modifications to structures, landscaping, exterior color, material or other changes in the intended Improvements that differ from the approved Final Design documents or the mock-up either during constructions or after completion must be submitted to the ARC for review and approval prior to making changes. Revised plans should clearly indicate the proposed changes and should be stamped by either the approved Architect or Landscape Architect, as appropriate. If the Owner chooses to change Consultant(s), they shall be approved by the ARC prior to scheduling the meeting. Refer to section 5.5 for Architect and/or Landscape Architect submittal requirements. The following information outlines the ARC process as it relates to the proposed work. Contact the ARC for applicable fees and if you have any questions about the Design Review process for subsequent changes.

Modifications to landscape, hardscape, exterior colors, materials and/or lighting

All subsequent landscape modifications, color or material modifications shall be submitted to the ARC for review to ensure: proper plant selection and screening; no impact to off-site views; and that lighting does not compromise the nighttime ambiance of the community. Although ARC requires plans be submitted for all proposed revisions, the level of ARC review is at the discretion of the ARC and may not require consideration by the full ARC.

Remodel or Addition to an existing Structure under 250 square feet:

Homeowners planning to remodel an existing structure and/or an addition no larger than 250 square feet must submit plans to the ARC for review and approval. This review can usually be completed in one review. The form of plans submitted should be consistent with the requirements outlined in Appendix B. A model will not be required. The ARC will review the plans and provide the appropriate feedback. Neither the Owner nor their Consultant(s) need to be present for this review.

Addition of a Detached Structure and/or addition between 251 to 2,499 square feet:

All work that falls in this category will need to repeat both the Preliminary and Final Design steps described in this Section for the appropriate submittal requirements. In most cases the ARC will not require a physical model. If the ARC determines the submittal information and design to be complete at Architectural Review stage, the ARC may grant Final Approval at that time.

Addition of an Accessory Dwelling Unit as a Detached Structure

The addition of an Accessory Dwelling Unit is required to the Design Review process for ARC for review and approval.

Redesign of the Primary Structure or addition above 2,500 square feet:

When a major redesign for the main residence is proposed, the Owner is required to repeat the Preliminary and Final Design steps. If the Consultant(s) used for the redesign differ from the original Consultant(s), the Owner is first required to get them approved and start the process at the Pre-Design Conference. The Owner shall retain a licensed Arborist approved by Weber and/or Cache County.

5.11 County Approval

Neither the ARC nor any member, employee, Consultant or agent will be liable to any party for any action, or failure to act with respect to any matter if such action or failure to act was in good faith and without malice.

5.12 Construction Activity Observations and Compliance Monitoring

Once the Owner has received all the mandatory and/or discretionary permits from Powder Haven and the County, the Owner is eligible to begin Improvements on their Homesite. Prior to commencement of any site work, the Owner shall schedule the Site Observation and submit the Construction Activities Agreement (See Appendix C). During the course of construction, the ARC shall conduct a series of observations starting with the Site Observation Conference and ending with the Final Observation.

Fees

The Construction Administration Fee and Construction Deposits must be paid prior to beginning this Step. Refer to Appendix C for applicable fees.

Mandatory Construction Observations & Documents

The following construction observations and documents are required:

1. Site Observation
2. Foundation Observation
3. Framing Observation
4. Pre-Landscape Observation
5. Final Observation
6. Certificate of Occupancy

In addition to the above, the Association may monitor construction sites from time to time for compliance, including with the DSG.

5.13 Right of Waiver

The ARC recognizes that each Homesite has its own characteristics, and that each Owner has their own individual needs and desires. For this reason, the ARC has the authority to approve deviations from any of the DSG or regulations contained within this document. It should be understood, however, that any request to deviate from these DSG will be evaluated at the sole discretion of the ARC, and that the approval of deviations will be limited to only the most creative design solutions for unique situations. Prior to the ARC approving any deviation it must be demonstrated that the proposal is consistent with the overall objectives of these DSG and that the deviation will not adversely affect adjoining Homesites or Powder Haven as a whole.

5.14 Non-Liability

Neither the ARC nor any member, employee, Consultant or agent will be liable to any party for any action, or failure to act with respect to any matter if such action or failure to act was in good faith and without malice.

5.15 Design Review Schedule

The ARC will make every reasonable effort to comply with the time schedule for design review. However, the ARC will not be liable for delays that are caused by circumstances beyond their control.

5.16 Application Fees

Application fees have been established to defray the expense of reviewing plans and related data, and to compensate consulting Architects, Landscape Architects and other professionals. Application fees shall be paid to the ARC and are due with the Design Review Application submittal. Fees are required for resubmission of a denied application and minor amendments or additions to a previously approved plan. The approval letter will not be issued until all applicable fees have been paid in full.

ARC fees are fixed and generally will not be exceeded except in very unusual circumstances where significantly greater amounts of ARC time are consumed by repeated unresponsive submittals and/or construction inconsistent with the DSG.

The Application fee schedule may be obtained from the ARC and may be adjusted at any time at the discretion of the HOA.

Refer to Appendix C - Construction Activities Agreement for additional information regarding construction fines, fees and deposits.

5.17 Application Format

An application and information package is available from the ARC. Forms and submission requirements for each application submission are contained in Appendix B in addition to the Powder Haven website. Each submission must be accompanied by the required information, as specified in the application package instructions and Appendix B, in order to be scheduled for review. The Owner and/or design Consultants must attend the ARC meetings to explain a submission or be available to respond to questions.



6

Construction Process and Requirements

6.1 Construction Guidelines

To assure that the construction of any Improvement within Powder Haven occurs in a safe and timely manner without damaging the natural landscape and while minimizing disturbance to residents, these DSG will be enforced during all construction activities. The Owner of a Homesite shall be responsible for violations of the DSG (including the construction and Contractor regulations contained herein) by any Contractor, sub- Contractor, agent or employee performing any activities on behalf of the Homeowner within Powder Haven, whether located on the Homesite or elsewhere within the community.

6.2 Pre-Construction Meeting

Prior to commencing construction, the Contractor must meet with the ARC to review the approved final plans, Construction Management Plan, construction regulations, and to coordinate scheduling and construction activities with the ARC. All construction deposits and fees must be paid prior to scheduling the Pre-Construction Meeting. The Contractor or Homeowner shall request a Pre-Construction Meeting with the ARC at least one (1) week prior to an anticipated on-site meeting. Submittal Requirements:

1. The building permit, grading permit, or other permits issued by the applicable County.
2. Approved set of plans
3. Proof of Insurance
4. Construction Deposit and Fees
5. Construction Management Plan
6. Construction Schedule
7. Construction Staking, including property corners
8. List of vehicles and personnel for permit and/or gate access

6.3 Construction Management Plan

Prior to the commencement of any construction activity the Owner and/or the Contractor shall present to the ARC with a detailed onsite staging plan of the proposed “Construction Area” showing the area in which all construction activities will be confined and how the remaining portions of the Homesite will be protected. All construction staging including but not limited to, material storage, equipment storage, construction trailers, etc., must take place within a designated area within the perimeter of the Subject Property unless an alternate staging area is approved in writing by the Powder Haven Owners' Association (or persons designated by Association), adjacent property owners, and the appropriate County agency (as applicable). The Construction Management Plan is subject to ARC approval prior to Construction.

The Construction Management Plan will include, but is not limited to the location(s) of the following:

1. The location of temporary or permanent utilities to trailers, offices, or equipment;
2. Material and equipment storage area;
3. Job office location; access to and from site during construction;
4. Restrictions to radios; etc.
5. Topsoil storage
6. Parking areas
7. Safety board
8. Chemical toilets
9. Temporary construction sign
10. Material mock-up location
11. Temporary trailer/structure
12. Dumpster
13. Tree protection
14. Erosion control measures
15. Construction fencing location

6.4 Construction Area

All Construction Activity is to be located within the Building Envelope and identified on the Construction Management Plan.

6.5 Construction Fencing

The staging area shall be fenced, screened, and appropriately identified and maintained by the Contractor for as long as the Project is under construction, and promptly removed upon Completion of the Project.

The Construction Management Plan shall identify the area to be fenced with six (6) foot chain link with black fabric screen fencing or similar methods for the protection of existing landscaped areas, to screen construction activities and to control dust. Such fence or screening material shall be maintained in good condition during the course of construction of the residence and related Improvements. One entrance into the fenced enclosure shall be located at the driveway entry.

In no case shall the fenced Construction Area be located outside the Building Envelope boundary. All Construction Activity (with the exception of driveways, utility installation and minor grading/drainage work) shall take place inside the Building Envelope.

Care must be taken to avoid, or if unavoidable, minimize the visual impact of the Construction Area on neighboring Homesites, Common Areas, other open spaces and roads.

Damage or maintenance due to construction activities shall be paid for with construction impact fees. Refer to Section 6.6 – Fees and Deposits.

6.6 Fees and Deposits

Construction Fees and Deposits

Prior to scheduling the Pre-Construction Meeting, the Property Owner shall pay a construction fee and construction deposits to the Powder Haven Owners' Association as security for the project's full and faithful performance of its Construction Activity in accordance with its approved final plans. The Construction fee and deposit schedule may be obtained from the ARC and may be adjusted at any time at the discretion of the HOA.

The following fee and deposits are to be delivered to the ARC:

- Construction Administration Fee
(Non-Refundable)
- Construction Deposit
- Construction Impact Fee
(Non-Refundable)

Deposits shall not earn interest attributable or allocated to the Owner. The Association, or persons designated by Association, may charge against the Deposit(s) its costs to enforce the Construction Agreement and for any damages attributable to violations of the Construction Agreement. The Association, or persons designated by Association, reserve the right to perform Agreement compliance inspections at any time.

Deposits are in addition to any other remedies available to the Association and does not supersede any other rights or remedies available to the Association in the Construction Contract, this Agreement, or at law.

Within thirty (30) days of receipt by the Association of a written notice of Completion from the Owner to Association, the Association shall return the Deposit(s) less any costs deducted from the Deposit(s) by the Association. Concurrently, the Association shall provide a commercially reasonable accounting to the Owner of any costs deducted from the Deposit(s). Damage or removal of any trees not in accordance with approved plans or procedures as described in these DSG may result in forfeiture of all or part of the Tree Protection deposit.

Construction Fines

A fine will be posed if any Homesite clearing occurs without the Pre-Construction meeting with the ARC.

Fines may be posed for projects that extend beyond twenty-four (24) months from groundbreaking to Certificate of Occupancy.

6.7 Construction Observations

In addition to the building inspections required by the Local jurisdiction, the following construction observations below shall be scheduled with the ARC. The ARC reserves the right to observe Construction Activities at any time.

Site Observation

This observation will be to review the staking of the construction site including all corners of proposed buildings, driveways and extent of grading. In addition, flagging of all areas to be protected will be reviewed. The site observation will occur prior to any Construction Activities and within seven (7) working days of receipt of written request.

Foundation Observation

This observation occurs after the foundation and sub-floor are substantially complete and before any vertical framing on any structure has begun. The ARC and/or their representatives will work with the Contractor to determine the construction milestone that triggers this inspection. The foundation observation will not be held until the mock-up is approved by the ARC.

Framing Observation

The Framing Observation occurs after the vertical framing on any structure has begun. This observation shall occur within seven (7) working days of written request.

Pre-Landscape Observation

This observation must be done prior to the certificate of occupancy and may be scheduled when all Improvements have been completed. On a case-by-case basis, the ARC may allow plant installation to occur within six (6) months after Final Observation if such a delay results in better conditions for plant establishment.

Final Post Construction Review Observation

This observation may be scheduled when all Improvements have been completed. This observation must be done within seven (7) working days of receipt of written request and prior to the certificate of occupancy issued by Weber and/or Cache County.

Each Homeowner and Contractor will be responsible for cleaning up the Homesite and for the repair of all property that was damaged, including but not limited to, restoring grades, planting shrubs and trees as approved or required by the ARC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing. Any property repair costs as mentioned above, incurred by the ARC or the HOA, will be taken out of the applicable deposit(s) or billed to the Homeowner.

6.8 Construction Commencement and Completion of Work

Upon the commencement of any Homesite Improvements, Owner and Contractor shall cause each item of the Project Work to be diligently and continuously prosecuted to its completion (“Completion”). All Improvements commenced on a Homesite shall be completed within twenty-four (24) months after commencement according to approved Final Design plans unless an exception is granted in writing by the ARC.

Any delay of Project Work greater than thirty (30) days must be reported to the ARC, including the reason for and expected duration of such delay. If an Improvement is commenced and construction is then abandoned for more than ninety (90) days without cause or if construction is not completed within the required thirty (30) month period, the HOA, may impose a minimum fine of \$100.00 per day (or such other reasonable amount as the HOA may set) to be charged against the Homeowner of the Homesite until construction is resumed or the Improvement is completed, as applicable, unless the Homeowner can prove to the satisfaction of the ARC that such abandonment is for circumstances beyond the Homeowner’s control.

6.9 Access to Construction Area

The Owner, Contractor or their agents shall not obstruct any traffic within the Development without the prior written approval of the Association or the Association’s designee. All Contractors must comply with the following:

- Identify all vehicles entering Powder Haven with the Contractor’s name and job site.
- Comply with hours of access, speed limit and route of travel on the Powder Haven road network as specified by the ARC.
- Limit access to the Construction Area only on designated routes as specified by the ARC. Construction personnel are to only travel between the construction gate and their construction site and are not to visit other parts of Powder Haven.
- Consolidate all deliveries of materials and equipment to the extent feasible.

6.10 Parking and Traffic Plan

All vehicles are to be parked in an approved remote construction parking area designated by the ARC and as shown on the approved Construction Management Plan.

- a. Prior to mobilization to Subject Property, the Owner and Contractor shall submit to ARC, or persons designated by ARC, a parking plan indicating the locations of: (1) all points of ingress and egress to the Project; (2) parking sites on the Subject Property for the Owner, Contractor, their construction workers, subContractors, laborers, suppliers, and visitors; (3) the location(s) where any and all heavy equipment, commercial vehicles, tractors, lifts, etc. shall be stored or parked when not in use; and (4) the location for deliveries and off-loading of materials (collectively, the "Parking Plan"). Any deviation from the specified, approved Parking Plan or traffic plan shall be deemed a violation of this Agreement. Only vehicles, equipment and machinery that are essential to any Construction Activity may park within the Construction Area or such other specific area designated by the ARC so as to minimize potential damage to existing vegetation, utilities, landscape, or other Improvements.
- b. Subject Property may have limited space outside of the Project area for parking and may require shuttling or walking to and from an alternate parking area within Development. Such parking area can be identified between Contractor and Association (or persons designated by Association) and must be

approved in writing by both Association (or Association's designee) and Owner and accompanied by a location map.

- c. Any personal vehicles, commercial vehicles, or heavy equipment that are parked in violation of the Parking Plan (including Contractor's vehicles) may be towed without warning, aside from this notice, at the expense of the vehicle's Owner.
- d. For continued and/or per occurrence parking violations, a fine shall be issued per vehicle, per daily violation for personal vehicles improperly parked. The fine for personal vehicle violations shall be increased during the ski season. A separate fine shall be issued per vehicle, per daily violation for commercial vehicles and heavy equipment improperly parked. Contact the ARC for associated fine(s).
- e. Powder Haven may inspect any and all vehicles leaving the site as part of the standard security measures.
- f. No vehicle repair is allowed on Homesites except in the case of emergency.

6.11 Storage of Materials and Heavy Equipment

All construction materials, equipment and vehicles shall be stored within the fenced boundary of the ARC approved designated off-site Construction Area, if available. Equipment and machinery will be stored on-site only while needed.

6.12 Construction Activity Time

No deliveries, equipment maintenance or construction work of any type shall be performed or conducted on the Subject Property outside of the hours listed below:

- November 16 - April 15: Monday through Saturday 8:30 am - 5 pm; and
- April 16 - November 15: Monday through Saturday 6 am - 10 pm.

No deliveries, equipment maintenance or construction work of any type shall be performed or conducted on the Homesite on Federal and State holidays.

Quiet activities that do not involve heavy equipment or machinery may occur at other times subject to the review and approval of the ARC. Personnel may arrive up to 30 minutes before working hours, provided that only quiet activities take place. No personnel are to remain at the construction site after working hours.

6.13 Construction Trailers and Temporary Structures

A Homeowner or Contractor who desires to bring a construction trailer or the like to Powder Haven must ask at the Pre-Construction Meeting with the location approved by the ARC. The ARC will work closely with the Homeowner and/or Contractor during the Pre-Construction Meeting to site the trailer in the best possible location to minimize impacts on the site and to adjacent parcel Owners. No temporary structures, including construction trailers or other temporary office or sales facilities, shall be placed or maintained on the Subject Property until the appearance and location of such structures or facilities have received the approval of ARC, which approval shall not be unreasonably withheld. All such facilities will be removed from the Homesites prior to issuance of a certificate of occupancy. Construction trailers may not be placed on site earlier than two (2) weeks prior to the actual start of continuous construction activity. Construction trailers shall be painted colors that will not stand out in the landscape. Temporary living quarters for the Homeowner, Contractor or their employees on the Homesite off-site or at Powder Mountain are prohibited.

6.14 Sanitary Facilities

Sanitary facilities must be provided for construction personnel within the Building Envelope in a location approved by the ARC on the Construction Management Plan. Sanitary facilities shall not be located within fifty (50) feet of drainages and/or other sensitive resources. The facility must be screened from view from adjacent residences and roads and at a minimum, maintained on a weekly basis.

6.15 Debris and Trash Removal

During the construction period, each Homesite must be kept neat and tidy to prevent it from becoming a public eyesore or affecting adjacent Homesites. Portions of the Subject Property that are visible from surrounding property, roadways, and trails shall be kept free of debris, and all scrap materials generated by the construction activities shall be removed as soon as reasonably possible. Normal job site clean-up shall take place by the end of each workday.

Owner and Contractor shall not leave any debris, material or vehicles on any other public, private or common property within the Development without the prior written consent of Association and the Owner thereof.

Trash and construction debris shall be kept in containers of a type that has been approved by the Association. Containers shall be emptied regularly to provide sufficient room to store trash at the end of each workday. Lightweight material, packaging and other items must be covered or weighted down to prevent wind from blowing such materials off the Homesite.

It shall be the responsibility of the Owner and Contractor to remove and dispose of any excess trash and construction debris. Trash and debris must be removed from the Homesite at least once a week and transported to an authorized disposal site. Storage of trash and construction debris outside of an approved container shall not be permitted. Contractors are prohibited from dumping, burying

or burning trash anywhere on the Homesite or on the Powder Haven development.

Mud or debris resulting from activity on each Homesite must be promptly removed from roads, open spaces and driveways or other portions of Powder Haven.

Any cleanup costs incurred by the ARC or the HOA in enforcing these requirements will be taken out of the Construction deposit or billed to the Homeowner as needed.

The Owner and Contractor shall maintain a lined or container-type concrete washout site on the Subject Property which shall coincide with the location of the future Auto Court. Trucks or equipment shall not be cleaned on the Homesite nor any other property within the Development. Concrete washout is prohibited outside of the Building Envelope and shall be indicated on the Construction Management Plan. In no case can concrete be washed out directly onto the ground or the road.

6.16 Erosion Control

All erosion control shall meet the local Code requirements. Temporary silt fencing shall be installed to intercept sediment from runoff. It shall be installed along the perimeter of the Homesites, along streams and drainage ways, below the toe of exposed and erodible slopes, downslope of exposed soil areas, and around temporary soil stockpiles, as approved by the ARC on the Construction Management Plan.

Erosion control shall require the following:

- Silt fencing shall be constructed along a level contour to prevent rills and gullies.
- The last 6' feet of fencing shall be turned upslope in a "j" or "l" shape to allow for ponding.
- The lower third portion of the fencing shall be buried to prevent undercutting. Sediment must be removed when accumulations reach one-third of the above-grade height of the fence.
- Temporary aggregate base course rock shall be placed on driveways and construction vehicle access routes until time for paving.
- Street cleaning/sweeping must be taken care of daily.

6.17 Tree Protection

Construction practices must include extreme care during grading and excavation to avoid damage to existing trees, shrubs, and associated root structures. Significant vegetation must be protected during construction.

- Site plans must show all significant vegetation within twenty feet (20') of proposed Construction Areas.
- Site design will incorporate native vegetation and limit disturbance to the natural conditions of the site and conform to ANSI A300 Part 5- Management of Trees and Shrubs During Site Planning, Site Development and Construction.
- Prior to commencement of construction, tree protection fencing shall be installed on the Homesite around the perimeter of all existing trees not approved for removal. The proposed location of the tree protection fencing shall be indicated on the Construction Management Plan. A Tree Protection and Removal Plan shall be prepared by the project Landscape Architect and Arborist and used as a basis for the tree protection fencing layout.

Tree protection fencing shall achieve the following functions:

- To keep the foliage canopy and branching structure clear from contact by equipment, materials and activities
- To preserve roots and soil conditions in an intact and non-compacted state; and

- To identify the tree protection zone in which no soil disturbance is permitted, and activities are restricted, unless otherwise approved. The fence is to protect the dripline of the tree and as determined by the Arborist.

Tree protection fencing shall comply with the following guidelines:

- All trees to be preserved within the Building Envelope shall be protected with a 6' foot high chain link fence.
- Fences are to be mounted on two-inch diameter galvanized iron posts, driven into the ground to a depth of at least 2' feet and no more than 10' feet.
- Tree fencing shall be erected before demolition; grading or construction begins and remain in place until final inspection of the project, except for work specifically allowed in the tree protection zone.

No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival. Work in the tree protection zone requires approval by the project Arborist.

6.18 Fire and Safety Precautions

All homes are to observe the Wildland-Urban Interface (WUI) Code requirements as specified by Weber County and/or the Utah Wildland Urban Interface (WUI) Code for Cache County as preventive measures against wildfire.

6.19 Storm Water

Owner and Contractor shall, at their sole expense, comply with all applicable environmental laws, including Utah Department of Environmental Quality ("DEQ"), Division of Water Quality regulations, rules, and orders relating to storm water discharges or other water discharges from the Subject Property.

6.20 Wetlands

Owner and Contractor are aware that jurisdictional wetlands may occur on, or in the general vicinity of the Subject Property and/or Development. The Owner and Contractor shall not conduct nor permit an activity to occur on the Subject Property which will have or may have an adverse impact on these wetlands, or violate any laws, or regulations related thereto.

6.21 Snow Removal

Snow may not be removed from or stored anywhere off site without prior written approval from the Association (or Association's designee) and any and all other affected property Owners. In the event Owner or Contractor causes or allows snow from the Subject Property to accumulate or be moved off the Subject Property without prior written approval, Association (or Association's designee) may immediately, and without notice, remove the snow and charge Owner or Contractor (as applicable) Two Hundred Dollars (\$200.00) per hour for each hour of time expended in removing the snow.

6.22 Hazardous Waste Management

In order to be able to respond and monitor hazardous material use and/or spills, the Contractor shall comply with the following criteria listed below:

- The Contractor shall provide a contact person and telephone number for a company experienced in emergency response for vacuuming and containing spills for oil or other petroleum products.
- Absorbent sheets will be used for spill prevention and clean up. Several boxes should be located at fuel trucks, storage areas and in maintenance vehicles. Inventories must be maintained as necessary.
- A reportable spill is defined as a spill of one or more gallons and a significant spill is defined as more than ten gallons.
- The Contractor shall maintain a list of product names and a materials safety data sheet (msds) for all hazardous material products used or located on site.
- Before a hazardous material is stored, the Contractor shall check to ensure that:
 - the material is stored in an approved container
 - the container is tightly closed
 - the container has the proper warning label
 - the container is inspected for leaks.

6.23 Excavation, Grading and Jurisdictions

During construction, erosion must be minimized on exposed cut and/or fill slopes through proper soil stabilization, water control and re-vegetation. Grading operations may be suspended by ARC during periods of heavy rains or high winds. Blowing dust resulting from grading and construction operations must be controlled by watering.

All topsoil disturbed by grading operations must be stockpiled and covered to minimize blowing dust within the Construction Site and re-used as part of the site restoration/landscaping plans.

The Contractor shall comply with all applicable Utah Division of Air Quality regulations during construction. To minimize dust, dust suppressants shall be applied to areas where earth-moving activities are being conducted. Contractors shall provide water trucks or other dust-suppressing methods to ensure that the Subject Property and all other affected areas remain as dust free as possible.

6.24 Blasting

While blasting is generally not anticipated because of potential bedrock conditions in and around Powder Haven, blasting may be required to construct certain residences. It is the Homeowner's responsibility to comply with Weber and or Cache County regulations in consideration of the health and safety of neighboring Lots and the community. Contractors will, at a minimum, do the following:

- Use a Geotechnical Engineer registered to practice in the State of Utah to assess the need and extent of blasting.
- Obtain proper blasting permits from Weber and/or Cache County, and post notice of intent to blast per County requirements.
- Inform the ARC in writing of intent to blast and timing.
- Owner, Contractor or their agents shall take necessary precautions and notify the ARC, Association, adjacent property Owners, businesses, local traffic, pedestrians, etc. in writing at least four (4) hours prior to any blasting or unusually loud activities, if necessary.
- Conduct blasting only between the hours of 9:00am and 5:00pm.
- Conduct seismic testing on all adjacent properties and structures during blasting, as determined by the Geotechnical Engineer, to record any potential damage or effect on the structural integrity of existing structures or on adjacent bedrock or soils.

6.25 Foundations

Prior to undertaking any design or construction, the Owner is required to seek the assistance of a licensed geotechnical engineer to examine and test soil conditions on her/his Homesites, and to implement the recommendations of that engineer in the design and construction of foundations. Declarant makes no representations or warranties, expressed or implied, as to the soil conditions. A Geo-technical report should be submitted with the Architectural Review submittal.

- The Homeowner and the Owner's architect, engineer and Contractor shall give due consideration to the design of the foundation systems of all structures.
- It is the Homeowner's responsibility to conduct an independent soils engineering investigation to determine the suitability and feasibility of any Homesite for construction of the intended Improvement.

6.26 Damage, Repair and Restoration

Damage and scarring to other property, including open space, adjacent parcels, roads, driveways, irrigation and/or other Improvements are prohibited. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the Homeowner. The Homeowner and Contractor are financially responsible for the site restoration/revegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or sub-contracted agents.

Repair and restoration shall comply with the following:

- To the ARC satisfaction, the Contractor shall immediately revegetate the disturbed area and maintain said vegetation until established.
- The Owner and Contractor shall pay any fines imposed by the ARC or other governmental agencies.

6.27 Job Site Preparation for Storms

In the event of a developing storm, prepare the job site following these guidelines:

- Be aware of storm warning terms, monitor storm development, and have an evacuation plan. Storm watch means a potential storm in the area. Storm warning refers to an imminent storm in the vicinity, normally within 24 hours.
- Secure structures and equipment using rope, sandbags, ground anchors and other items to weigh down materials that could easily fly away. Stack loose materials together and secure with rope or duct tape. Cover with plastic sheeting to prevent damage.
- Complete work on partially completed structures if time allows to prevent damage.
- Tie down portable toilets or remove off-site.
- Remove materials and equipment to a more secure venue. Move heavy equipment and machinery into a Garage or covered structure or move it off-site to a safe location.
- Tear down and store lightweight fencing screens and job site signage. Move portable plans, documents and electronics from the construction trailer to a safe location offsite.
- Turn off power at jobsite.

6.28 Security

Security precautions may include temporary fencing approved by the ARC. Security lights, audible alarms and guard animals are prohibited.

6.29 Construction Sign

A temporary construction sign is required for each Homesite.

STANDARDS AND GUIDELINES

- Homesites are limited to one (1) construction sign per Homesite.
 - The Contractor shall contact the ARC for the standard construction sign template prior to fabrication.
 - All construction signs must be reviewed and approved by the ARC prior to installation.
 - The construction sign shall be provided by the Development at Owner's cost and expense.
 - The Owner shall ensure that all Project materials are delivered to the appropriate address. The Association, or persons designated by Association, may require prompt replacement or repair, at Owner's cost
- and expense, of unsightly or noncompliant address signs.
 - Construction signs shall be located within 2 feet of the right of way.
 - A construction sign must be installed at least two (2) weeks prior to excavation and removed within three (3) days after certificate of occupancy.
 - Once the Lot is purchased, the Lot Identification sign will be removed by the Master Developer. Construction signs may not be installed until construction begins.
 - No real estate, promotional or advertising signs are allowed within Powder Haven.
 - Construction signs shall be Dibond sign mounted on pressure-treated 6"x8' round fence post with a flat top. Attach sign to post with metal screw and washer.



Lot Identification Sign



Temporary Construction Sign

6.30 Prohibited Items

Pets

Construction personnel are prohibited from bringing pets, particularly dogs, into Powder Haven.

Smoking

Because of the potential of wildfire, smoking is prohibited. Fines of up to \$1,000 will be taken out of the Contractor's Deposit or billed to the Homeowner in the event that smoking occurs out of vehicles. Warning signs such as "no smoking or open flame allowed" must be posted at the construction site.

Firearms

No firearms are allowed at Powder Haven.

No Alcohol or Drugs

No alcohol or illegal drugs are allowed on Powder Haven property at any time by Contractors.

6.31 Noise

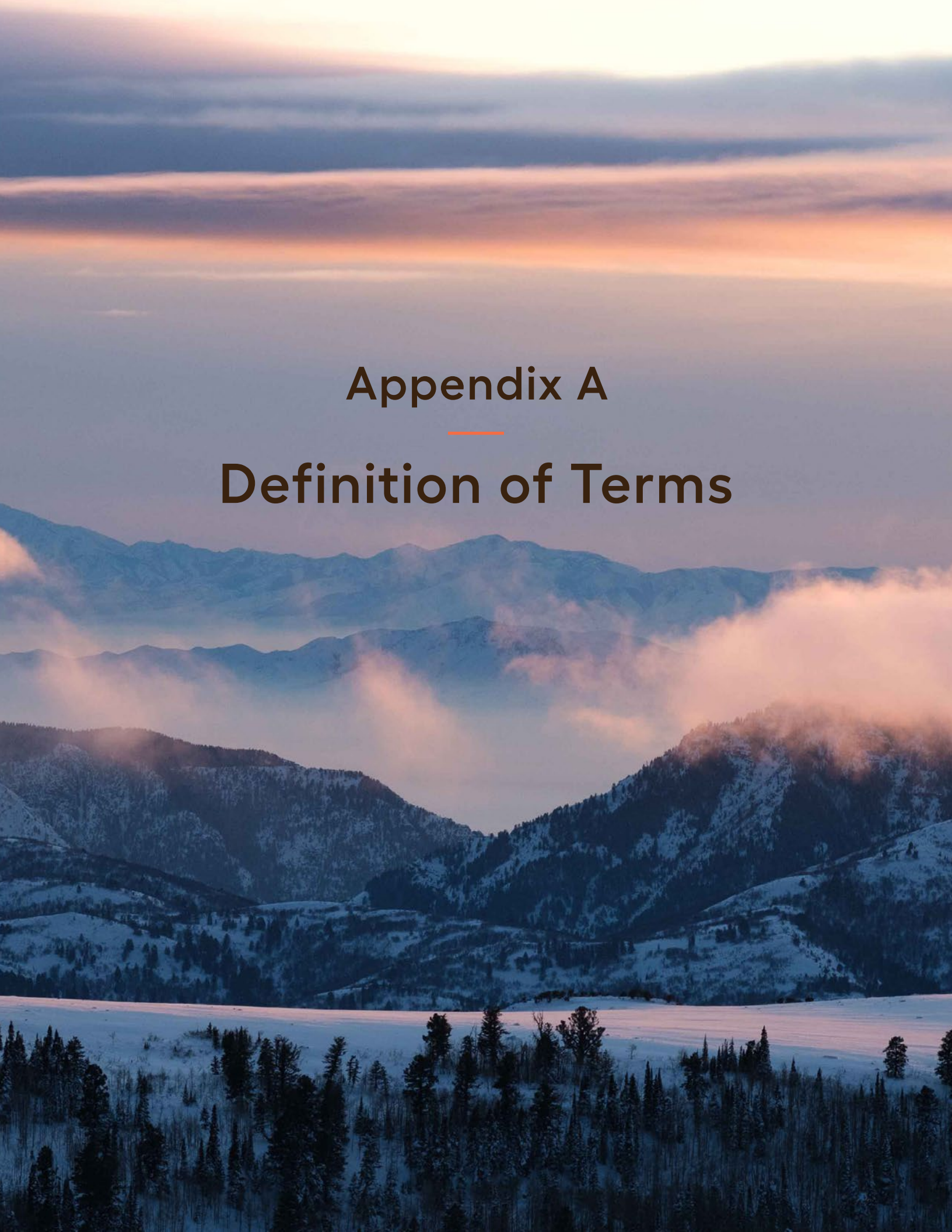
The Owner and Contractor will make every effort to keep noise to a minimum. The Owner and Contractor shall take such action as may be prudent and use their best efforts to employ commercially reasonable methods, equipment, techniques and activities to abate noise, and to mitigate and abate noise pollution.

6.32 Construction Personnel Conduct

Offensive, loud or unmannerly behavior exhibited by the Contractor, its employees or subContractors is not allowed and will not be tolerated. The Contractor shall be responsible for the behavior of his/her employees and subContractors. The Owner reserves the right to refuse entry to any personnel that violates the established Code of conduct.

6.33 Right to Fine

The ARC reserves the right to issue fines to the Homeowner and/or Contractor for the violation of any of the procedures set forth in these Standards and Guidelines. Both the Owner and Contractor shall be notified of violations and associated fines. All fines imposed will be responsive to the nature and consequences of the violation. Contact the ARC for associated fine(s).



Appendix A

Definition of Terms

Unless the context otherwise specifies or requires, the following words or phrases when used in these Design Guidelines shall have the following meanings. For terms not referenced below, refer to the applicable County Code.

ACCESSORY DWELLING UNIT

An Accessory Dwelling Unit or ADU is a Secondary Structure used as a Dwelling that is incidental and subservient to the Primary Structure of a Homesite, as allowed in Weber and/or Cache County land use Codes. An ADU may be an attached or Detached Structure.

ARCHITECT

A person licensed to practice architecture in the State of Utah.

AUTO COURT

An approved, privately owned and maintained hard surfaced accessway within a Building Envelope, that transitions from the driveway to the home and accommodates vehicles but does not include the fire lane/truck turnaround. The Auto Court may be used for off-street parking, but long-term vehicle storage is prohibited.

BASEMENT

One or more stories or levels of a building that are partially below Finished Grade.

BUILDING AREA

The area of a Dwelling including the Above Grade and Below Grade livable, enclosed areas. Livable area is measured from the inside of walls and does not include unconditioned/ unfinished space such as mechanical and storage rooms and also does not include Garage(s), unfinished Basements, decks, or on-grade terraces.

BUILDING FOOTPRINT, MAXIMUM

The Maximum Building Footprint is defined by the total area of the building measured to the exterior of the building walls as projected to Existing Grade.

BUILDING ENVELOPE

The portion of a Lot which is to be utilized as the building site. The Building Envelope cannot contain any Easements or Setbacks.

BUILDER/CONTRACTOR

Builder and Contractor are used interchangeably in the Design Standards and Guidelines. A Builder/ Contractor is a person or entity retained by an Owner for the purpose of construction of, or carrying out, any Improvement within a Homesite. A Builder/Contractor can also be the Owner. All Builders and Contractors shall meet the Contractor license and all other requirements of the State of Utah.

BUILDING HEIGHT

The vertical distance from the grade plane to the height of the highest roof surface.

BUILDING HEIGHT, MAXIMUM

The vertical distance between the highest point on the roof to any point around the building perimeter at Existing Grade or Finished Grade, whichever is more restrictive.

CIVIL ENGINEER

A person licensed to provide civil engineering services in the State of Utah.

COMMON AREA

A Common Area is the area available for common use by all property Owners (or) groups of Owners and their invitees.

COMMON AREA, LIMITED

Limited Common Area is a portion of the Common Area for the exclusive use of one (1) or more, but fewer than all, of the Owners and their respective invitees.

CONSTRUCTION AREA / SITE

The area in which all construction activity, including construction vehicle parking, is confined within a particular Building Envelope as indicated on the Construction Management Plan.

CONSTRUCTION MANAGEMENT PLAN

A plan describing where construction activity takes place on the Homesite. The plan details the proposed Construction Area showing the area in which all construction activities will be confined, both temporary and permanent, and how the remaining portions of the Homesite will be protected.

CONTRACTOR

See Builder/Contractor definition.

DARK SKY

The term "Dark Sky" means a nighttime sky that is substantially free of interference from artificial light.

DECLARANT

Synonymous with Owner, the Declarant is the Owner of certain real property in Weber and/or Cache County, Utah.

DESIGN STANDARDS AND GUIDELINES

The Design Standards and Guidelines shall mean and refer to these Powder Mountain Design Standards and Guidelines; the restrictions, review procedures, and construction regulations adopted and enforced by the ARC and HOA as set forth in this document and as amended from time to time by the HOA.

DISTRICT

An area within Powder Haven defined by a specific building type.

DESIGN REVIEW

The steps of Homesite plan review conducted by the ARC and governed by the Design Standards and Guidelines. See Chapter 4, Design Review Procedures and Submission Requirements.

DWELLING

A Dwelling is a building or portion thereof, which is constructed in compliance with the applicable County's adopted building Codes and designed as a place for human habitation. At minimum a Dwelling includes cooking, dining, living, sleeping, restroom, and bathing uses.

EASEMENT

An Easement is a non-possessory right to use and/or enter the real property of another without possessing it. Easements may be for use under, on, or above said Lot or Lots. Easements may include, but are not limited to conservation Easements, trail Easements, and/or utility Easements.

FILL

Any addition of earth, rock or other materials to the surface of the land that increases the natural elevation of such surface.

FLAT PAD

A type of grading to accommodate residential buildings that involves creating large, graded terraces that uses cut and /or fill to significantly alter the topography of a site.

FUEL MANAGEMENT

Fire management and fuel reduction practices reduce the amount of vegetation available for wildfires.

GARAGE

An enclosed Secondary Structure designed for the storage or shelter of one or more vehicles (including, but not limited to cars, bicycles, boats, scooters, recreational motor vehicles, etc.). A Garage may be attached to, or detached from, the Habitable area of a building, subject to the requirements set forth in these Design Standards and Guidelines. A Garage with an exterior width of less than twenty feet (20') shall be designated as a single-car Garage.

GRADE, ABOVE

That portion of a Story where more than fifty percent (50%) of the wall area measured from the finished floor to the finished floor level above is above Existing Grade.

GRADE, BELOW

That portion of a Story where more than fifty percent (50%) of the wall area measured from the finished floor to the finished floor of the level above is below Existing Grade.

GRADE, EXISTING

The ground level adjoining the building at the exterior walls as measured from the survey of the unimproved Lot. Existing Grade includes roadway grades adjacent to the Lot.

GRADE, FINISHED

The ground level adjoining the building at the exterior walls, as measured from the modified elevation of the proposed grading plan.

GRADE, NATURAL

The term "Natural Grade," or any of its variations, means the slope of the ground as it existed immediately prior to any grading or re-contouring done as part of or in anticipation of approval of a land use permit.

HABITABLE

Synonymous with Occupiable; see Occupiable definition.

HOMEOWNER (OWNER)

Synonymous with Owner; see Owner definition.

HOMESITE

A Lot used for a residential Dwelling. Land Use Code: The Land Use Code of Weber County or Cache County, Utah, (as applicable) and as may be amended from time to time.

IMPROVEMENT

Any changes, alterations or additions to a Homesite including any excavation, Fill, Residence or buildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, hedges, posts, fences, signs, and any Structure or other Improvement of any type or kind.

Any changes, alterations or additions to a Homesite including any excavation, Fill, Residence or buildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, hedges, posts, fences, signs, and any Structure or other Improvement of any type or kind.

LAND USE CODE

The Land Use Code of Weber or Cache County, Utah, as applicable and as may be amended from time to time.

LANDSCAPE ARCHITECT

A person licensed to practice landscape architecture in the State of Utah.

LIMIT OF CONSTRUCTION (LOC)

The Limit of Construction (LOC) is the portion of the Homesite in which construction, hardscapes, clearing, and landscaping must be accomplished. The LOC acts as a limit beyond which no Construction Activity, including general site grading, access, and materials storage may take place. Utility connections and driveway access are exempted from the LOC calculation.

LOT

A parcel of land capable of being occupied by an allowed use, building or group of buildings (main, Garage, and/or ADU), together with such Yards, open spaces, parking spaces and other areas required by the Land Use Code. Except for group Dwellings/corporate retreat no more than one Dwelling Structure shall occupy any one Lot.

LOT COVERAGE

The term "Lot coverage" means the percentage of the Lot area which is occupied by all building, and other covered Structures and impervious surfaces.

LOT COVERAGE, MAXIMUM

The maximum percentage of the total Homesite area that may be covered with building(s) and/or impervious surfaces, including but not limited to: the Building Footprint, including Secondary Structures, as well as impervious outdoor areas such as pools, driveways, paved Auto Courts, patios, terraces and walkways; but excluding grass lawns, other

vegetation, raised decks, roof overhang areas and pervious paved areas. The Homesite Coverage maximum shall not exceed sixty (60%) percent, with exceptions subject to review by the ARC.

LOT LINE

A line dividing one Lot from another, or from a street or any public place.

MASS/MASSING/MASSES

The overall size, volume, spread, expression and articulation of building forms, including Accessory Structures, covered terraces and other roofed areas, as they relate to the topography and landscape of each particular Homesite.

MASTER CC&Rs

Master CC&Rs refers to the Covenants, Conditions, Easements and Restrictions (CC&Rs) governing Powder Haven. CC&Rs are the overarching rules that dictate how a property can be used and what limitations are placed on its usage within Powder Haven. Some Districts also may have specific CC&Rs that supplement the Master CC&Rs.

MAXIMUM TOTAL BUILDING SQUARE FEET (MTBSF)

The enclosed area of a Dwelling, including above and below Finished Grade that is conditioned and suitable for year-round use, with floors and ceilings that are similar to the rest of the building. The Maximum Total Building Square Feet is measured from the interior finished surface of the walls.

NATURAL AREA

The Natural Area is the portion of the Lot that lies outside of the Building Envelope and is to remain in its natural state.

OCCUPIABLE

Habitable or Occupiable portions of lofts, mezzanines, and sloped ceiling areas, as dictated by design, shall be those areas which have a minimum ceiling height of seven feet (7') and include all adjacent areas with a minimum ceiling height of five feet (5'). Habitable portions of lofts, mezzanines, and sloped ceiling areas shall also contain an area of at least thirty-five (35) square feet with a minimum of seven feet (7') ceiling height. Any portion of lofts, mezzanines, or sloped ceiling areas which do not comply with the parameters set forth herein shall be deemed not Occupiable.

OWNER

The fee simple Owner of a Homesite within Powder Haven, as shown on the official records of Weber or Cache County Map Records and Recordation. The Owner may act through an agent provided that such agent is authorized in writing to act in such capacity.

POWDER HAVEN OWNERS' ASSOCIATION (HOA)

The Powder Haven Homeowners' Association, Inc. (HOA), a Utah non-profit mutual benefit corporation, See Master CC&Rs.

PROHIBITED PLANT LIST

A list of plants that are not allowed to be grown due to their invasive nature

SETBACK

The required minimum distance between the Lot Line and Buildable Area. When applicable, the Setback measurement is shown on the Subdivision Plat and/or Site Notebook and is typically measured from the pertinent property line to the nearest point of a Building, Structure or Improvement.

SIGNIFICANT VEGETATION

Vegetation that is important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated, the maintenance of which is necessary to maintain the appearance of a place or a view.

STORY

A Habitable portion of a building included between the upper surface of a floor and upper surface of a floor or roof above.

STREETSCAPE

The visual elements of a street, including the road, adjoining buildings, sidewalks, street furniture, trees and open spaces, etc., that combine to form the street's character. At Powder Haven, the Streetscape is the planted area between the edge of roadway pavement and extent of right-of-way or roadway Easement.

STRUCTURAL ENGINEER

A person licensed to practice structural engineering in the State of Utah.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

STRUCTURE, DETACHED

Where allowed, a Detached Structure is a Secondary Structure that is physically separate from the Primary Structure but on the same Homesite and under the same Ownership. Its use is incidental to the Primary Structure. A Detached Structure may be used as a Garage, an ADU, or other habitable residential use.

STRUCTURE, PRIMARY

A Primary Structure is the main Dwelling on a Homesite with the most prominent building volume and roof form.

STRUCTURE, SECONDARY

A Secondary Structure is on the same Homesite and under the same Ownership as the Primary Structure, but its size, volume, and prominence are clearly subservient. Its uses are incidental to uses in the Primary Structure. A Secondary Structure may be attached or detached and include Garage, ADU, or other habitable residential uses.

SUBSEQUENT IMPROVEMENT

Any Improvement in a constructed Homesite that is deemed by the ARC to cause any off-site impacts, or any Improvements that will include further site impacts, either from construction activity or staging of construction materials. A remodel or addition is deemed a Subsequent Improvement and requires the initiation of the design review and construction process described in the Design Standards and Guidelines.

YARD

The term "Yard" means an open space on a Lot, other than a court, unoccupied and unobstructed from the ground upward by permanently parked vehicles, buildings or Structures except as otherwise provided herein.



Appendix B

ARC Application and Checklists

RESIDENTIAL APPLICATION FORM & SUBMITTAL CHECKLIST

Powder Haven Architectural Review Committee (ARC)

Homesite Number / Neighborhood _____

Lot Owner _____

Application Date _____

Application Fee _____

Check the appropriate box(es) for this application.

Type of Review	Pre-Planning Meeting	Architectural Review	Final Plan Review
New Residence	☐	☐	☐
New Accessory Structure • Permanent Fixture • Guest House • Accessory Dwelling Unit • Barn • Other (Specify)	☐	☐	☐
Structure Renovation	N/A	☐	☐
Site / Landscape Modification	N/A	☐	☐
Miscellaneous (Specify)	☐	☐	☐

General Submittal Information

1. An application will be deemed complete and accepted only after all information requested below and on the Checklist for Plan Evaluation is provided to the Architectural Review Committee (ARC).
2. All plans must conform to the provisions of the Master Declaration of Covenants, Conditions, Easements and Restrictions for Powder Haven (the "CC&R's") and the Design Standards and Guidelines.
3. The appropriate fee(s) must accompany the application.
4. Please contact an ARC representative with any questions about the application.

As the Owner of the above-referenced Homesite, I hereby authorize this application and I acknowledge that I have read and will comply with all of the provisions contained in the CC&R's and the Guidelines including the Construction Activities Agreement in Appendix C.

Owner's Signature: _____

Printed Name of Signatory: _____

Date: _____

SECTION 1: CONTACT INFORMATION

A. Name of Owner(s): _____

Mailing Address: _____

Telephone: _____

Email: _____

B. Name of Applicant: _____

Relationship to Owner(s): _____

Mailing Address: _____

Telephone: _____

Email: _____

Firm: _____

C. Architect: Refer to following page for contact information.

D. Landscape Architect: Refer to following page for contact information.

E. Name of Civil Engineer: _____

Firm: _____

License Number: _____

Mailing Address: _____

Telephone: _____

Email: _____

F. Contractor: Refer to Appendix C- Construction Activities Agreement for contact information.

SECTION 2: REQUEST TO USE ARCHITECT

Request to Use Architect

This form must be submitted with subsequent documents and approval granted by the ARC before any design work can be initiated on a residence at Powder Haven.

The ARC shall have sole discretion to approve or disapprove any Architect submitted by an owner. The ARC approves Architects on an individual Lot basis. Approval to complete one project does not require the ARC to approve the same Architect for any other project.

Please provide the following along with this form:

1. Signed Architect Affidavit
2. Copy of Architect's license to practice within the State of Utah
3. Portfolio of projects demonstrating Architect's abilities

Please contact the ARC with any questions.

Request Date: _____

Lot #: _____

Proposed Architect: _____

Firm: _____

Address: _____

Phone Number: _____

Email Address: _____

Architect is working/has worked on the following Lot(s) at Powder Haven:

Signature of Owner: _____ Date: _____

Request to Use Landscape Architect

This form must be submitted with subsequent documents and approval granted by the ARC before any design work can be initiated on a residence at Powder Haven.

The ARC shall have sole discretion to approve or disapprove any Landscape Architect submitted by an owner. The ARC approves Landscape Architects on an individual Lot basis. Approval to complete one project does not require the ARC to approve the same Landscape Architect for any other project.

Please provide the following along with this form:

1. Signed Landscape Architect Affidavit
2. Copy of Landscape Architect's license to practice within the State of Utah
3. Portfolio of projects demonstrating Landscape Architect's abilities

Please contact the ARC with any questions.

Request Date: _____

Lot #: _____

Proposed Landscape Architect: _____

Firm: _____

Address: _____

Phone Number: _____

Email Address: _____

Landscape Architect is working/has worked on the following Lot(s) at Powder Haven:

Signature of Owner: _____ Date: _____

SECTION 3: PROJECT DATA

- A. Lot Acreage: _____
- B. Building Envelope Acreage: _____
- C. Building Style: _____
- Proposed Floor Area: _____ sq. ft.
- Primary Structure: _____ sq. ft.
- Secondary Structure: _____ sq. ft.
- Accessory Unit: _____ sq. ft.
- Accessory Unit: _____ sq. ft.
- Garage(s): _____ sq. ft.
- Impervious Area: _____ sq. ft.
- Undeveloped: _____ sq. ft.
- Total: _____ sq. ft.
- D. Number of Bedrooms, all units: _____
- E. Number of Enclosed Parking Spaces: _____
- Number of Unenclosed Parking Spaces: _____
- Total Parking: _____
- F. Number of Kitchens: _____
- Number of Bathrooms: _____
- Number of Fireplaces: _____
- G. Maximum Slope of Driveway: _____ %
- H. Maximum Slope of Autocourt and Parking (if applicable): _____ %
- I. Proposed Building Height: _____ ft.
- (Submit drawing of Building Height calculations drawn over building elevations.)*

J. List of Materials

Building	Material	Specifications, (Size, Color, etc.)
Roof (Pitch is _____)	_____	_____
Photovoltaics	_____	_____
Mechanical Screens	_____	_____
Fascia	_____	_____
Soffits	_____	_____
Gutters & Downspouts	_____	_____
Chimney Enclosures	_____	_____
Flues, Caps	_____	_____
Flashings	_____	_____
Window Type	_____	_____
Window Glazing	_____	_____
Exterior Doors	_____	_____
Garage Doors	_____	_____
Window Trim	_____	_____
Door Trim	_____	_____
Hand or Deck Rails	_____	_____
Foundation Wall	_____	_____
Other Wall Materials	_____	_____
Exterior Lighting Fixtures (attach cut sheets)	_____	_____
Trash Enclosures (locate on plans)	_____	_____
Utility Meters (locate on plans)	_____	_____
Greenhouses	_____	_____

J. List of Materials

Site and Landscape	Material	Specifications, (Size, Color, etc.)
Hardscape		
Driveway		
Autocourts		
Retaining Walls		

SECTION 4: STRUCTURE RENOVATIONS

A. Describe structure(s) and proposed renovations:

B. Plan Requirements

1. Submit photographs or previously approved plans.
2. Submit electronic plans.

SECTION 5: SITE / LANDSCAPE MODIFICATION

A. Describe Proposed Site / Landscape Modifications:

B. Plan Requirements

1. Submit photographs or previously approved plans.
2. Submit electronic plans.

SECTION 6: MISCELLANEOUS REVIEW

A. Describe review requested:

B. Contact the ARC for plan requirements.

SECTION 7: CHECKLIST FOR PLAN EVALUATION

A. Pre-Planning Meeting Submission Requirements

- ☐ Completed Application form
- ☐ Fee \$ _____ (see ARC for Fee Schedule)
- Certified site survey and geotech report
- Images or conceptual renderings that illustrate building style and building location(s).

B. Architectural Design Review Submission Requirements

- ☐ Updated Application form
- ☐ Plan drawings for each of the following:
 - a. Conceptual site/grading plan
 - b. Conceptual building floor plans, roof plan, building sections, elevations
 - c. Conceptual landscape plan
 - d. Description of preliminary choices of finishes, materials, and colors
 - e. Staking of corners and ridgelines of proposed structures

C. Final Plan Review Submission Requirements

- ☐ Updated Application form
- ☐ Plan drawings for each of the following:
 - a. Final site plan
 - b. Final building floor plans, roof plan, building sections, and elevations
 - c. Final grading and drainage plan
 - d. Final landscape plan
 - e. Final material samples, specifications, product cut sheets, and color samples
 - f. Construction details as necessary to illustrate design intent for buildings, site features and accessory elements
 - g. Exterior lighting plan
 - h. Details of proposed gate(s), fencing, or screened elements
 - i. Development phasing plan, if applicable
 - j. Revised massing model
- ☐ Subsequent to final approval, the applicant shall provide three (3) complete sets of plans, one of which shall be 24x36", and one (1) additional site plan.

D. Necessary Information On All Drawings

- ☐ Homesite number (Lot & Address), date, and scale
- ☐ North Arrow

E. Necessary Information On Site Plans

- ☐ Existing and proposed contours at two foot (2') intervals
- ☐ All property lines
- ☐ Building Envelope, driveway corridor and Limit of Construction (if applicable)
- ☐ Autocourt/Parking grades
- ☐ Driveway grades
- ☐ Existing mature trees to be retained and to be removed
- ☐ Wetlands, creeks and drainage, if any
- ☐ Existing and proposed utilities, including septic field and utility Easement
- ☐ Limits of site disturbance
- ☐ Footprints of all proposed structures and other site Improvements
- ☐ Exterior lighting locations
- ☐ Calculation of total impervious site coverage
- ☐ Proposed finish grades and ground floor elevations
- ☐ Building Heights above Existing Grade

F. Necessary Information On Building Plans

- ☐ Proposed finish floor elevations on each level
- ☐ Roof ridge heights above Existing Grade (in section)
- ☐ Building dimensions for all structures
- ☐ Floor area calculations for the Primary Structure, Accessory Dwelling Unit and Secondary Structures.

G. Site Plan Evaluation

The following checklist summarizes Improvement Standards throughout Powder Haven. The Standards and Guidelines for the Legacy Districts are provided in Chapter 4 and shall supersede these requirements where there is conflict. Vision Districts shall comply with this checklist.

Visibility & Setbacks

- ☐ All site Improvements contained within the Building Envelope
- ☐ Minimal visibility of all Structures from a distance
- ☐ Relationship of structures to neighbors' primary view corridors
- ☐ 100-foot Setback from natural streams

Site Grading and Drainage

- ☐ No grading outside the Building Envelope or the driveway corridor is allowed.
- ☐ No cut or fill slopes with vertical exposure greater than 6 feet is allowed.
- ☐ No Flat Pad grading is allowed.
- ☐ Cut and fill slopes re-vegetated with approved native/naturalized plant materials
- ☐ Fill may not be used to significantly raise the elevation of the first-floor level.
- ☐ Cut and fill slopes graded with smooth transitions at top and bottom of slopes
- ☐ Grading operations do not cause any on- or off-site erosion or sedimentation, during or after construction.
- ☐ Topsoil disturbed by grading operations stockpiled within the Building Envelope where feasible and reused as part of the landscape restoration.
- ☐ Where on-site stockpiling is not possible, topsoil shall be stored off of the Lot at an ARC approved location which is described as part of the Construction Management Plan..
- ☐ No grading allowed within the drip line of existing trees to be preserved.
- ☐ Minimize the cut and fill necessary for the construction of a home.
- ☐ All existing trees with a trunk caliper greater than 10 inches (measured at 2' above Existing Grade) within the Building Envelope, Limit of Construction and/or Natural Area are protected by fencing during any grading operations.
- ☐ Drainage designed by a qualified Civil Engineer in coordination with the Landscape Architect.
- ☐ Natural drainage courses on the Homesite are protected.
- ☐ Any designated drainage onto neighboring properties requires all Owners' consent and ARC approval.
- ☐ New drainage courses are designed to appear and function like natural drainage ways.
- ☐ Drainage structures visible from off-site uses approved materials and approved standard detail.
- ☐ Drainage design minimizes any potential for erosion and consequent downstream water quality impacts.
- ☐ Erosion control required during construction complies with local Codes and regulations.

-
- ☐ Stormwater dissipation outlets designed by the Master Developer Civil Engineer.
 - ☐ Driveways adjacent to roadside drainage swales use the standard culvert detail at the driveway crossing.

Erosion and Sediment Control

- ☐ All development is to be in conformance with applicable County regulations.
- ☐ Erosion control measures are in place at the perimeter of the Limit of Construction prior to initiation of any grading activity or disturbance of native ground.

Retaining Walls

- ☐ Retaining walls are located entirely within the Building Envelope, except walls required for driveway access, and/or screen walls for electrical transformers in the utility Easement.
- ☐ Retaining walls are not to exceed four feet (4') in height.
- ☐ Stepped retaining walls shall be limited to a maximum of two (2) 4'-0" height walls as a series, separated by a minimum of 4'-0" of planting zone.

Exceptions:

- ☐ Retaining walls in excess of four feet (4'):
 - ☐ Not obtrusively visible from off site,
 - ☐ designed by a licensed structural or geotechnical engineer in the State of Utah.
 - ☐ 6'-0" maximum height
- ☐ Retaining walls not directly associated with architecture and exceeding a height of 4'-0" shall be required to have a minimum batter of 1:12.
- ☐ Retaining walls do not delineate or articulate the boundaries of the Building Envelope or property lines for long distances.
- ☐ Walls are to utilize multiple vertical and horizontal offsets that step with the site's topography and house design.
- ☐ Stacked boulder walls may be approved provided they are "hand-crafted" in appearance.

Use of Approved Materials

Dry-Stack Stone Walls (if applicable)

- ☐ Stone walls shall be structural in appearance using a natural dry-stacked pattern.
- ☐ Walls shall utilize a variety of appropriate stone sizes and use a "chinking" method to strengthen the wall and avoid large gaps or holes between stones.
- ☐ Walls using a dry-stack pattern are laid with a structural appearance.
Walls using a dry-stack pattern incorporate a mix of sizes and shapes, with larger stones predominating at lower levels.
- ☐ Dry-stack stone walls shall use a full-size unit at the top of the wall. Wall caps are prohibited.

Dry-Stack Boulder Walls(if applicable)

- ☐ Dry-stack boulder walls shall not impact other site walls in the community open space above roads or adjoining Homesites.
- ☐ Boulder walls shall utilize a binding fabric material as a foundation as recommended by the consulting Engineer.
- ☐ Structural drainage must be incorporated into the design.
- ☐ Dry-stack boulder walls shall use a full-size unit at the top of the wall (no wall cap).

Driveways, Autocourts and Parking

- ☐ Only one material for the entire length of the driveway to the Autocourt. Culvert, where required designed per Approved Culvert detail.
- ☐ Only one material for the entire length of the driveway to the Autocourt.
- ☐ Driveway apron and culvert designed per Approved Driveway Apron and Culvert detail.
- ☐ Use the driveway to manage part of the slope before entering the building.
- ☐ All driveways are to follow alignments that minimize grading, tree removal, and other disruptions to the site.
- ☐ The driveway, parking and Garage layouts are to minimize the visibility of driveways, off-street parking and Garage doors from the streetscape, open space areas, community trails and adjoining Homesites.
- ☐ Driveway widths shall be a minimum of 14' and maximum of 18'.
- ☐ Driveways shall meet all requirements for fire access as established by the Weber and/or Cache County Fire District including the fire truck hammerhead layout, required paving width, and approved materials.
- ☐ Only one driveway entry and curb cut shall be permitted for each Homesite.
- ☐ Maximum driveway gradients shall be 10%. No exceptions.
- ☐ Generally, driveways shall intersect the street at right angles between 70 and 90 degrees. Angled driveways (beyond 70 to 90 degrees) will be considered by the ARC on a case-by-case basis where topography or other existing site features mandate an alternative.
- ☐ Autocourts and grading related to driveways and Autocourts shall be located entirely within the Building Envelope.
- ☐ Driveways exceeding 150 feet in length, but less than 800 feet in length, will provide a fire turnout near the midpoint of the driveway and which must be approved by Fire District.
- ☐ Where the driveway exceeds 800 feet, fire turnouts shall be provided no more than 400 feet apart.
- ☐ All driveways exceeding 150 feet in length shall provide a turnaround or hammerhead at the end of the driveway.

-
- ☐ Formal driveway planting, such as regularly spaced trees alongside driveways and straight driveways are prohibited.
 - ☐ Uses Approved Materials

Other Parking Considerations

- ☐ All parking needs shall be accommodated within the Building Envelope including guest and service parking.
- ☐ Extensively paved areas or areas for the long-term external storage of vehicles are prohibited.
- ☐ Carports are not permitted.

Vision Neighborhood Requirements:

- ☐ A minimum of two exterior (2) parking spaces, in addition to two (2) enclosed Garage spaces is required per Primary Dwelling. Dwellings with more than four (4) bedrooms require three (3) exterior parking spaces in addition to three (3) enclosed Garage spaces.
- ☐ Where the gross residential square footage area exceeds 5,000 square feet and the house has more than six(6) bedrooms, a minimum of one (1) additional parking space for each additional bedroom must be provided in addition to guest parking.
- ☐ Parking spaces shall have a minimum dimension of 9' x 20'.

Freestanding Walls and Fences

Fences (Vision Neighborhoods)

- ☐ Utility screening, pool enclosures and pet enclosure fencing, including invisible fences, are the only fencing allowed.
- ☐ Pool enclosure fencing shall meet all applicable County/State Code requirements.
- ☐ Fences shall appear as a visual extension of the Dwelling, attached at one end, and use similar materials and finishes.
- ☐ Fences shall be a maximum height of six feet (6') and shall be screened with landscaping where visible from neighboring Homesites or Common Areas. A planting plan is required to be submitted along with any fence request.
- ☐ Fences or walls shall not be used to delineate, or enclose the entirety of the Building Envelope boundary, and in no case shall be allowed to enclose the property boundaries.
- ☐ All fences shall provide at least 75% visibility.
- ☐ Does not utilize prohibited fences.

Gates (*Vision Neighborhoods*)

- ☐ Gates are permitted only as a component of an approved fence and will not be approved outside the Building Envelope.
- ☐ All gates shall be operable in Owner's absence for emergency operations and snow removal. Driveway entry gates and associated monuments are prohibited.

Exterior Hardscape

- ☐ Use of paving materials with SRI (Solar Reflectance Index) Values greater than 29 are required, as these colors are cooler in sunlight and reduce heat island effect.
- ☐ Uses Approved Materials

Pools, Saunas and Spas

- ☐ Outdoor pools, spas or outdoor saunas and are prohibited in Legacy Neighborhoods.
- ☐ In-ground pools and spas, and above ground saunas are allowed on Homesites within Vision Neighborhoods and are subject to ARC review and approval.
- ☐ Pools, spas and saunas, including all associated equipment and heaters, patios, and access paths, shall be located entirely within the Building Envelope.
- ☐ All hot tubs, spas, or similar outdoor water features installed within patios, decks, or other exterior spaces must be fully screened from view from adjacent homesites, common areas, and public streets.
- ☐ Swimming pools shall be recessed into grade.
- ☐ Swimming pools and spas constructed more than 18" above finish grade are prohibited.
- ☐ Pools and spas shall comply with local Codes for health and safety including required perimeter safety features and covers.
- ☐ The exposed edges of infinity or "negative" edge pools must utilize an approved natural stone, dark tile, or plaster and are subject to review by the ARC.
- ☐ Exposed pool walls or surfaces that are visible from off-site must be screened with plantings.
- ☐ All pool or spa equipment shall be fully enclosed, either within the footprint of a building or by site fencing a foot higher than the equipment.
- ☐ Pool or spa equipment shall not be visible or audible from adjacent Homesites.
- ☐ Equipment shall not emit off-site noise that creates a nuisance to adjacent Homesites and must not exceed 65 decibels (dBA) during daytime or 45 decibels (dBA) at night.
- ☐ Earthwork or grading is prohibited within Setbacks to accomplish pool designs. Excess dirt shall be located in a re-graded rear Yard or front Yard area that is not visually obtrusive, mimics the natural topography and preserves existing mature trees whenever possible or removed from the site.

Mechanical Equipment and Exterior Service Areas

- ☐ All mechanical equipment shall be entirely located within the Building Envelope. Location of all exterior mechanical equipment shall be included in the Final Design Review Application and must be approved by the ARC.
- ☐ All outdoor work areas, HVAC units, pool equipment, and other outside mechanical equipment (including meters, and utility boxes) are to be completely screened from off-site views, as well as protected from snow and ice falling from the roof by the use of architectural features, plant materials, and/or integrated into the building massing.
- ☐ Exterior noise from pool or spa equipment or other mechanical equipment shall be completely abated by enclosing all such equipment within the Primary Structure, a subterranean vault, or a pool building specifically designed for such containment.

Planting

- ☐ All disturbed areas shall be re-vegetated with an Approved erosion control seed mix and appropriate shrub and tree planting.
- ☐ No permanent irrigation is allowed until Powder Mountain Water and Sewer District regulations allow for regular/ongoing irrigation.
- ☐ Establishment irrigation is required for all new tree plantings; this water shall be sourced from temporary surface irrigation, water trucks, cisterns or other ARC approved sources until such time as water may become available.
- ☐ Automatic irrigation systems are required for all disturbed and re-vegetated site areas. Irrigation may be temporary, with piping shallowly covered by soil. Temporary irrigation may be abandoned after 1 to 2 growing seasons, when plantings have become established. Trees must be on separate irrigation zones to allow deep watering.
- ☐ All proposed planting within each Homesite shall match and enhance the existing site plant palette.
- ☐ All proposed exterior landscape material shall be indigenous to the Wasatch Mountains. Plant materials are to be planted in drifts or large groupings similar to the natural landscape patterns on the site.
- ☐ Young trees shall have protective tree staking and may also require protective invisible polypro deer fencing/netting. Native plantings with berries shall be minimized adjacent to Homesites.
- ☐ Protective fencing shall be required during construction to protect existing trees and vegetation.
- ☐ Native species are to be planted in accordance with elevation, soil conditions, light levels, and existing conditions.
- ☐ Plants selected are consistent with Appendix E- Recommended Plant List and avoids prohibited plants.

Existing Trees

- ☐ Removal of any mature trees requires replacement as mitigation.

Proposed Trees

- ☐ New trees shall not be planted in view corridors.

Ground Cover

- ☐ Vines are not part of the existing landscape and are prohibited on site.

Lawns, Ornamental Grass & Turf

- ☐ Lawns and artificial turf are limited in size and screened by plantings and site elements so as to not be visible off-site.
- ☐ Lawns and artificial turf shall be located adjacent to Dwellings and are prohibited in the front Yard.
- ☐ Lawns and artificial turf over six inches (6") in height is not permitted.
- ☐ The use of lawns and artificial turf is limited to a maximum area of 1,500 square feet.

Drainage Swale and Shoulder Planting

- ☐ Swale planting Improvements by the Owner are to use an approved drainage swale seed mix and boulders per the Approved Detail in Appendix D.

Tree Removal

- ☐ Building Improvements are to be designed around existing landscape features such as aspen groves, evergreen stands, and mountain shrub massings and shall be located at the edges of natural landforms.
- ☐ The removal of vegetation on Lots is permitted only for: the clearing of a driveway or home construction; removal of diseased or dead trees; removal which promotes the growth of other trees; fire prevention; or for other safety reasons.
- ☐ Owners are required to engage a certified Arborist.
- ☐ All removal of trees larger than 10 inches in diameter measured 24 inches above Natural Grade will require ARC approval. Requests for removal must demonstrate that such removal is the minimum necessary under the circumstances, will not involve a risk of substantial adverse impact on other valuable resources, and cannot reasonably be avoided.
- ☐ In the event that trees are proposed to be removed, the Owner must mitigate at a ratio of 1:1 for all trees over ten inches in diameter measured 24 inches above Natural Grade.
Mitigation requirements are as follows:
- ☐ Evergreen replacement trees must have a minimum caliper size 1 inch (8'-10' height), with 50% over 2 inches (12'-14' height).

-
- ☐ Deciduous replacement trees must have a minimum caliper size of 1 inch (8'-10' height), with 50% over 2 inches (12'-14' height).
 - ☐ Mitigation trees shall be planted in the fall to take advantage of seasonal precipitation.

Irrigation

- ☐ All new plantings require establishment irrigation.
- ☐ If the domestic water supply is not permitted for irrigation use (whether an establishment, or permanent irrigation system), then the Owner will need to provide establishment irrigation to all new plantings. This can be accomplished via water truck, or by connecting an irrigation system to an on-site cistern.
- ☐ Planting design requires efficient and minimal irrigation as the basis of all landscape submittals.
- ☐ Plant materials shall be grouped according to their water consumption needs.
- ☐ Landscape Architects shall be required to provide landscape water use calculations to the ARC at Preliminary and Final Design, to ensure that the proposed water use will not exceed the allowance for the Homesite.
- ☐ Water-conserving systems are required, such as drip irrigation systems equipped with moisture sensors that shut off irrigation during or after rainfall.
- ☐ Above-ground equipment, including but not limited to controllers and backflow preventors, shall be located inside the building or appropriately screened from public view.
- ☐ Irrigation overspray shall not fall upon adjacent roads, neighboring Homesites, community open space, Common Areas or visual buffer areas.
- ☐ Trees shall be irrigated separately from lawns, shrubs and groundcovers to allow for deep watering and deep rooting. Trees shall be irrigated with drip irrigation systems or bubblers.
- ☐ Avoid irrigation within the root zones of established trees and avoid trenching and placement of irrigation lines within the driplines of existing trees.
- ☐ Mulch all areas of new planting according to local practice and for fire safety.

Exterior Lighting

- ☐ An exterior lighting plan is required to be submitted to the ARC for review and approval.
- ☐ All outdoor lighting shall be designed to be Level 1 Dark Sky compliant and comply with applicable laws and Codes.
- ☐ Exterior building and site lighting shall be the minimum needed to provide for general illumination, safety and security of entries, patios, courtyards and outdoor spaces.
- ☐ All lighting must occur within the Building Envelope.
- ☐ Lighting shall maintain a warm color temperature of no more than 3000 Kelvins. All light sources are to be 'warm light' except for seasonal holiday lighting.
- ☐ String lighting is permitted in the Building Envelope but shall not be visible from offsite.

Cisterns and Rainwater Harvesting

- ☐ All cisterns must be located below ground within the Building Envelope and must comply with local Codes. Refer to standard detail in Appendix D.
- ☐ Cisterns may be used for harvesting of rainwater only.
- ☐ Rainwater harvesting must meet the Utah State Code Chapter 73-3-1.5 and be reviewed by the ARC.

Wildfire Prevention and Defensible Space

- ☐ Owners shall comply with the Wildfire Prevention and Response Plan, including fuel break landscaping requirements (see the Powder Mountain Development Agreement, Exhibit I -Wildfire Prevention and Response Plan, dated July 2008).

Exterior Utilities

- ☐ All site utilities within the Homesite are to be installed underground.
- ☐ Utility boxes (HVAC, equipment, electrical service meter panels, etc.) are to be located so that they are accessible to service personnel.
- ☐ All utility boxes must be screened by an appropriate architectural enclosure combined with plantings that meet fire safety standards.
- ☐ Propane tanks must be located underground within the front or side Yards and within the Building Envelope. The location, securing, and bracing of propane pipes entering the home are regulated by current building Codes and must be compliant. All exposed piping, regulators and meters are to be fully protected from snow and fully secured to the building.
- ☐ Noise from the operation and maintenance of any equipment must be controlled to avoid creating a nuisance to neighbors.
- ☐ Architectural screens are to be integrated into the design of the Dwelling to camouflage mechanical features such as air conditioning units or generators. Screen walls shall completely enclose the units with a wall that is a minimum of 12" higher than the highest part of the unit.
- ☐ Pool and spa equipment, heating and air conditioning equipment are to be located behind freestanding site walls. Such enclosures may not occur within the side Yard Setback zone without ARC approval.
- ☐ Roof-mounted utilities and HVAC units on roofs are generally not allowed. Roof-mounted units may be allowed on smaller Homesites, where space is limited on grade and if it can be demonstrated that a roof-mounted solution provides less of a nuisance factor than an on-grade location.
- ☐ If roof-mounted, units shall be installed on flat roofs screened by a parapet wall. Units may not be installed on sloping roofs.
- ☐ Acoustic wall and/or covers may be required if it is discovered that noise emanating from equipment enclosures are a nuisance to adjoining Homesites or Common Areas.
- ☐ Where required, roofed shelters or well-ventilated enclosures must be installed at all exterior propane regulator valves and meters. Additionally, all piping must be properly secured to avoid leaks.
- ☐ Utilities may be relocated with ARC approval.

Utility Connections

- ☐ Above-ground natural gas or propane storage tanks, exterior water softener or water treatment equipment, and cisterns are not permitted.

Address Identification

- ☐ Simple and well-designed small-scale numerals must be affixed to each home for identification purposes.
- ☐ House numbers must be of a contrasting color.
- ☐ Letters and numerals may be no wider than 4-inches and must be 6-8-inches in height.
- ☐ Address identification is consistent with Approved Address Identification in Appendix D.
- ☐ Address identification must be visible from the driveway and protected from snow to maintain visibility in inclement weather.

Signs

- ☐ Signs or advertisements of any kind are strictly prohibited within the Powder Haven.
- ☐ Temporary Homesite identification signs and construction signs are limited to one sign per Homesite.

Outdoor Artwork

- ☐ Art and other freestanding objects must be located within the Building Envelope and should not be visible from adjacent Homesites or public areas such as community amenities, open space, roads, and trails.
- ☐ Artwork may not be illuminated.

Photovoltaics

- ☐ Photovoltaics are prohibited on the ground plane.

Flagpoles, Antennas & Satellite Dishes

- ☐ Free standing flag poles are prohibited.
Attached flag poles are allowed and are required to be attached to a structure at not more than a 45°-degree angle to the vertical surface of the residence.
- ☐ Maximum of 2 attached flag poles allowed per Homesite.
- ☐ Satellite Dishes and antennas are prohibited.

Outdoor Fire Pits, Fireplaces, Barbecues, Heat Lamps & Misting Systems

- ☐ All fire pits, fireplaces, barbecues, and heat lamps must be natural gas or propane; there shall be no open burning of logs or other combustible materials.
- ☐ The plumbing for barbecues and heat lamps are built into walls or the overhead structures. All equipment shall be non-reflective and have muted coloration.
- ☐ Fire-safe distances and clear areas shall be maintained between these outdoor living features, any plants, or other combustible materials.

Trash and Recycling Containers

- ☐ Trash container storage areas must be designed and maintained to be completely inaccessible from wildlife and are required to be located and stored inside a Garage.

Security Measures

- ☐ Exterior lighting must be Level 1 Dark Sky compliant and designed to avoid spillover into adjacent
- ☐ Homesites or public areas. Homes shall prevent prolonged periods of lighting through the use of motion sensors and timers.
- ☐ Audible alarm systems are not permitted because of their potentially disruptive impact to wildlife and the rural ambiance of Powder Haven.

Sports Courts, Recreation & Play Equipment

- ☐ Exterior sports, including basketball, tennis, and pickleball courts, are strictly prohibited.
- ☐ Exterior recreational or play equipment such as swing sets, slides, play structures, jungle gym, and similar equipment may be approved by the ARC as long as they are located within the Building Envelope and screened from view of neighboring Homesites and Common Areas.

Domestic Animals

- ☐ Dog runs and pet enclosures may be provided on Homesites when approved in advance by the Powder Haven HOA. Dog runs or fixed chains/tethers are not allowed.

H. Building Design Evaluation

The following checklist summarizes Improvement Standards throughout Powder Haven. The Standards and Guidelines for the Legacy Districts are provided in Chapter 4 and shall supersede these requirements where there is conflict. Vision Districts shall comply with this checklist.

Building Forms and Massing

- ☐ The maximum size of the second-story volume shall not exceed fifty (50%) percent of the main volume. From the rear, the upper story above the main story shall have a reduced scale not to exceed fifty (50%) percent of the main volume, except where the Modern Chalet design aesthetic is implemented.
- ☐ Structures are to be directed outward to reinforce the indoor-outdoor relationship.
- ☐ Massing shall reflect room size volumes or groups of rooms rather than one dominant Mass. Each building shall be constructed of a series of visual building Masses. To be classified as a visual building Mass, the Mass shall be offset by at least two feet (2') horizontally and three feet (3') vertically from another Mass. Masses are to be appropriately proportioned and balanced within the overall composition.
- ☐ The size, Massing and placement of buildings are to be responsive to the context of the site.
- ☐ The building siting shall respond to:
 - Existing slope conditions, steepness, orientation, and views
 - Offsite views from community open space areas.
 - Climatic conditions such as freezing temperatures, high winds, storm-driven snow & rain, and bright sunlight.
- ☐ The play of light and shadow between visual building Masses shall be carefully formulated to help articulate Masses, accentuate entries, and/or building levels and to help define texture.
- ☐ Foundation walls are to merge with the ground plane and generally be expressed as structural stone, one-story (12' maximum) or less in height.

Building Height

- ☐ Building Height does not exceed the applicable maximum building height.
- ☐ One-story homes (one story over Basement): 20 feet maximum height is allowed for a one-story building, except that twenty (20%) percent of the primary structure, if one-story, may be 26' feet in height to allow for a higher volume space.
- ☐ Two-story homes (two stories over Basement): 32 feet maximum height is allowed for a two-story building.

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- ☐ Three-Story homes (three stories over Basement) are permitted only on Homesites greater than 2 acres and surrounded by mature tree canopies, subject to a Maximum Allowable Height of 32 feet. A two-story facade is allowed provided that either the floor above or the floor below is offset by the minimum required distance from the two-Story facade.
 - ☐ Where included, a Basement must fully daylight on one exterior wall and include windows and outdoor access doors. Basements may not be entirely below grade.
 - ☐ A flat roof on a Detached Structure or Garage shall be a maximum of 12.5 feet high. Note: Auto courts may be set below roadway grade approximately 4' feet.
 - ☐ Roof terraces and associated interior conditioned space are allowed, with 800 sf size restriction for enclosed, conditioned space, that shall be incorporated into the architecture and roof form.
 - ☐ Windows and other articulations that create the impression of an additional story are not permitted.
 - ☐ Building Height calculations are to be clearly illustrated on all elevations of each submittal to the ARC.
 - ☐ Additional stories above the main entry level (second Story elements) may not exceed 50% of the Primary Structure floor area without specific approval from the Powder Haven ARC. This calculation excludes the floor area of Garages and any Detached Structures.

Roofs

Large Roofs and Ridgelines

- ☐ Large, expanses of roof shall be stepped with the topography to reduce perceived building Mass and height.

Roof Slope

- ☐ Flat roofs are encouraged and shall be designed with slope drainage of at least 1:12 pitch.
- ☐ Roof pitches greater than 6:12 shall comprise less than 30% of the total roofed floor area and are subject to approval by the ARC.
- ☐ Exceptions up to 8:12 slope are acceptable for the Legacy neighborhood.

Eaves and Overhangs

- ☐ Primary Structures shall incorporate 6 foot deep eaves and other roof or canopy elements to provide ample shade to vertical surfaces, especially large, glazed surfaces.
On Lots with Building Envelopes less than 70 feet wide, 3 foot deep eaves are allowed along the sideyard.
- ☐ Clipped eaves are only allowed on roofs of Secondary or Detached Structures.
- ☐ Reinforce the roof articulation with well-detailed eaves, soffits, fascias, and overhangs.

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- ☐ Roof and eave vents shall be designed to resist the introduction of airborne sparks, in keeping with the requirements of this fire zone.

Snow Management

- ☐ Roofs shall be designed to either hold or shed snow, consistent with the home's snow management strategy.
- ☐ Use integrated eave panel and heat trace snow melt systems at valleys, integral eave gutters, and downspouts to prevent snow cornicing and ice accumulation at critical areas such as walkable paths and building entries.
- ☐ Entries, pedestrian areas and parking areas shall be protected from snow shedding and sloped to prevent the accumulation of water and ice. Specific consideration shall be given to protecting walkways, ski-ways or other publicly accessible and traveled areas from snow shedding.
- ☐ Utilize snow clips and/or snow fences at sloped roofs to minimize sudden shedding of snow and ice.

Equipment and Utilities

- ☐ Roof-installed equipment and appurtenances shall be concealed within the architecture. Rooftop screens may constitute appropriate concealment.
- ☐ Photovoltaics shall be allowed when integrated the building design. Photovoltaics are not permitted on-grade within Homesites.
- ☐ Photovoltaics shall be integrated with the roof and/or walls in regard to both form and materials.
- ☐ Either photovoltaic roof shingles or roof panels are appropriate.

Materials

- ☐ Uses approved roof materials.

Color

- ☐ Uses approved roof colors.

Gutters, Downspouts and Flashing

- ☐ Gutters and downspouts that drain water from roofs shall be designed to empty away from building foundations and paved surfaces. Downspouts shall direct water into a site drainage piping system that conveys the water off-site.
- ☐ Due to the steepness of the sites, certain surface drainage swales may need to be used to convey water downslope and toward the nearest drainage swale, using the side yard easement and/or lower portion of the Homesite. Surface conveyance and discharge shall require an engineered solution, using flexible black pipe tied to black hoses, concealed where visible, and conveyed to remote surface drainage swales, and as designed by civil engineer.

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- ☐ Gutters and downspouts shall be visually minimized. Any exposed downspouts shall be located and designed to integrate with vertical building elements and the exterior color palette.
 - ☐ Materials for gutters, downspouts, flashing, and associated trim shall be durable with color schemes designed to blend with the adjacent roof.
 - ☐ Uses approved materials for gutters, downspouts and flashing.

Balconies, Decks, and Porches

Balconies and Decks

- ☐ Balconies and Decks shall have railings or parapets to conceal furnishings as viewed from the street or other units.
- ☐ Balconies and Decks shall not project beyond the Building Envelope.
- ☐ Roof decks are permitted so long as no portion of the deck exceeds the Maximum Building Height.
- ☐ Roof decks are prohibited on the roof of the topmost floor.
- ☐ Decks sheltering usable outdoor space must provide rain protection and drainage to prevent water from dripping through to the spaces below.
- ☐ False balconies with no outdoor standing space, such as railings installed across sliding glass doorways, are prohibited.
- ☐ Uncovered decks shall consider snowmelt.

Porches and Decks

- ☐ Natural materials including wood and stone are preferred. “Trex” and similar composite decking is not permitted except as approved by the ARC.

Privacy Screens

- ☐ Privacy screens that increase the perceived volume or bulk of the home are not allowed.

Building Projections

Vertical Projections

- ☐ Elevators and stairs may not project above the roof line.
- ☐ Flues, and vents shall be painted to match the roof and may project a maximum of 3 feet above the directly adjacent roofline, except where required by the governing building code.
- ☐ Chimneys may project a maximum of 5 feet above the directly adjacent roofline, except where otherwise required by the governing building code.
- ☐ The total combined area of roof elements shall not constitute more than five percent (5%) of the overall building footprint.
- ☐ Chimneys, vents and flues shall comply with codes and include safety features such as screens and spark arresters to minimize the spread of fire and to prevent harm to wildlife.
- ☐ Chimneys shall be constructed of inflammable material, preferably stone or masonry.

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- ☐ For energy conservation, fireplaces shall incorporate energy efficient features such as heat exchangers.

Horizontal Projections

- ☐ Horizontal Projections do not extend beyond the Building Envelope boundary.

Exterior Walls and Finishes

- ☐ Building walls shall be expressed as simple vertical planes possessing texture from their materials. They may be constructed using natural stone, timber, wood siding, or other appropriately selected materials as approved by the ARC. Battered foundation walls are allowed up to a 1-in-12 angle from vertical, provided the foundation walls are board-formed concrete or clad in stone masonry.
- ☐ Residents shall take into consideration the proper maintenance regimen for the materials specified, especially when using natural materials such as wood, exposed concrete and stone.
- ☐ Wall construction shall be consistent with local construction means and methods, while meeting structural needs and thermal insulation requirements for the governing building and energy performance codes.
- ☐ Exterior walls and finishes are to reflect a logical and appropriate combination of colors, textures and forms to express the Structure of the buildings.
- ☐ A maximum of three (3) materials shall be used, with one (1) material clearly dominant over the others.
- ☐ Detached Structures are to utilize the same or similar wall treatments as the primary Structure.
- ☐ Materials are to be consistently applied to all elevations of the Structure.
- ☐ At a change in wall material, there is to be a break in the plane of the surface, and details appropriate to the materials. Wall materials shall not change at outside corners.
- ☐ Wall planes shall be stepped and layered to avoid large, uninterrupted wall expanses.
- ☐ Wall surfaces shall be broken up with stepped back or stepped forward terraces, volumetric voids, projecting volumes or bays to reduce their presence in the surrounding landscape.
- ☐ All exterior materials shall conform to applicable building codes and meet requirements for fire-resistive construction consistent with the Utah Wildland Urban Interface Code.
- ☐ Uses approved exterior wall materials

Stone

- ☐ Stone shall be laid with a structural appearance, with more horizontal than larger pieces as the base and with more horizontal joints than vertical (as though dry-stacked) and with joints incised and grouted to match the stone.
- ☐ Uses approved stone materials

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- ☐ The stone color range shall be derived by using one color from the existing landscape to generate a narrow range of tonal and color variations. Note that white and near-white colors are not allowed.

Exterior Wood

- ☐ Exterior wood must be of minimum 2x4 nominal thickness to be durable enough for use in exterior applications.
- ☐ Exterior wood complies with the approved exterior-grade hardwoods
- ☐ Wood materials shall require protective sealants that do not create “sheen” and shall be regularly maintained. Natural weathered and unsealed wood, or other non-approved wood materials are not allowed, as they will discolor ‘streak’ and deteriorate in this harsh (mountain) climate.

Thermally-modified Woods

- ☐ Because Thermally-modified woods are more durable, more dimensionally stable, and more resistant to warping and splitting, the minimum allowable plank dimension is reduced to 1x thickness.

Uses appropriate wood wall treatments

- ☐ Stain finishes shall be transparent or semi-transparent so that the natural grain and texture of the wood is more reflective of the colors in the natural environments. Stains shall generally be a warm color complementing the architecture and surrounding tonal ranges of the mountains and vegetation.
Exterior wood complies with the approved exterior-grade hardwoods
- ☐ Wood materials shall require protective sealants that do not create “sheen” and shall be regularly maintained. Natural weathered and unsealed wood, or other non-approved wood materials are not allowed, as they will discolor ‘streak’ and deteriorate in this harsh (mountain) climate.

Faux Woods

- ☐ Faux woods such as textured cement board siding (Hardiplank) are not allowed.

Metal

- ☐ Uses approved metal materials.

Exposed Concrete

- ☐ Concrete shall be either board-formed or architectural concrete in order to provide an appearance with sufficient texture and warmth.

Windows and Doors

Windows

- ☐ Optimize energy performance by selecting and locating windows to frame views while also improving heat gain and loss. Energy modeling, insulation, and reducing the fenestration-to-wall ratio will help to maximize heat gain and reduce heat loss from building envelope.
- ☐ Window divisions achieved with true mullions or structural sized members shall be consistent across each grouping of windows. Decorative or snap-in muntins and simulated-divided lites are not allowed.
- ☐ Reduce the Mass and weight of the homes, with smaller punched opening windows at side yards that maintain privacy while framing views and landscape.
Windows or window groupings shall be sized to be in-scale with the wall on which they are located.
- ☐ Window vocabulary shall utilize a consistent, contemporary design aesthetic on all sides of the building.
- ☐ Windows shall use high-performance, anti-reflective, insulated glass and high-quality factory finish frames. Unfinished metal window frames and mirrored glass are not allowed. Windows, doors, skylights, and glazing shall conform to all applicable energy performance codes and standards.
- ☐ Incorporate interior shade control systems to provide light control on each level and to minimize exterior light pollution and preserve night sky for dark sky compliance.
- ☐ Uses approved window materials.

Doors

- ☐ Exterior entry doors entering into secondary spaces with 10 to 11 feet interior ceiling heights shall require a door of 8 to 9 feet in height. Entry doors may be single or double door units.
- ☐ Uses approved exterior door materials

Detached Structures

- ☐ In Legacy Neighborhoods, only one Structure is allowed per Homesite. No Accessory Dwelling Unit (ADU's) are allowed in Legacy Neighborhoods.
- ☐ In Vision Neighborhoods, only one Structure is allowed on Homesites of 2.00 acres or less in size. For Vision Neighborhood Homesites greater than 2.00 acres, one (1) Detached Structure is allowed in addition to the primary Structure. It may serve as and ADU, a Garage, or a combination of the two.
- ☐ All Detached Structure(s) shall be located within the Homesite's Building Envelope. It shall incorporate the same architectural design as the primary Structure and be owned by the same Owner. A Detached Structure's use must be incidental to the primary Structure.

Accessory Dwelling Units

- ☐ A detached ADU shall be minimum of 300 sf and maximum of 1,200 sf in size.
- ☐ Detached ADU and Garage area shall count toward the Maximum Total Building Square Feet. ADU's and detached Garages are subject to the same building code requirements as the primary Structure.
- ☐ Two (2) additional off-street parking stalls are required within the Homesite for the ADU. If the ADU is constructed prior to the primary Structure, then the ADU shall have a minimum one-car garage within the ADU Structure and one exterior parking stall.
- ☐ Prefabricated sheds or storage units are not permitted.
- ☐ Written approval from the Powder Mountain Water and Sewer District received.

Garages

- ☐ All Garages and exterior parking shall be located entirely within the Building Envelope. Owners shall design adequate parking to accommodate their needs, as there is no parking allowed on streets.
- ☐ The maximum area dedicated to Garage use within a primary Dwelling is 50% of the total gross residential square footage or 3,500 square feet (whichever is smaller).
- ☐ Garage designs shall group or separate rows of Garage doors to avoid a repetitive façade. Adjacent placement of more than two (2) Garage doors is prohibited. Additional Garage doors must be separated by a horizontal break or positioned at a 90 degree angle to avoid long, uninterrupted rows of openings.
- ☐ Garage doors shall be solid wood or fabricated metal with finishes and colors consistent with the exterior finishes of the dwelling. Garage doors with glass or windows are not allowed. Garage door openings shall be no higher than ten (10) feet.

Vision Neighborhood Garages:

- ☐ Minimum Garage requirements are two (2) Garage spaces for all primary Dwellings. Dwellings that have more than four (4) bedrooms require three (3) Garage spaces. Dwellings with six (6) or more bedrooms should consider four (4) Garage spaces.
- ☐ Garage door openings shall be no higher than ten feet, except for third or fourth bays that do not face the street, which can have up to 12 feet for a Garage door opening.

Colors and Finishes

- ☐ Field and accent colors, stains, and paints shall create the appearance of natural, earth-tone hues that blend with the colors of the landscape.

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- ☐ Roofs shall not be extremely dark or vivid in color or stand out visibly. More muted tones such as grey, silver or natural rust are considered appropriate.
 - ☐ Wall colors shall contrast with roofs and shall generally use natural earth and metal tones. Stark black and whites colors are not allowed. A maximum of three (3) colors may be used.
 - ☐ Exterior wall colors are not to exceed a light reflective value ("LRV") of thirty-two (32). Accent colors may not exceed an LRV of forty-two (42).
 - ☐ Bright or light trim colors which create strong contrast are not allowed.
 - ☐ All exposed wood surfaces, when treated, are to be treated with a semi-transparent stain or sealer to accentuate the grain and natural color variety in the wood.

Skylights

- ☐ Where skylights are incorporated, they must be integrally designed into the roof Structure.
- ☐ Skylight glazing shall not be back lit or manufactured of reflective material.
- ☐ White or bubble skylights are not allowed.
- ☐ Skylight framing and glazing shall be colored or coated to match adjacent materials.
- ☐ Skylights shall be located, detailed, and/or screened so that they are not visible from off-site.
- ☐ Light emission shall not up-light trees and other vegetation or otherwise affect the quality of the nighttime sky.

Solar Equipment and Alternative Energy Systems

- ☐ Does not use prohibited renewable energy systems

Fire Sprinkler

- ☐ To ensure adequate fire protection, all buildings designed for human occupancy and all Structures taller than 5 feet, including garages and covered outdoor spaces, shall be equipped with residential fire sprinkler systems.
- ☐ All buildings designed for human occupancy and all Structures taller than 5 feet shall be equipped with an automatic fire alarm system connected to a service provider that maintains 24-hour monitoring, meets NFPA 72 requirements, is UL listed, has emergency back-up systems, and performs daily monitoring tests.
- ☐ Fire Marshal permit approval is required for all fire alarm systems, fire hydrant systems, and fire extinguishing systems including automatic sprinklers, wet and dry standpipes, water mains, and other fire protection systems.
- ☐ Water service lines to each Homesite shall be designed and installed per Powder Mountain Water and Sewer District standards.

Snow Management

- ☐ Snow shedding from roofs must be taken into consideration and coordinated with neighbors to avoid shedding onto neighboring property or Structures and to minimize impact on views from neighboring properties.
- ☐ Roof pitch, material, snow fences, and snow guards shall be designed to minimize sudden snow shedding.
- ☐ Roof design shall not contribute to snow accumulation on walking paths and driveways.
- ☐ Homes shall utilize Integrated snow melt and heat trace systems to minimize ice accumulation in vulnerable areas such as rain gutters, downspouts, roof drains, sliding glass doors and exposed building entries.
- ☐ Roof vents shall be concealed and protected from damage by snow creep and shedding.
- ☐ Plan driveways and parking areas with properly allocated space for plowed snow.
- ☐ Snowmelt systems should incorporate sustainable strategies, such as the use of solar panels to supplement the required electricity.

SECTION 8: CONSTRUCTION ADMINISTRATION CHECKLIST

- ☐ Building permit, grading permit, or other permits issued by the applicable County
- ☐ Approved set of plans
- ☐ Proof of Insurance
- ☐ Construction Fees and Deposit
- ☐ Construction Management Plan
- ☐ Construction Schedule
- ☐ Construction Corners
- ☐ List of Vehicles and Personnel for Permit and/or Gate Access

A black and white photograph of a snowy mountain landscape. The scene features rolling hills covered in snow, with numerous evergreen trees scattered across the slopes. Some trees are heavily laden with snow, while others are bare. Ski tracks are visible on the snow-covered ground. In the lower right, there are small structures, possibly ski huts or buildings, and a few people can be seen walking or standing near them. The sky is overcast and grey.

Appendix C

Construction Activities Agreement

CONSTRUCTION ACTIVITIES AGREEMENT

THIS AGREEMENT (“**Agreement**”) is made and entered into this _____ day of _____, 20 ____ (“**Effective Date**”) by and among POWDER HAVEN OWNERS' ASSOCIATION, INC. (“**Association**”), _____ (“**Owner**”), and _____ (“**Contractor**”).

RECITALS:

- A.** Association is the Master Association pursuant to the Master Declaration of Covenants, Conditions, Easements, and Restrictions dated January 17, 2014, and recorded January 27, 2014, as Entry No. 2672941 in the office of the Weber County Recorder, as may be amended, amended and restated, or otherwise modified from time to time (the “**Declaration**”) for the Powder Mountain development situated adjacent to the Powder Mountain Resort in Eden, Utah (the “**Development**”) charged with ensuring that construction activities within the Development are following the terms of this Agreement.
- B.** The owner is the owner of Lot _____ (the “**Subject Property**”) within the _____ neighborhood of the Development, also identified as parcel number _____, in _____ County (the “**County**”).
- C.** Contractor is the general Contractor engaged by Owner to construct certain Improvements (the “**Project**”) on the Subject Property pursuant to that certain construction contract dated _____ (the “**Construction Contract**”).
- D.** The Subject Property and Project are subject to the Declaration and the Design Standards and Guidelines for the Development (“**DSG**”), and other rules, regulations, restrictions and limitations that outline construction guidelines, rules, procedures and responsibilities.
- E.** The parties desire to ensure compliance with the DSG, the Declaration, and all other restrictions and limitations to protect the safety, welfare, and attractiveness of the Development and environment surrounding all construction projects, including the Project.
- F.** The parties acknowledge that Owner and Contractor have entered into the Construction Contract and agree, for the benefit of the Association and its members, that Owner and Contractor will comply with the terms and conditions of this Agreement that reference the Construction Contract as if those terms and conditions were directly written into the Construction Contract.

AGREEMENT:

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

No Structural or Legal Compliance Review

The Association's, or persons designated by Association, enforcement of, and inspections pursuant to this Agreement shall be limited to aesthetic matters and shall not apply to structural elements of the Project. Although the Project must comply with all applicable laws, Codes, and ordinances, neither the Association, the Architectural Review Committee of the Association (the "**ARC**"), nor persons designated by Association, shall evaluate the Project to ascertain compliance with such regulations. The Association, ARC, or persons designated by Association, shall not inspect or evaluate the Project to ascertain whether structural or engineering elements of the design are safe or suitable for the type and purpose of the structure, or for conformity with industry standards, as this shall be the sole responsibility of the Owner and Owner's design professionals or engineers.

The Association's final approval, under the terms of this Agreement, of any Project is not intended to imply, and shall not be construed to imply that the Association, ARC, or persons designated by Association, have inspected or approved the structural and engineering components of the Project, or that they are safe or suitable for the type and purpose of structure, or that the Project conforms to applicable laws, Codes, and ordinances. Approval by the Association or the ARC shall only confirm that the design elements of the Project conform to the Declaration, the DSG, and any other guidelines or restrictions as may be adopted by the Association or the ARC from time to time.

Owner Responsibility to Obtain Documents

It is the responsibility of Owner to obtain copies of all relevant documents related to development policies and procedures, the DSG, the Declaration, and any similar documents prior to commencement of the Project. Owner represents to the Association that it has ascertained what documents govern the Project, that the Owner has obtained current versions of all such documents, and that the Owner has read, understands and agrees to abide by such documents.

Please be advised that all construction activities must be carried out in accordance with the Construction Process and Requirements outlined in the Design Review Guidelines.

Manner of Construction

The owner, at its sole cost and expense, shall cause to be performed or constructed all of the

Project work (the “**Project Work**”). The Association and ARC shall have neither control over or charge of, nor be responsible for, the construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the Project Work, since these are solely the Contractor’s rights and responsibilities under the Construction Contract over which Association and ARC have no influence. The Association and ARC shall not be responsible for the Contractor’s failure to perform the Project Work in accordance with the requirements of the Construction Contract or applicable building Codes. Owner shall cause the Project Work to be performed or constructed by a duly licensed and insured general Contractor and duly licensed and insured subContractors in a good and workmanlike manner in accordance with:

The plans and specifications for each Improvement as approved by the ARC. ARC’s review shall be strictly limited to compliance with aesthetic issues and elements mandated in the Declaration, applicable neighborhood declarations, if any, and specific Standards and Guidelines related to the Project. ARC’s review shall not consider or evaluate any matters related to structural or engineering components of the Project, safety or safety methods employed in construction related thereto.

All applicable laws, regulations, Codes, and ordinances.

All requirements of governmental authorities and other duly qualified bodies having jurisdiction with respect to each work of Improvement; and

Generally accepted engineering standards concerning geotechnical and soils conditions. Owner or Contractor shall supervise and direct the Project Work using its best skill and attention. The Contractor shall be solely responsible for all means, methods, techniques, sequences, and procedures used in the performance of construction of the Project Work and shall diligently pursue the same to completion. The owner shall be responsible for obtaining all permits and approvals from governmental authorities required for the Project Work.

Commencement and Completion of Project Plan Work

Upon the commencement of each discrete item of the Project Work, Owner and Contractor shall cause such item of the Project Work to be diligently and continuously prosecuted to its completion (“**Completion**”), and which in no event shall be longer than 24 months from the date upon which the Project Work commenced. Any delay of Project Work in excess of [thirty (30) days] must be reported to the Association, including the reason for, and expected duration of, such delay.

Non-Refundable Fees

Prior to commencement of Improvements, the Owner shall submit non-refundable fees for Construction Administration and Construction Impact to the Association.

Deposit

On or before commencement of the Project Work, Owner shall deposit with the Association a refundable deposit of Twenty Thousand Dollars (\$20,000.00) ("**Deposit**"). The Deposit shall not earn interest attributable or allocated to the Owner. Association, or persons designated by Association, may charge against the Deposit its costs to enforce this Agreement and for any damages attributable to violations of this Agreement. The Association, or persons designated by Association, reserve the right to perform Agreement compliance inspections at any time. The Deposit is in addition to any other remedies available to the Association and does not supersede any other rights or remedies available to the Association in the Construction Contract, this Agreement, or at law. Within thirty (30) days of receipt by Association of a written notice of Completion from the Owner to Association, the Association shall return the Deposit less any costs deducted from the Deposit by the Association. Concurrently, the Association shall provide a commercially reasonable accounting to the Owner of any costs deducted from the Deposit.

Parking and Traffic Plan

On-Street Parking within the community is prohibited.

Prior to mobilization to Subject Property, the Owner and Contractor shall submit to ARC, or persons designated by ARC, a parking plan indicating the locations of: (1) all points of ingress and egress to the Project; (2) parking sites on the Subject Property for the Owner, Contractor, their construction workers, subContractors, laborers, suppliers, and visitors; (3) the location(s) where any and all heavy equipment, commercial vehicles, tractors, lifts, etc. shall be stored or parked when not in use; and (4) the location for deliveries and off-loading of materials (collectively, the "Parking Plan"). Any deviation from the specified, approved Parking Plan or traffic plan shall be deemed a violation of this Agreement.

Subject Property may have limited space outside of the Project area for parking and may require shuttling or walking to and from an alternate parking area within Development. Such a parking area can be identified between Contractor and Association (or persons designated by Association)

and must be approved in writing by both Association (or Association's designee) and Owner and accompanied by a location map.

Any personal vehicles, commercial vehicles, or heavy equipment that are parked in violation of the Parking Plan (including Contractor's vehicles) may be towed without warning, aside from this notice, at the expense of the vehicle's owner. In addition, the Association shall be entitled to recover the following: (1) One Hundred Dollars (\$100.00) per vehicle, per daily violation for personal vehicles improperly parked; provided, however, this figure shall be doubled to Two Hundred Dollars (\$200.00) per vehicle, per daily violation during ski season at Development; or (2) Three Hundred Dollars (\$300.00) per vehicle, per daily violation for commercial vehicles and heavy equipment improperly parked.

Snow Removal

Snow may not be removed from or stored anywhere off site without prior written approval from the Association (or Association's designee) and any and all other affected property owners. In the event Owner or Contractor causes or allows snow from the Subject Property to accumulate or be moved off the Subject Property without prior written approval, Association (or Association's designee) may immediately, and without notice, remove the snow and charge Owner or Contractor (as applicable) Two Hundred Dollars (\$200.00) per hour for each hour of time expended in removing the snow.

Non-Liability of Association, Indemnification

Neither Association, ARC, nor its partners, its subsidiaries and affiliates, its respective agents, officers, directors, shareholders, servants, employees and owners, successors, and assigns, nor any person acting on their behalf (collectively, "**Association Affiliates**") shall be liable to Owner or Contractor for any claims, liens, demands, actions and causes of action arising out of or in any way connected with the exercise of its rights under these provisions, unless due to the negligence of Association or ARC. The ARC shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed approval of such plan or design from the standpoint of structural safety or conformance with building Codes or other governmental regulations. Neither the Association, ARC, nor Association Affiliates shall be liable for any claim, demand, action or cause of action arising out of or connected with its failure to enforce the provisions of this Agreement, or for its failure to enforce compliance with "Development Policies And Procedures"; the Declaration, applicable neighborhood declarations, if any; or any specific Standards or Guidelines related to

the Project and/or the vicinity in which it is located; and any other guidelines, or restrictions as may be adopted by Association or the ARC from time to time.

Notwithstanding any other provision or limitation herein, Owner shall fully indemnify, defend and hold harmless Association, ARC, and Association Affiliates against and from any and all liability, claims, liens, demands, actions and causes of action whatsoever arising from or in any way related to this Agreement, including without limitation any Project Work. Said indemnification shall extend to any loss, cost, damage, or injury including death to any person, or damage to real and personal property, reasonable attorneys' fees, expert witness fees, and any other costs incurred by Association, ARC, or Association Affiliates arising out of or in any way related to such claims. Owner shall also indemnify Association, ARC, and Association Affiliates for any and all liability, claims, liens, demands, actions and causes of action caused in whole or in part by the misconduct, negligent or intentional acts, errors or omissions of Owner's or Contractor's architects, designers, engineers, subContractors, laborers, material providers or any other persons directly or indirectly employed or retained by them, or any of them related to any activity associated with the design, construction, manufacture or fabrication of the Project or any other related activities taking place on the Subject Property during the course of the Project Work or anytime thereafter, or any activity related thereto, or associated therewith regardless of whether such act or omission is active or passive, unless caused by the gross negligence or willful misconduct of Association, ARC, or Association Affiliates who are directly responsible to the Owner or Contractor.

The Association and ARC shall indemnify, defend and hold harmless Owner and Contractor and their partners, subsidiaries and affiliates, respective agents, officers, directors, shareholders, servants, employees and owners, successors, and assigns of and from any and all liability, claims, liens, demands, actions and causes of action to the extent that they are a direct result of the Association's or ARC's negligence or willful misconduct.

Easement for Inspection

Owner and Contractor hereby expressly grant and convey to Association (or persons designated by Association), its successors and assigns, together with the right to grant and transfer the same, a temporary non-exclusive right-of-way, Easement in gross, and interest in and across the Subject Property as is necessary for Association, or persons designated by Association, to inspect Improvements thereon.

Project Name and Logo

Owner shall submit to the Association (or Association's designee), for its review and approval, the name it intends to use in connection with the development or Project and marketing of the Project (the "Project Name") and any logo or mark to be used in connection therewith (the "Project Logo"). Owner and Contractor shall not use in Advertising (as defined below), or place on any sign, billboard or entry monument, any Project Name or Project Logo without first obtaining the written consent thereof of the Association or Association's designee, whose consent shall not be unreasonably withheld. In the event the Association fails to respond to a written request for approval of a Project Name or Project Logo within thirty (30) days of receipt of such request, such Project Name or Project Logo shall be deemed approved. The Association or its designee may, in its discretion, provide the Owner with a list of approved names from which the Owner will select.

Street Names

The owner shall submit to ARC (or its designee), for review and approval, the proposed name of any public or private street within the Subject Property. ARC may, in its discretion, provide the Owner with a list of approved names from which the Owner will select. The owner shall not propose any street name to the County without ARC's prior written consent.

Trademarks

Owner and Contractor acknowledge that the Development has the sole right to the "Powder Mountain Resort" trade names, trademarks, service marks and logos ("**Trademarks**"). Owner and Contractor warrant that they shall not use, nor permit others to use, in any manner whatsoever, the Trademarks without the prior written consent of the Association or Association's designee.

Signs and Advertising Devices

Owner and Contractor shall not place any promotional or advertising signs outside of the Subject Property without the Association's, or its designee, prior written approval.

Notice in Transfer Documents

Owner shall include in each and every document or instrument transferring an interest in the Subject Property or the Project and, if applicable, each Project Unit (as defined in the Declaration), including, without limitation, each deed to a purchaser of a Project Unit (the "**Transfer Document**"),

a specific provision indicating that the Transfer Document and the interest conveyed therein is subject to the Master Declaration of any Supplemental Declaration and to this Agreement. This Agreement shall be deemed appurtenant to the Subject Property.

Restoration of Damaged or Destroyed Project Work

If at any time after Owner commences any Project Work and prior to the sale of such Project to a member of the home-buying public, such Project Work and Improvements are destroyed by fire or other casualty, Owner shall, not later than one hundred twenty (120) days after occurrence of damage or destruction, commence to repair or restore the same in accordance with the Construction Documents for such Project Work and diligently complete the repair or restoration thereof no later than one (1) year from the date of the occurrence of such damage or destruction.

Insurance

Prior to commencement of construction on the Subject Property, Owner shall obtain and, at all times prior to Completion of the Project, maintain in effect the following policies of insurance: (a) comprehensive general public liability insurance with a single per occurrence limit of not less than Two Million Dollars (\$2,000,000) with respect to the Subject Property and Project (b) workers' compensation insurance covering liability arising from claims of workers in respect of and during the period of the performance of the Project Work, and (c) a standard "all risk" Builder's Risk Policy. All policies of insurance shall be issued by admitted carriers who are authorized to do business in Utah and with a financial rating of at least "A-IX" status as rated in the most recent edition of Best's Insurance Reports, or such other insurers to which the Association may consent in writing. All such policies shall provide coverage against claims that may arise out of or result from Owner's or Contractor's performance of the Project Work or which may arise in connection with the activities of Owner or Contractor, any Contractor or subContractor affiliated with the Project, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable. Owner or Contractor shall furnish Association with certificates of insurance as required under this Section before commencing the Project Work. Each policy shall provide that it may not be canceled or reduced in coverage until thirty (30) days after written notice shall have been given to the Association of such cancellation or reduction in coverage. All insurance required hereunder (except worker's compensation) shall name Association and such of its affiliates and partners as Association may designate as additional insureds as to claims by third parties.

Damage to Surrounding Improvements

Should Owner's or Contractor's construction activities in connection with the Project Work cause any damage to any public or private right-of-way or to any Improvement within the right-of-way, parks, lakes, meadows, fields, grasslands, or within the landscaping parcels adjacent to or surrounding the Subject Property, whether completed or under construction by the Development or others, Owner or Contractor shall, upon demand from the Association, promptly repair and restore such right-of-way, Improvement, or unimproved area. If Owner or Contractor fails to commence such repair work within five (5) business days after receipt of such notice and diligently prosecute the same to its completion, then Association shall have the right to make such repairs at Owner's cost and expense, subject to any warranty obligation of the construction Contractor which constructed the Improvement, the Association may require that the work to be performed by such Contractor. Owner, Contractor and any of their agents, employees' subContractors, supplies or laborers may access and exit the Subject Property only by means of the points of ingress/egress identified in the Parking Plan mandated above. Owner or Contractor shall promptly remediate any damage resulting from a deviation of the points of ingress/egress, or the Association may do so, at the Association's option, at Owner's/Contractor's cost.

Additional Obligations

In the event the County or any other governmental authority imposes any conditions, fees, or other obligations (in the broadest sense of that word) in connection with Owner's Project, including, without limitation, temporary or permanent construction of infrastructure, driveways, curb cuts, sidewalks, perimeter or sound walls, retaining walls, irrigation and drainage systems, landscaping, monuments, and directional signs ("**Additional Obligations**"), in addition to those described herein, the performance and satisfaction of such Additional Obligations shall be the sole and exclusive responsibility of Owner, and the Association shall have no responsibility with respect thereto.

Non-Stoppage of Work

In the event the Owner, Contractor, or both have/has a dispute or claim arising out of, or related to this Agreement, Owner and Contractor agree not to suspend or terminate the Project Work but shall vigorously proceed toward Completion of the Project.

Arbitration of Disputes

In order to expeditiously and economically resolve the differences or disputes which may arise

from the performance of the parties to this Agreement, the parties agree to submit any and all disputes and/or claims which may arise to the American Arbitration Association and such disputes and/or claims shall be subject to the rules and procedures of the American Arbitration Association. The parties hereto expressly waive their right to litigate any disputes and/or claims in any state or federal court and agree to be fully and finally bound by the decision rendered by the arbitrator after a ruling rendered pursuant to this Agreement and the rules and regulations of the American Arbitration Association.

In the event of an action or proceeding arising to enforce this Agreement, including without limitation this Section 21, or the enforcement of an award and/or judgment based upon the arbitration as detailed herein, the prevailing party shall be awarded reasonable attorney's fees, expert witness fees and costs.

Arbitration Notice

By signing this Agreement you are agreeing to have any dispute arising out of the matters included in this "Arbitration of Disputes" provision decided by neutral arbitration as provided by Utah law and you are giving up any rights you might possess to have the dispute litigated in a court or jury trial. By signing this Agreement you are giving up your judicial rights to discovery and appeal, unless those rights are specifically included in this "Arbitration of Disputes" provision. If you refuse to submit to arbitration after agreeing to this provision, you may be compelled to arbitrate under the authority of the business and professions Code or other applicable laws. Your agreement to this arbitration provision is voluntary.

Enforcement

The Association has the right, in accordance with the Declaration, to levy fines, charges, assessments, or liens. In the event the Association determines, in its sole direction, that Owner or Contractor, any Contractor or subContractor affiliated with the Project, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, has violated the terms of the Declaration, this Agreement, any rules and regulations that may be promulgated by the Association ("Rules"), or any other governing documents, in connection with this Agreement, the Project, Project Work, in addition to any other fines, charges, assessments, liens, or remedies available under the Declaration, this Agreement, the Rules, or any other governing documents, such violation may result in a flat or daily fine as adopted by the Association.

Notices

Any notices to be given by either party to the others pursuant to this Agreement or other communications shall be emailed, hand delivered or mailed by certified mail, return receipt requested, at the address of the respective parties as follows:

Contractor Company Name: _____

Contact Person: _____

Address: _____

City, State Zip: _____

Phone Number: _____

Email Address: _____

Owner Name: _____

Address: _____

City, State Zip: _____

Phone Number: _____

Email Address: _____

Association Name: Powder Haven Owners' Association, Inc. _____

Contact Person: _____

Address: _____

City, State Zip: _____

Phone Number: _____

Email Address: _____

The time of the giving of such notice shall be deemed to be the time when it is emailed, personally hand delivered, or the third (3rd) day after it was deposited with the U.S. Postal service, as applicable. Any party may change the address to which notice shall be given by notice so given to the others.

Assignment

Parties to this Agreement shall not assign this Agreement without the written consent of the others, which consent shall not be unreasonably withheld.

Headings

Section headings are inserted for convenient reference and do not define, limit or prescribe the provisions of any section.

Ambiguity

Both the Owner and the Contractor shall be deemed to have participated in the drafting of this Agreement, and, accordingly, no ambiguity within this Agreement shall be construed against any party hereto.

Waiver

No action or inaction by Association shall constitute a waiver of any right or duty afforded to Association under the Agreement, nor shall any such action or inaction constitute acquiescence in any breach thereunder, except as may be specifically agreed in writing.

Partial Invalidity

Each term, condition, and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law. If any of this Agreement shall be held invalid, unenforceable or unconscionable to any extent, such term, condition, or provision shall be applied or construed in such a manner as to avoid an unenforceable or unconscionable effect if possible. In any event, the remainder of this Agreement shall be enforced to the fullest extent permitted by law.

Governing Law

This Agreement shall be construed in accordance with and governed by the laws of the State of Utah. The venue for any disputes shall be determined by the Association.

Counterparts

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument. Each counterpart may be delivered by email or other electronic transmission. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon provided such signature page is attached to any other counterpart identical thereto.

Entire Agreement

This Agreement constitutes the entire agreement between the parties and may not be modified except by written instrument signed by all parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

ASSOCIATION: Powder Haven Owners' Association, Inc.

Name: _____

Title: _____

Signature Date

OWNER:

Entity Name (if applicable): _____

Name: _____

Title: _____

Signature Date

Contractor:

Entity Name (if applicable): _____

Name: _____

Title: _____

Signature Date

CONSTRUCTION MONITORING | ENFORCEMENT | FINE SCHEDULE

CONSTRUCTION OBSERVATIONS AND DOCUMENTS (MANDATORY)

1. **Site Observation with Builder** - prior to any site disturbance, and within seven working days of receipt of written request.
2. **Survey Certification** - required to be submitted as part of the Design Review Pre-Planning Meeting.
3. **Framing Observation** - within seven working days of receipt of written request.
4. **Final Observation** - within seven working days of receipt of written request and prior to request for a Certificate of Occupancy from the City of Eden.
5. **Certificate of Occupancy** - issued within seven working days of observation.

CONSTRUCTION ACTIVITIES SCHEDULE/ENFORCEMENT

Work In Progress Observations

During construction, the Association will check construction to ensure compliance with approved Final Design documents. If changes or alterations have been found that have not been approved, the Association will issue a Notice to Comply.

The Association will also inspect for Rule and SWPPP Compliance.

Notice to Comply

When, as a result of a construction compliance observation or if the Association finds changes and/or alterations that have not been approved, the Association will issue a Notice to Comply within two working days of the observation. The Association will describe the specific instances of non-compliance and will require the Owner to comply or resolve the discrepancies.

Notice of Completion

The Owner will provide the Association with a Notice of Completion of any Improvement(s) given Final Design approval by the ARC. The Association will make a final inspection of the property

within seven working days of notification. The ARC will issue a Notice of Completion in writing within seven working days of observation. If it is found that the work was not done in compliance with the approved Final Design documents, the ARC will issue a Notice to Comply within three (3) working days of observation.

Violation Enforcement and Fine Schedule

Any violation observation or continuing violation of these Rules or the other Governing Documents may result in any one or more of the following enforcement actions as deemed appropriate and reasonable by the Management Committee, or as otherwise required or allowed by the Governing Documents or the Act:

1. Give a warning;
2. Issue a fine (pursuant to the schedule and requirements below);
3. Record a lien;
4. Institute legal action for damages, injunction, and other relief;
5. Enter onto any Lot to make repairs and to do other work necessary for the proper maintenance and operation of the Project;
6. Tow or immobilize an improperly parked vehicle;
7. Take any other appropriate action, including, but not limited to, any action provided for in the Governing Documents or these Rules;

If any two sections in these Rules apply to the same incident or matter, any prescribed penalties, fees, fines, or remedies may be in addition to one another, according to the reasonable determination of the Management Committee;

Builders in violation of these Rules and/or any other provisions in the Governing Documents will be assessed and must pay all reasonable legal fees, collection costs, lien fees, management fees, processing fees, and all other costs incurred by the Master Association related to enforcement;

The Management Committee is hereby authorized to issue fines for a violation of the Governing Documents. Fines are subject to change by the ARC; contact the ARC for the latest associated fine(s).

Violations of the rules by any Lot Builder/Owner shall receive a notice with a warning on the first violation. The Builder and Owner shall receive notices for subsequent violations.

Any Lot Builder, that damages Association Common Area during construction shall be fined in addition to being assessed the actual cost to repair said damage.

Any undue delays in construction and snow removal by Lot Builders, including builder Builders, and as determined in the sole discretion of the Master Association Board, shall be fined the same.

Vehicle Violations

The association reserves the right to tow and/or impose the fines for vehicle violations. This includes fines for continued and/or per occurrence parking violations for:

- personal vehicles improperly parked (with an increased fine during ski season); and
- commercial vehicles and heavy equipment wrongly parked.

Snow Removal

- A fine shall be imposed per hour to remove un-approved or improperly stored snow.

Non-Adherence to Construction Process

There shall be a fine if any Homesite clearing occurs without the Pre-Construction meeting with the ARC.

Appendix D

Approved Standard Homesite Details



ADDRESS IDENTIFICATION NUMERALS

Identification

- Cast or Flat-cut aluminum numeral materials.
- Numerals to be flat-faced, i.e., no prismatic or rounded faces.
- Numeral returns (sides) to match anodized surface coating of numeral faces.
- Order and use an installation template for proper alignment and spacing of numerals.
- Numerals shall be pin-mounted or mechanically fastened with no exposed fasteners.
- No additions or spelling out of street names, e.g., 1234 Maple Street.

Also, refer to information in Section 2.24.

Ordering from Suppliers and Fabricators

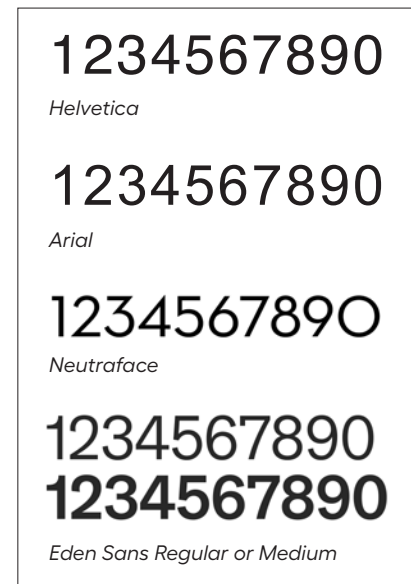
- Gemini, Inc. (www.geminimade.com)
- Gemini, Inc. (www.geminilettersdirect.com)
- Architectural Numbers, Inc. (www.architecturalnumbers.com)
- Design Within Reach (www.dwr.com)
- Rejuvenation (www.rejuvenation.com)

Approved Typefaces:

- Helvetica
- Arial
- Neutraface
- Eden Sans, Regular or Medium
- Rock Creek

Approved Colors/Finishes:

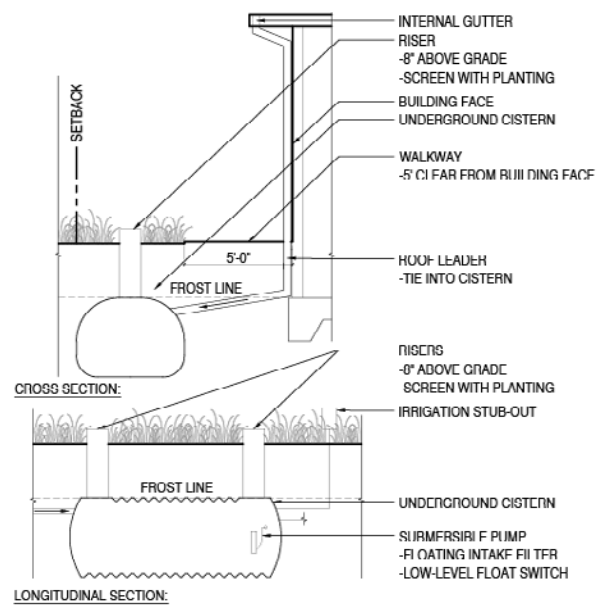
- Brushed Aluminum
- Matte Black



Building Mounted Address Marker Precedents

CISTERN

Homeowners may install cisterns for rainwater harvesting to provide for the safe storage and use of rainwater for irrigation purposes. All cisterns must be located below ground and must comply with local Code. Refer to standard detail below. Refer to Section 2.19.



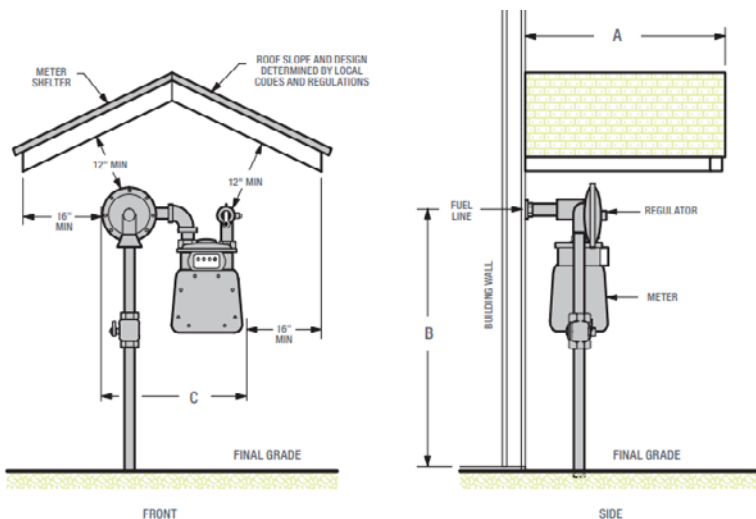
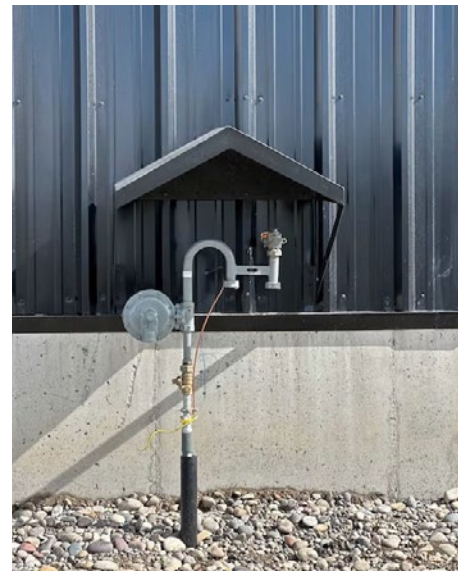
PROPANE VALVE, REGULATOR, AND METER COVERS AT RESIDENCE (IF REQUIRED)

Propane Valve Covers shall:

- Provide protection from falling/melting snow, ice, and buildup on the valve.
- Provide access for valve maintenance.
- Prolong the life of the valve.
- Be attached to the Primary Structure, and not visible from off-site.
- Meet current building Code requirements.
- The shelter's roof must be adequately supported to protect the propane valve from snow loads. Roof support pillars may be necessary.

The propane valve cover design variables include:

- Roof materials
- Roof pitch
- Structural requirements for snow loads



This diagram is for reference only. All dimensions must meet local Codes and regulations.



Valve covers should attempt to blend into the adjacent structure (material and color)

DRAINAGE SWALE AND SHOULDER PLANTING

On larger Lots, rock lined swales may occur within and immediately adjacent to the right of way. These swales should be designed to appear as naturally occurring mountain drainage with large boulders randomly placed at edges transitioning to more gravel type rock in the center. This will also slow the flow of water where necessary, and create a more natural transition to the adjacent landscape.

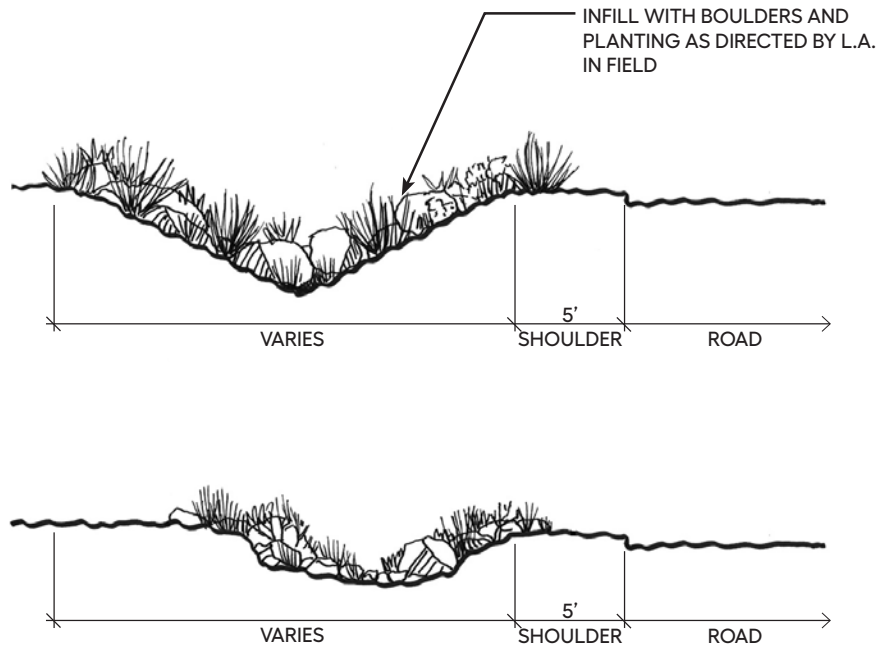
Swales should not travel in a straight line, as meandering courses will slow flow and allow better infiltration and less erosion. The Owner shall maintain all drainage channels installed as part of the Homesite Improvement.



Existing Drainage Swales on Site



Existing Drainage Swales on Site



Rock Lined Drainage Swales

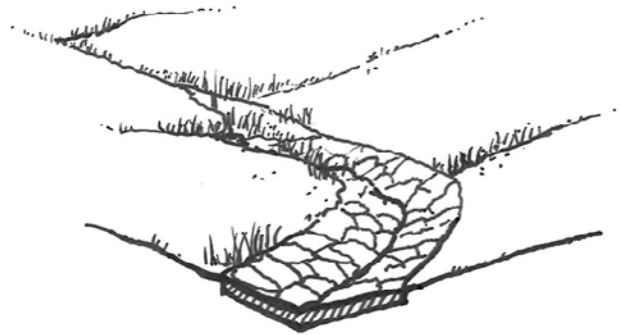
CULVERT DETAIL AT DRIVEWAY CROSSING

THIS



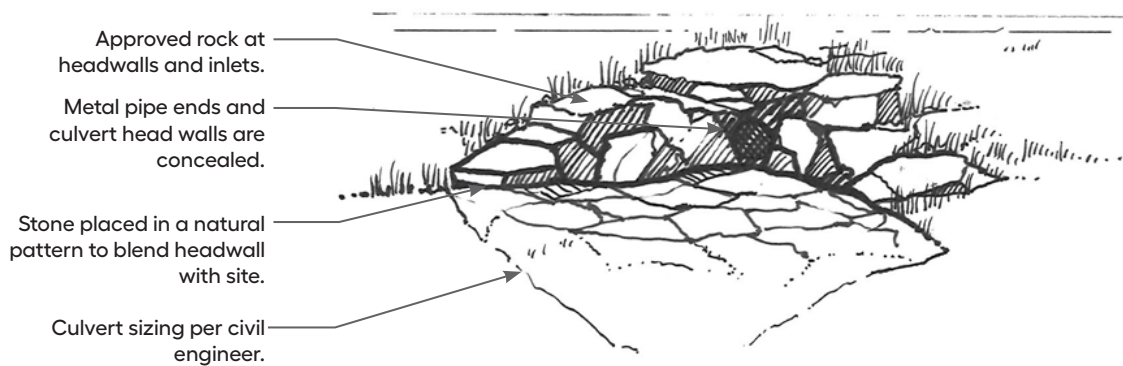
Boulders of various sizes arranged in a natural pattern.

NOT THIS



Unnatural and artificial looking patterns.

Channelized Drainage System

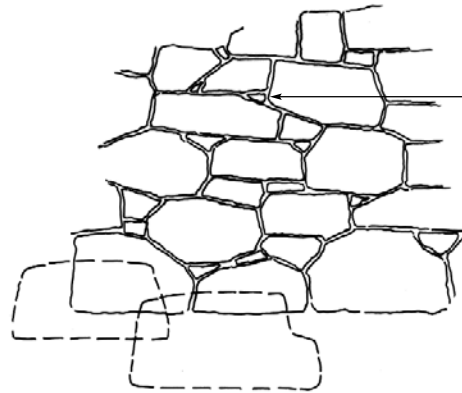


Typical Headwalls

DESIRED STONE PATTERN ELEMENTS FOR ALL STONE WALLS

Dry-stack Appearance

All stone walls must have a dry-stack appearance. It must appear “structural” rather than veneered. For that reason, no mortar shall be visible, and joints must be minimal.

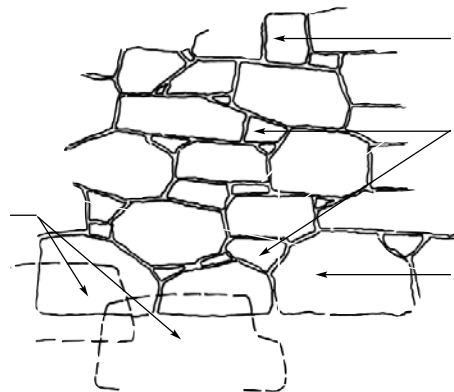


Some “chinks” where the joints would otherwise be too big are acceptable but should be minimized

Stone Placement

Stones should gradually decrease in size from lower to upper courses. Large stones should be used at the bottom, particularly at corners and ends of walls.

Boulders placed outside of wall but integrated into wall to blend with landscape. A natural extension of building walls or piers



Vertically proportioned stones kept to a minimum

Smaller stones should be distributed evenly and never be concentrated in one area

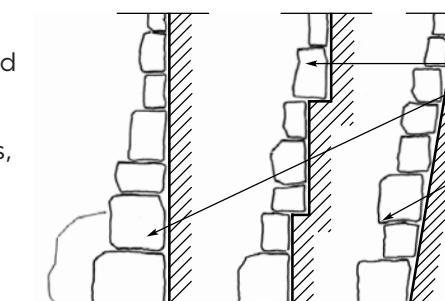
The biggest stones should be placed at the base or corners of the wall or other places where justified by structural requirements

Batter

Walls should be stepped to create a battered effect. Exaggerate the batter on the wall by projecting the lower course beyond the edge of the shelf and stepping back each course. The batter should occur from stepping the courses, not tilting the stones.

Stepped

Not Tilted



Face of stones should be basically vertical

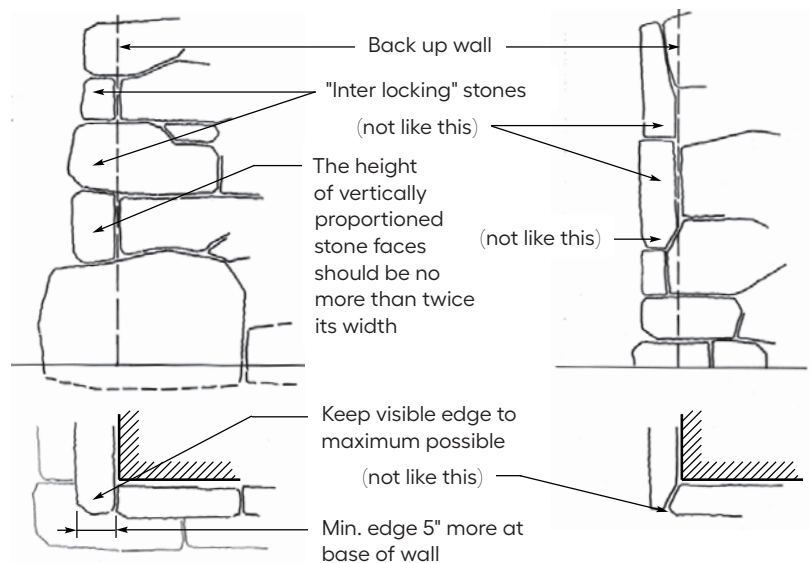
not tilted

A few stones should project out from stone below (1" or less) creating shadows. Especially important if stone faces are otherwise flat

DESIRED STONE PATTERN ELEMENTS FOR ALL STONE WALLS

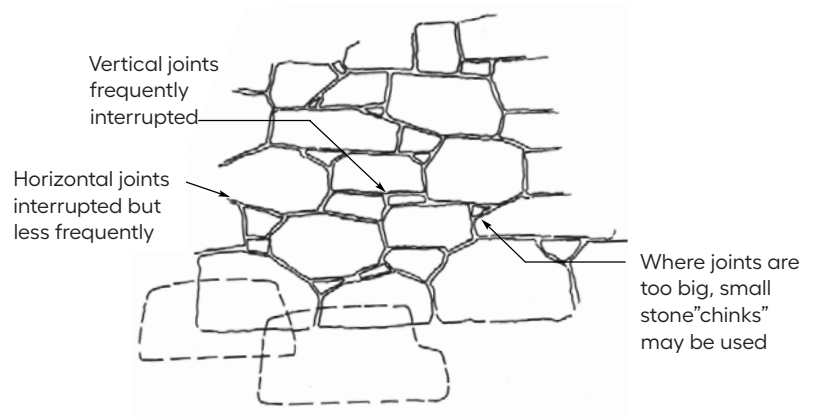
Corners

Stone corners must have a structural appearance.



Joints

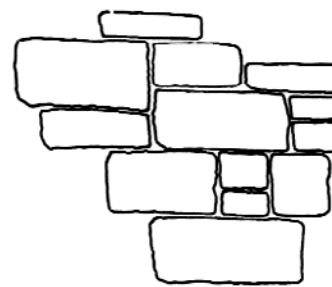
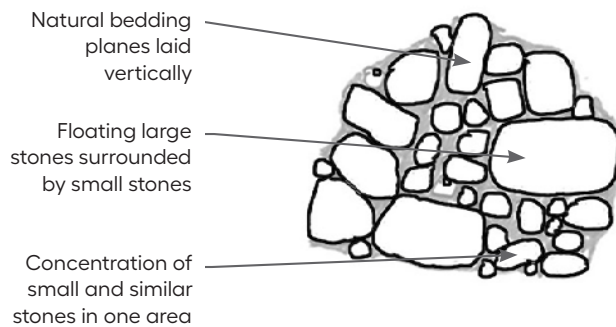
Avoid long horizontal and vertical joints. The majority of the "bedding" joints must be horizontal or nearly horizontal. Vertical joints should be frequently interrupted and horizontal joints should also be interrupted, but less frequently.



DESIRED STONE PATTERN ELEMENTS FOR ALL STONE WALLS

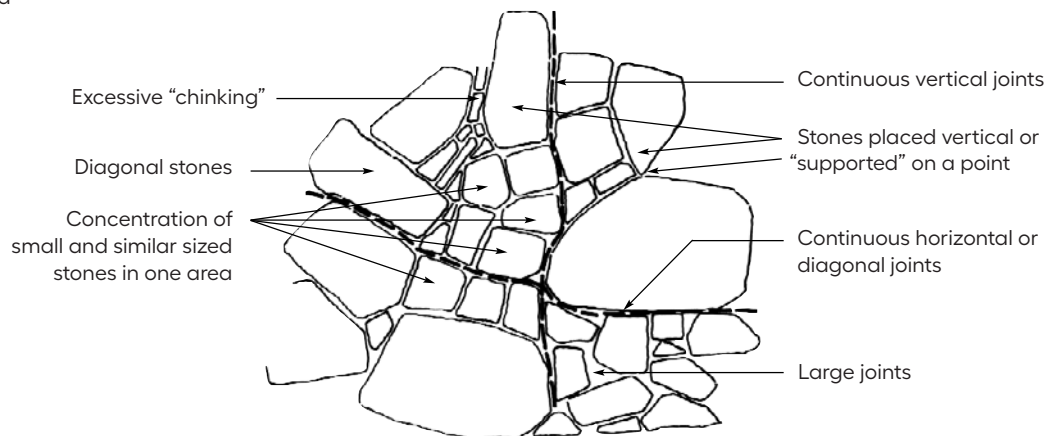
Things to Avoid

Unacceptable Patterns and Details



"Ashlar Pattern"
(not acceptable)

Exclusively square and rectangular stones

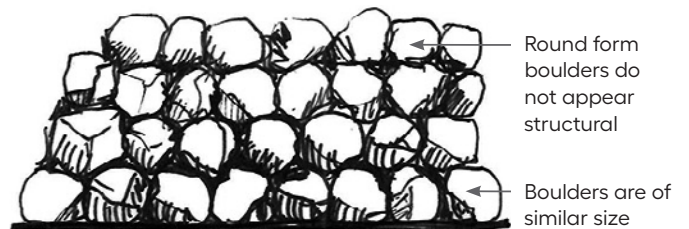


DRY-STACK BOULDER WALLS

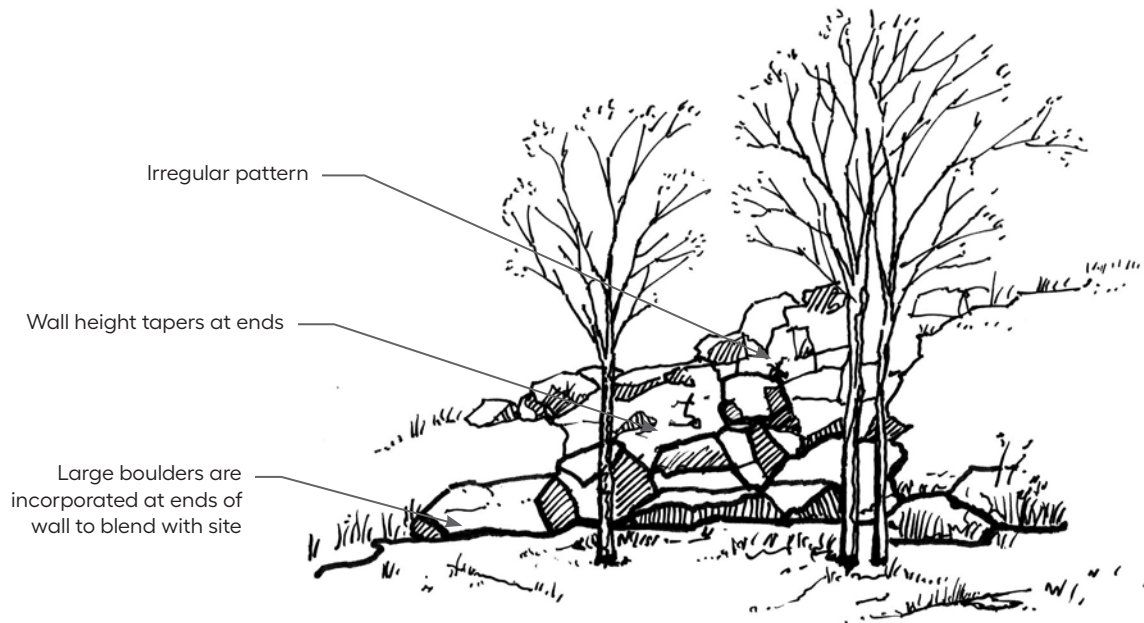
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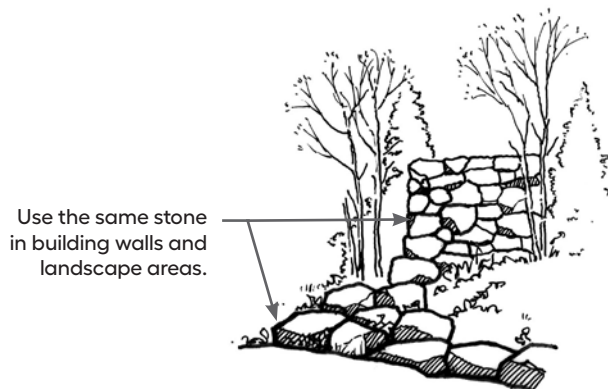
WALL END DETAIL AND TRANSITION TO NATURAL AREAS



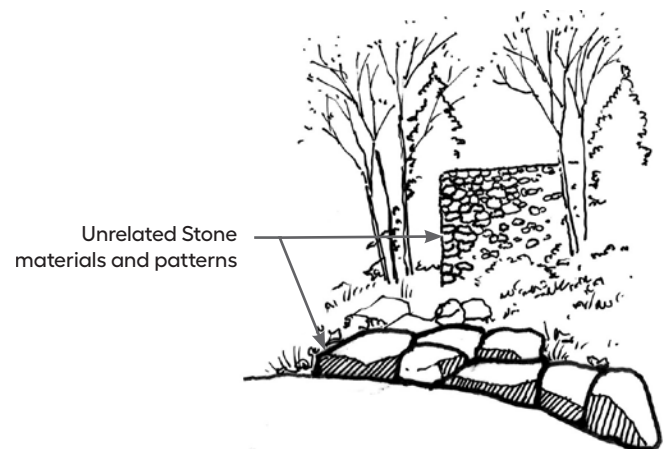
Wall End Detail

STONE RETAINING WALLS

THIS



NOT THIS



An aerial photograph of a dense forest. A narrow dirt path runs vertically through the center of the image. A small figure of a person in a red shirt is visible on the path. The text 'Appendix E' is centered above the path, followed by a short orange horizontal line. Below the line, the words 'Recommended Plant List' are centered in a larger font.

Appendix E

Recommended Plant List

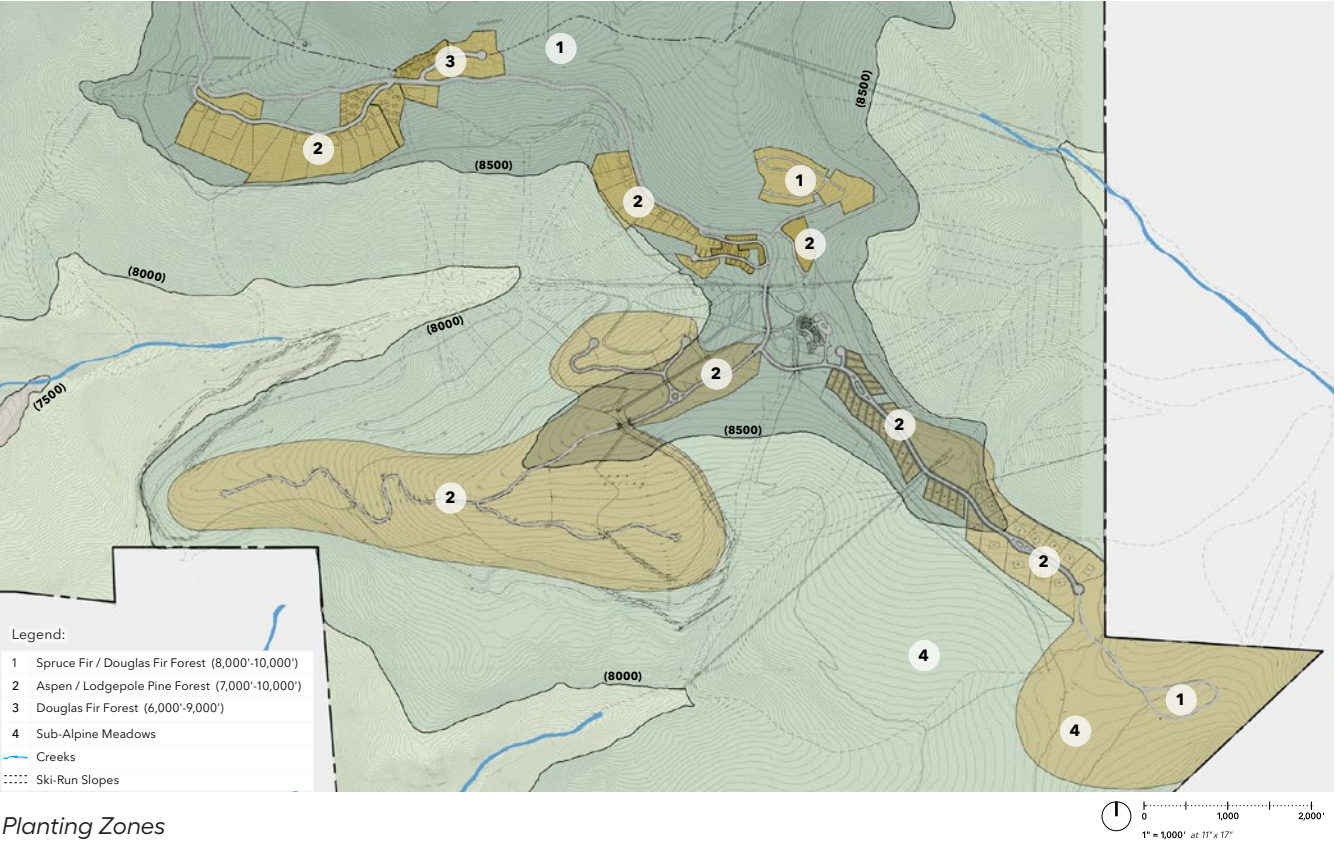
Homesites occur within various planting zones at Powder Haven, each zone defined by its unique elevation, soil conditions, light levels, and existing vegetation. Species listed in the Recommended Plant List in this section are to be planted in accordance with the conditions of the relevant planting zone.

The introduction of species not normally occurring within a planting zone alters the ecology, aesthetic, and historic quality of that zone, potentially threatening the survival of native species, especially those endemic to specific areas. Such non-native species often prove highly invasive. For those reasons and for the long-term maintenance of landscape standards, only plants in the

Recommended Plant List in this section will be allowed, except as specifically approved by the ARC.

Plant lists conforming to the approved vegetation palette must be submitted for review as a part of the Final Design Submittal process. The ARC reserves the discretionary right to refuse any plant material that may not be compatible with the existing natural landscape or which is not beneficial to the environment, as well as the right to add species of plants to the Enhanced Vegetation List as they become available on the commercial market.

The following selection of plants is appropriate for use only in landscaped areas that have a direct relationship with the home.



Botanical Name	Common Name	Douglas Fir Forest	Western Spruce / Fir Forest	Spruce Fir / Douglas Fir Forest	Aspen Lodgepole Pine Forest	Large Tree (More Than 50' Tall)	Medium Tree (30-50' Tall)	Small Tree (Less Than 30' Tall)	Native	Remarks
TREES										
<i>Abies concolor</i>	White Fir	X		X		X			X	Plant in Fall; provide establishment irrigation
<i>Abies lasiocarpa</i>	Subalpine Fir		X			X			X	
<i>Acer grandidentatum</i>	Canyon Maple				X			X	X	
<i>Acer glabrum</i>	Rocky Mountain Maple			X				X	X	
<i>Amelanchier alnifolia</i>	Saskatoon Service-berry			X				X	X	
<i>Betula occidentalis</i>	Water Birch			X			X		X	
<i>Larix occidentalis</i>	Western Larch	X				X				
<i>Picea engelmannii</i>	Engelmann's Spruce		X			X			X	
<i>Picea glauca</i>	White Spruce	X				X				
<i>Pinus contorta</i>	Lodgepole Pine	X	X		X	X			X	
<i>Pinus flexilis</i>	Limber Pine		X		X	X			X	
<i>Pinus longaeva</i>	Intermountain bristle-cone Pine		X				X		X	
<i>Pinus ponderosa</i>	Ponderosa Pine	X				X			X	
<i>Populus angustifolia</i>	Narrow-leaf Cottonwood			X		X			X	
<i>Populus tremuloides</i>	Quaking Aspen	X	X	X	X	X			X	
<i>Pseudotsuga menziesii</i>	Douglas-Fir	X	X	X	X	X			X	

Botanical Name	Common Name	Douglas Fir Forest	Western Spruce / Fir Forest	Spruce Fir / Douglas Fir Forest	Aspen Lodgepole Pine Forest	Full Sun	Part Sun / Shade	Full Shade	Native	Remarks
SHRUBS										
<i>Arctostaphylos spp.</i>	Manzanita	X	X	X	X	X				
<i>Arctostaphylos uva-ursi</i>	Red Bearberry	X	X	X	X	X			X	
<i>Artemisia ludoviciana</i>	White Sagebrush	X	X	X	X	X			X	
<i>Ceanothus fendleri</i>	Fendler's buckbrush	X	X	X	X	X	X		X	
<i>Ceanothus velutinus</i>	Tobacco-brush	X	X	X	X	X	X		X	
<i>Cornus sericea</i>	Redosier	X	X	X	X	X	X		X	
<i>Fallugia paradoxa</i>	Apache-plume	X			X	X			X	
<i>Fendlerella utahensis</i>	Utah-fendlerbush	X	X	X	X	X			X	
<i>Holodiscus boursier</i>	Boursier's Oceanspray	X	X	X	X	X	X	X	X	
<i>Holodiscus dumosus</i>	Glandular Oceanspray	X	X	X	X	X	X	X	X	
<i>Mahonia repens</i>	Creeping Oregon-grape	X	X	X	X	X	X		X	
<i>Pachystima myrsinites</i>	Myrtle Boxleaf	X	X	X	X	X	X		X	
<i>Physocarpus malvaceus</i>	Mallow-leaf Ninebark	X	X	X			X		X	
<i>Physocarpus monogynus</i>	Mountain Ninebark	X	X	X	X	X	X		X	
<i>Potentilla neumanniana</i>	Spring Cinquefoil	X	X	X	X	X	X		X	
<i>Purshia mexicana</i>	Meican cliff-Rose	X	X	X	X	X			X	
<i>Purshia tridentata</i>	Bitterbrush	X	X	X	X	X	X		X	
<i>Rhus trilobata</i>	Ill-scented Sumac	X	X	X	X	X	X		X	Plant in Fall; provide establishment irrigation
<i>Ribes cereum</i>	White Squaw Currant	X	X	X	X	X	X		X	
<i>Ribes motigenum</i>	Western Prickly Gooseberry	X	X	X	X	X	X		X	
<i>Rosa nutkana</i>	Nootka Rose	X	X	X	X	X	X		X	
<i>Rosa woodsii</i>	Woods' Rose	X	X	X	X	X	X		X	
<i>Rubus idaeus</i>	Common red raspberry	X	X	X	X	X			X	
<i>Rubus pariflorus</i>	Western thimble-berry	X	X	X	X	X	X		X	
<i>Salix lutea</i>	Yellow willow	X	X	X	X	X	X		X	
<i>Salix scouleriana</i>	Scouler's willow	X	X	X	X	X	X		X	
<i>Sambucus cerulea</i>	Blue elder	X	X	X	X	X	X		X	
<i>Shepherdia canadensis</i>	Russet buffalo-berry	X	X	X	X	X	X		X	
<i>Sorbus scopulina</i>	Cascade Mountain Ash	X	X	X	X	X	X	X	X	
<i>Symphoricarpos albus</i>	Common snowberry	X	X	X	X	X	X		X	
<i>Symphoricarpos oreophilus</i>	Mountain snowberry	X	X	X	X	X	X		X	
<i>Vaccinium myrtillus</i>	Whortle-berry	X	X	X	X	X	X		X	
<i>Vaccinium scoparium</i>	Squashberry	X	X	X	X	X	X		X	
<i>Veronica americana</i>	American-brookline	X	X	X	X	X			X	
<i>Veronica spicata</i>	Veronica	X	X	X	X	X			X	
<i>Wyethia amplexicaulis</i>	northern mule's-ears	X	X	X	X	X			X	

Botanical Name	Common Name	Douglas Fir Forest	Western Spruce / Fir Forest	Spruce Fir / Douglas Fir Forest	Aspen Lodgepole Pine Forest	Full Sun	Part Sun / Shade	Full Shade	Native	Remarks
GRASSES AND SEDGES										
<i>Bouteloua gracilis</i>	Blue Grama	X			X	X			X	Plant in Fall; provide establishment irrigation
<i>Bromus marginatus</i>	Large Mountain Brome	X	X	X	X		X	X	X	
<i>Bromus spp.</i>	Brome	X	X	X	X		X	X	X	
<i>Calamagrostis canadensis</i>	Blue joint	X	X	X	X	X	X		X	
<i>Calamagrostis rubescens</i>	Pine Grass	X	X	X	X	X			X	
<i>Carex concinnoides</i>	Northwestern Sedge	X	X	X	X		X	X	X	
<i>Carex geyeri</i>	Geyer's Sedge	X	X	X	X		X	X	X	
<i>Elymus elymoides</i>	Western bottle-brush Grass	X	X	X	X	X			X	
<i>Festuca arizonica</i>	Arizona fescue	X	X	X	X	X	X		X	
<i>Festuca ovina</i>	Sheep fescue Grass	X	X	X	X	X	X			
<i>Koeleria macrantha</i>	Prairie koeler's Grass	X	X	X	X	X			X	
<i>Poa fendleriana</i>	Mutton Grass	X	X	X	X	X	X		X	
<i>Pseudoroegneria spicata</i>	Bluebunch-wheat Grass	X	X	X	X	X	X		X	
<i>Sporobolus heterolepis</i>	Prairie Dropseed	X	X	X	X	X			X	
<i>Stipa lettermanii</i>	Letterman's Needle Grass	X	X	X	X	X			X	
<i>Stipa nelsonii</i>	Nelson's Needle Grass	X	X	X	X	X			X	
SOD										
<i>GreenAcre Blue</i>		X	X	X	X	X			X	Available from Green Acres Sod Farm. Contact 801.546.6660
APPROVED SEED MIXES										
<i>Powder Mountain Standard Cabin Mix</i> <i>Approved Uses: erosion control and drainage swale</i>	Seed Mix Contains: Mountain Brome, Slender Wheatgrass, Western Wheat Grass, Idaho Fescue, Sandberg Bluegrass, Big Bluegrass, Bluebunch Wheatgrass, Rocky Mountain Penstemon, Mountain Lupine, Showy Goldeneye, Western Yarrow, Blue Flax	X	X	X	X	X	X		X	30 lbs/acre Plant in Fall; provide establishment irrigation. Available from Granite Seed, 801.768.4422
<i>Powder Mountain Sagebrush Mix</i>	Seed Mix Contains: Utah Serviceberry, Mountain Big Sagebrush, Douglas Yellow Rabbitbrush, Oregon Grape, Mountain Snowberry, Arrowleaf Balsamroot, Sticky Geranium, Showy Goldeneye, Lewis Blue Flax, Silvery Lupine, Wasatch Penstemon, Rocky Mountain Penstemon, Western Wheatgrass, California Brome, Mountain Brome, Tufted Hairgrass, Slender Wheatgrass, Prarie Junegrass, Muttongrass, Sandberg Bluegrass	X	X	X	X	X	X		X	20 lbs/acre Plant in Fall; provide establishment irrigation. Available from Granite Seed, 801.768.4422
<i>Powder Mountain Shade Cabin Mix</i>	Seed Mix Contains: Powder Mountain Standard Cabin Mix and Mountain Brome, Sandberg Bluegrass, Tufted Hairgrass, Rocky Mountain Penstemon, Mountain Lupine, Showy Goldeneye, Western Yarrow and Blue Flax.	X	X	X	X			X	X	30 lbs/acre Plant in Fall; provide establishment irrigation. Available from Granite Seed, 801.768.4422

Botanical Name	Common Name	Douglas Fir Forest	Western Spruce / Fir Forest	Spruce Fir / Douglas Fir Forest	Aspen Lodgepole Pine Forest	Full Sun	Part Sun / Shade	Full Shade	Native	Remarks
GROUND COVER AND PERENNIALS										
<i>Aconitum columbianum</i>	Columbian Monkshood	X	X	X	X	X	X		X	Plant in Fall; provide establishment irrigation
<i>Angelica pinnata</i>	Small-leaf Angelica			X			X	X	X	
<i>Aquilegia coerulea</i>	Colorado Blue Columbine	X	X	X	X	X	X		X	
<i>Aquilegia formosa</i>	Crimson Columbine	X	X	X	X	X	X		X	
<i>Arnica cordifolia</i>	Heart-leaf Leopard-bane	X	X	X	X	X	X		X	
<i>Arnica latifolia</i>	Daffodil Leopard-bane	X	X	X	X	X	X		X	
<i>Cardamine cordifolia</i>	Large Mountain Bittercress	X	X	X	X	X			X	
<i>Castilleja miniata</i>	Great Red Indian-paintbrush	X	X	X	X	X			X	
<i>Delphinium occidentale</i>	Dunce-cap Larkspur	X	X	X	X	X	X		X	
<i>Dracocephalum parvifolium</i>	American Dragonhead	X	X	X	X	X	X	X		
<i>Hydrophyllum capitatum</i>	Cat's Breeches	X			X			X	X	
<i>Ipomopsis aggregata</i>	Scarlet Skyrocket	X	X	X	X	X			X	
<i>Mimulus guttatus</i>	Seep Monkey-flower	X	X	X	X	X	X		X	
<i>Mitella stauropetala</i>	Side-flower Bishop's Cap	X	X	X	X			X	X	
<i>Monardella odoratissima</i>	Alpine Mountainbalm	X	X	X	X	X	X		X	
<i>Nemophila breviflora</i>	Great Basin Baby-blue-eyes	X			X		X	X	X	
<i>Orthilia secunda</i>	Sidebells	X	X	X	X	X	X	X	X	
<i>Osmorhiza depauperata</i>	Blunt-fruit Sweet-cicely			X				X	X	
<i>Penstemon subglaber</i>	Utah Smooth Beardtongue	X			X	X			X	
<i>Phacelia sericea</i>	Purplefringe	X	X	X	X	X			X	
<i>Polemonium foliosissimum</i>	Towering Jacob's Ladder	X	X	X	X		X	X	X	
<i>Polemonium pulcherrimum</i>	Beautiful Jacob's Ladder	X	X	X	X		X	X	X	
<i>Pyrola asarifolia</i>	Pink Wintergreen	X	X	X	X		X	X	X	
<i>Rudbeckia occidentalis</i>	Western Coneflower	X	X	X	X	X			X	
<i>Scrophularia lanceolata</i>	Lance-leaf Figwort	X	X	X	X	X	X		X	
<i>Silene douglasii</i>	Seabluff Catchfly			X		X	X		X	
<i>Solidago spathulata</i>	Coastal-dune Goldenrod	X	X	X	X	X				
<i>Thalictrum fendleri</i>	Fendler's Meadow-rue	X	X	X	X	X	X		X	
<i>Veronica americana</i>	American-brookline			X		X			X	
<i>Xerophyllum tenax</i>	Western Turkeybeard		X	X		X	X		X	

powder
HAVEN

Staff Report: WMCD Upper Canal Pipeline Project Conditional Use Permit 6 November 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Franson Civil Engineers

Parcel ID#: Multiple, See A.2.b

Staff Recommendation: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Location

Reviewed by Conner Smith

Project Address:

~6150 S. 2400 W.,
Wellsville

Current Zoning:

Agricultural (A10)

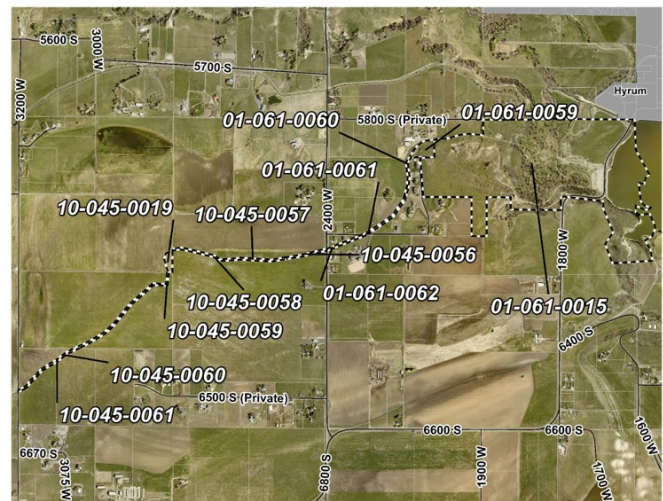
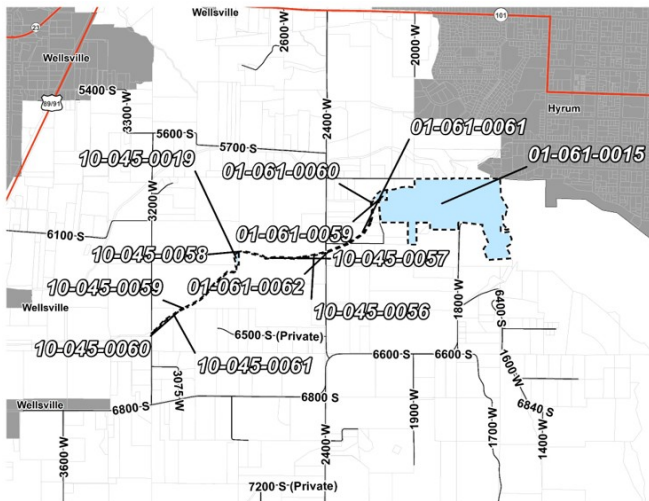
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



Findings of Fact

A. Request description

1. The WMCD Upper Canal Pipeline Project Conditional Use Permit (CUP) is a request by the Wellsville Mendon Conservation District to pipe the existing open canal.
2. Land Use Context:
 - a. Parcel status: The project involves twelve (12) parcels, all of which are in the County. The proposed irrigation pipeline is an agricultural development and the potential restricted status of the parcels will not impact the project; individual parcel legality has not been reviewed.

- b. Involved parcels:
 - i. 10-045-0019, -0056, -0057, -0058, -0059, -0060, -0061, 01-061-0015, -0059, -0060, -0061, -0062.
 - 1. Parcel 01-061-0015 is owned by the United States Bureau of Reclamation (USBR). As Cache County has no authority over the USBR, the approval of this CUP does not extend to Parcel 01-061-0015. The applicant must work with the USBR for any approvals. **See Condition #1**
 - c. Adjacent uses: The parcels and properties where the project will take place are primarily used for agricultural and residential purposes. The location of the project is mostly on private property with some work to be conducted in the public right-of-way.
3. The applicant has provided a letter of intent (LOI) and plans (Attachment A) that details the scope of the project as summarized here: **See conclusion #1; See Condition #2**
- a. Purpose:
 - i. The purpose of the project is to conserve irrigation water and improve water delivery efficiency. The system will operate as a pressurized irrigation pipeline and will operate from May to October (the irrigation season).
 - b. Scope of project:
 - i. Pipeline:
 - 1. Approximately 1.79 miles of canal will be piped with PVC pipe. The pipeline will follow the existing canal alignment.
 - a. 260 feet of 36-inch pipe.
 - b. 9,200 feet of 24-inch pipe.
 - ii. Structures:
 - 1. Regulating tank:
 - a. 192'x8'x9'.
 - b. 700 feet of 15-inch ADS N-12 pipe for a tank overflow. **See Condition #3**
 - 2. Pump station:
 - a. Described as a pump station with associated piping, valves, 36-inch manifold, and other pump station items on a 595 square foot concrete pad. **See Condition #3**
 - iii. Other Items:
 - 1. Electrical conduit:
 - a. 2,200 feet of electrical conduit.
 - i. Alternatively, in the event the electrical conduit has to wait until the Hyrum Reservoir Spillway project is complete, a prime generator with 2,000-gallon propane tank.
 - 2. Turnouts:
 - a. 27 turnouts will be included.
 - 3. Canal Coverage:
 - a. Between 2400 W. and 3200 W., the overlying land will be farmed.
 - b. Between 2400 W. to the pump station, the overlying land will be gravel road base to give the water master and other WMCD personnel access to the pump station from 2400 W.

4. Improvement Plans showing all proposed improvements shall be submitted to the Cache County Public Works Department for review and approval before recording the Permit. These Improvement Plans shall note all existing irrigation ditches and structures that will be abandoned as part of the project. Any abandoned structures and ditches that are within the County right-of-way and determined by the Cache County Public Works Department to be unnecessary for stormwater conveyance shall be removed/restored as part of the project. **See Condition #4**
 - a. Prior to the final acceptance of improvements, As-Built surveys in electronic format shall be submitted and accepted by Cache County Public Works. **See Condition #5**
5. Detailed right-of-way improvement plans depicting all roadway crossings and any proposed work within the County right-of-way shall be submitted to the Cache County Public Works Department for review and approval prior to the issuance of any permit(s). These sheets must clearly identify existing and proposed utilities, construction limits, and restoration details to ensure full compliance with County standards and permit requirements. **See Condition #6**
 - a. No above ground components of the proposed development shall be placed within the County right-of-way.
 - b. An encroachment permit will need to be obtained prior to any work occurring in the County right-of-way **See Condition #7.**
6. Road right-of-way must be dedicated along 3200 West and 2400 West. Standard dedication is the portion of the property within 33 feet of each side of the road centerline or section line. The developer will be required to prepare a legal description and provide a map of the proposed dedication. **See Condition #8**
7. The applicant will need to secure easements, either temporary or permanent, for pipeline construction, operation, and road access. These easements must then be provided to the Development Services Department. **See Condition #9**
8. The applicant is responsible for obtaining any other clearances, authorizations, or permits from any impacted or relevant government agencies, private entities, or individuals. Prior to recording the permit, the applicant must provide copies of any needed approvals to the Development Services Department. **See Condition #10**

B. Conditional Uses *See conclusion #1*

9. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
 - a. Compliance with law;
 - b. Health, safety, and welfare;
 - c. Adequate service provision;
 - d. Impacts and mitigation.

C. Compliance with law *See conclusion #1*

10. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
11. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as the Land Use Authority for a CUP. **See conclusion #2**
12. §17.07.030, Use Related Definitions defines this use as:

- a. “5610 UTILITY FACILITY, DISTRIBUTION: A general term for the following uses. These uses are not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located.
 - 1. Electric Transmission Line: A power transmission line, either above or below ground, designed to provide electric transmission at voltages of less than one hundred forty thousand (140,000) volts (140 kV) but more than thirty thousand (30,000) volts (30 kV).
 - 2. Gas Pipeline: A gas transmission pipeline of less than twelve inches (12”) in diameter.
 - 3. Water/Wastewater Transmission Line: A transmission line for water (culinary or irrigation water) or wastewater greater than eighteen inches (18”) in diameter. Open canals and barrow pits are exempt from this requirement.
 - 4. Electric Substation: A power regulating facility designed to regulate power for distribution to customers at voltages less than one hundred forty thousand (140,000) volts (140 kV).
 - 5. Compression/Pumping Station: A gas or petroleum regulating facility designed to regulate the flow along minor utility facilities.”
- 13. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Agricultural (A10) Zone if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.
- 14. The primary activities as identified within the WMCD Upper Canal Pipeline Project CUP Letter of Intent are proposed to only occur on the subject parcels and will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties.

D. Health, safety, and welfare *See conclusion #1*

- 15. The County Land Use Ordinance stipulates that:
 - a. Proposed CUP’s must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.
- 16. The primary activities as identified within the Letter of Intent will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties so long as the conditions of approval are met.

E. Adequate service provision *See conclusion #1*

- 17. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.

F. Service Provisions:

- 18. Parking:
 - a. §17.22 Off Street Parking Standards – Uses included under Use Index 5000, Public, Institutional, and Utility Uses, require a Parking Analysis be conducted to determine the required number of parking spaces needed. However, under §17.22.020 [C], use type 5610

Utility Facility, Distribution, is exempt from the parking analysis requirement. **See conclusion #3**

- b. Parking needs for this project will be limited to the construction period and occur on private property or along county roads. During construction, the applicant must ensure that construction vehicles do not impede traffic on county roads. **See Condition #11**
 - c. After construction, the applicant indicated that there will be no parking needs as there are no employees regularly onsite; employee visits will occur during site maintenance.
19. §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns about the project.
20. §16.04.080 [F] Solid Waste Disposal – The applicant is responsible for the removal of any waste generated by this project. **See Condition #12**

G. Impacts and mitigation See conclusion #1

21. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”
22. The County Land Use Ordinance stipulates that:
- a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
 - b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.
23. Known or reasonably anticipated detrimental effects of the use are as follows:
- a. A stormwater analysis shall be submitted to the Cache County Public Works Department for review and approval before the recording of the permit. The analysis will need to demonstrate that the anticipated changes in stormwater runoff resulting from piping the canal will not adversely affect roadways or adjacent properties, and that adequate stormwater services exist to handle these changes. **See Condition #13**
 - i. A land disturbance permit will need to be obtained prior to any land disturbance within the unincorporated County. **See Condition #14**
 - b. Noxious Weeds: The project will disturb large areas and bring in fill from other sites that could allow for the unintended establishment of noxious weeds. A noxious weed and revegetation plan must be submitted and approved by Cache County Vegetation Management Division. **See Condition #15**
 - i. Noxious weeds that are present in the vicinity of the project include:
 - 1. Goat’s Rue
 - 2. Phragmites
 - 3. Thistle Scotch
 - c. Air Quality: During the construction period, it is anticipated that the activities will cause detrimental effects to surrounding users including dust. BMP must be followed to mitigate for the temporary impacts on air quality during construction including: application of dust suppressants and watering to control fugitive dust; minimizing the extent of disturbed surfaces; and restricting earthwork during high wind periods. **See Condition #16**

d. Sensitive Areas:

- i. Agricultural Protection Area – This project crosses multiple parcels that are currently in an agricultural protection area or are within 300 feet of an agricultural protection area.

H. Public Notice and Comment—§17.02.040 Notice of Meetings

24. Public notice was posted online to the Utah Public Notice Website on 24 October 2025.
25. Notices were posted in three public places on 24 October 2025.
26. Notices were mailed to all property owners within 300 feet of the project area on 24 October 2025.
27. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

Conditions

These conditions are based on the Cache County Land Use Ordinance, Road Manual, and on the findings of fact as noted herein:

1. Parcel 01-061-0015 is owned by the United States Bureau of Reclamation (USBR). As Cache County has no authority over the USBR, this approval will not apply to any construction performed on this parcel. The applicant will have to work with the USBR to obtain any necessary permits and approvals for construction on parcel 01-061-0015.
2. The applicant shall operate the utility facility in accordance with the Letter of Intent and other submitted application materials. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority.
3. Prior to construction, the applicant must obtain a zoning clearance and building permit for any structures that will be constructed as part of this development.
4. Prior to recording, the applicant must submit Improvement Plans for review and approval by the Cache County Public Works Department.
5. Prior to final acceptance of improvements, as-built surveys in electronic format must be submitted and accepted by the Cache County Public Works Department.
6. Prior to recording, detailed right-of-way improvement plans depicting all roadway crossings and any proposed work within the County right-of-way shall be submitted to the Cache County Public Works Department for review and approval.
7. Prior to any work in the County right-of-way, an encroachment permit must be obtained.
8. Prior to recording, road right-of-way dedication along 3200 W. and 2400 W. must be completed. The developer must prepare a legal description and provide a map of the proposed dedication.
9. Prior to recording, the applicant will need to secure any easements that are necessary for the construction and operation of the development must be obtained. Copies of these easements must be provided to the Development Services Department.
10. The applicant is responsible for obtaining any other clearances, authorizations, or permits from any impacted or relevant government agencies, private entities, or individuals. Should the applicant need to obtain a clearance, authorization, or permit, a copy must be provided to the Development Services Department.
11. During construction and operation, the applicant must ensure that any vehicles do not impede traffic on county roads.
12. During construction and operation, the applicant is responsible for the removal of any waste generated by this project.
13. Prior to recording the permit, the applicant must provide a stormwater analysis to the Cache County Public Works Department for review and approval.

14. Prior to construction, a land disturbance permit must be obtained.
15. Prior to recording the permit, a noxious weed and revegetation plan must be submitted to the Cache County Vegetation Management Division for review and approval.
16. During construction, the applicant must ensure the best management practices are followed to limit fugitive dust.

Conclusions

Based on the findings of fact and conditions noted herein, the WMCD Upper Canal Pipeline Project CUP is hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and;
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request.
3. As per §2.4-A-1-c-iii, unmanned utility facilities are exempt from meeting roadway standards, and, as per §17.22.020-C-2, are also exempt from parking standards.

ATTACHMENT A



Development Services Department

Building | GIS | Planning & Zoning

Application: Conditional Use Permit

Date Received:	By:	Receipt #:	Amount:	Check #:
10/1/2025	CS	21852	\$600.00	4911

1. A pre-application meeting with the Development Review Committee is required for all Conditional Use Permit applications. Call (435) 755-1640 to set an appointment.
2. Applications are accepted by appointment only once the pre-application meeting has been held.
3. The items indicated in the attached checklist must accompany this application.
4. Incomplete applications are not accepted.
5. Late applications are held for the next meeting's agenda.
6. The application fee is not refundable.
7. Your greenbelt taxation status and value of your property may change by proceeding with this application. Please contact the County Assessor's Office for more information.
8. Any information submitted with this application becomes public record and is posted online.

Project Information

- ☐ ___ A parcel review has been completed for each property.
- ☐ ___ A plat map, legal description, and taxation certification has been provided for each property.
- ☐ Use Index No. and Type 5610 - Utility Facility, Distribution Water Transmission Line

Conditional Use Permit Name: WMCD Upper Canal Pipeline Project CUP

Parcel/Tax ID number(s): 01-061-0015, 59, 60, 61, 62; 10-045-0056, 57, 58, 19, 59, 60, 61

Approximate Address: 6150 South 2400 West, Wellsville, UT 84339

Zone(s): A10 Total Acreage: 10.36 + about 2.6 acres on Parcel 01-061-0015

Agent Contact Information

Agent Name: Franson Civil Engineers Email: bsandberg@fransoncivil.com

Phone: 435-754-7661 Mailing Address: 459 South Main St, Suite 200, Logan, UT 84321
Point of Contact: Ben Sandberg

Property Owner Contact Information

Owner Name: Wellsville Mendon Email: murrayquinn@aol.com
Conservation District

Phone: 435-232-8207 Mailing Address: PO Box 70, Wellsville, UT 84339

Quinn Murray, President

Development Services Department
 179 North Main, Suite 305
 Logan, Utah 84321

www.cachecounty.gov/devserv
 devservices@cachecounty.gov
 (435) 755-1640

October 1, 2025

Cache County Development Services Department
179 North Main, Suite 305
Logan, UT 84321

To Whom It May Concern:

We the undersigned irrigation company hereby appoint [Franson Civil Engineers](#) _____
as our agent in regards to the proposed project named [Wellsville Mendon Upper Canal Pipeline Phase II](#) _____
located at [approximately 6150 South 2400 West, Wellsville, UT 84339](#) _____.

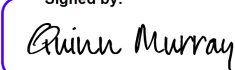
By appointing an agent, we understand that they are authorized to make decisions regarding said development and will be the point of contact should issues/questions arise during the review period.

[Wellsville Mendon Conservation District](#)

Special District

[Quinn Murray, President](#)

Print Name/Title

Signed by:

9E5D06809B56466...

Signature

10/1/2025

Date

[PO Box 70, Wellsville, UT 84339](#)

Address

[435-232-8207 / murrayquinn@aol.com](#)

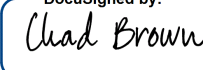
Phone/Email

[Franson Civil Engineers](#)

Company

[Chad Brown, Principal](#)

Print Name/Title

DocuSigned by:

B681B6FA671148A...

Signature

9/29/2025

Date

[Ben Sandberg](#)

Point of Contact

[459 South Main, Suite 200, Logan, UT 84321](#)

Address

[435-754-7661 / bsandberg@fransoncivil.com](#)

Phone/Email

October 1, 2025

Quinn Murray
PO Box 70
Wellsville, UT 84339
435-232-8207

Cache County Development Services Department
179 North Main, Suite 305
Logan, UT 84321

Re: Conditional Use Permit – Letter of Intent

To Whom It May Concern:

Wellsville Mendon Conservation District (WMCD) is piping the remainder of the Upper Canal system. The alignment is shown in the attached drawings. This project will include the installation of the following:

- a regulating tank measuring 192 feet by 8 feet by 9 feet
- a pump station with associated piping, valves, 36-inch manifold, and other pump station items on a 595 square foot concrete pad
- 260 feet of 36-inch PVC pipe
- 9,200 feet of 24-inch PVC pipe
- 700 feet of 15-inch ADS N-12 pipe for a tank overflow
- 2,200 feet of electrical conduit (or a prime generator with 2,000-gallon propane tank, if the electrical conduit has to wait until the Hyrum Reservoir Spillway project is complete)
- two 24-inch isolation valves, 27 turnouts, and all other needed pipeline project appurtenances

The purpose of the project is to conserve irrigation water and improve water delivery efficiency. The system will operate as a pressurized irrigation pipeline. The pump station and pipeline will be used during each irrigation season (approximately May to October). Once the pipeline is installed between 2400 West and 3200 West, the overlying land will be farmed. The pipeline from 2400 West to the pump station will be overlayed by a gravel road base to permit access for the water master and other WMCD personnel to the Pump Station from 2400 West.

The pipeline alignment will follow the existing canal alignment. Construction of the pipeline will be primarily on WMCD property, with the exception of crossings of 6100 South, 2400 West, and 3200 West; as well as the pump station and 36-inch pipeline, which will be constructed in an easement on US Government land.

Construction is expected to begin in November 2025. Construction will be completed by the beginning of the irrigation season (May 2026).

Best Regards,

Signed by:



9E5D05809B56466...

Quinn Murray

President, Wellsville Mendon Conservation District

Enclosures: Conditional Use Permit, Additional Property Owner Information, Agent Letter, Letter Report from Title Company, and Project Drawings

Property Owner Information

Wellsville Mendon Conservation District PO Box 70 Wellsville, UT 84339	Applicable parcels: 01-061-0059 01-061-0060 01-061-0061 01-061-0062 10-045-0019 10-045-0056 10-045-0057 10-045-0058 10-045-0059 10-045-0060 10-045-0061
United States of America 125 South State Street Salt Lake City, UT 84138	Applicable parcel: 01-061-0015

Wellsville Mendon Conservation District

Upper Canal Pipeline Phase II

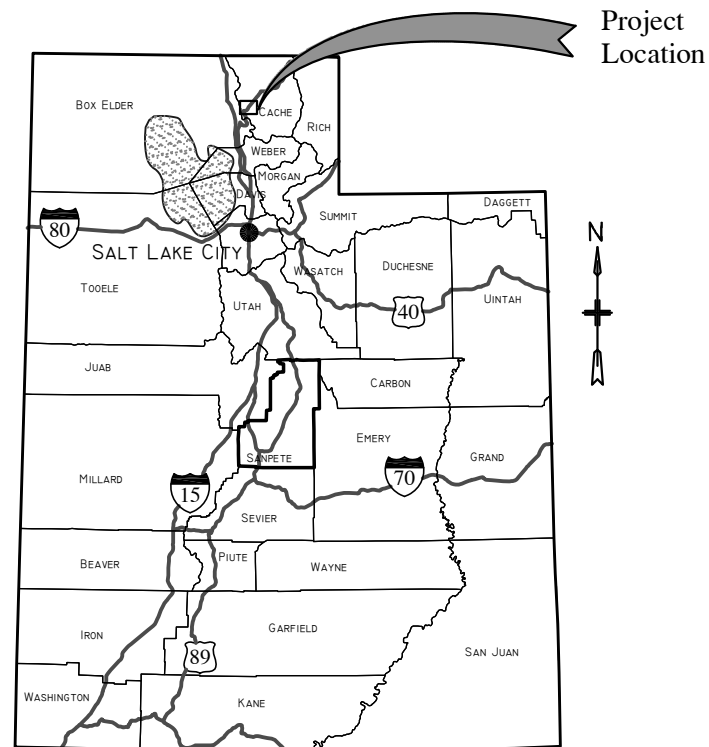
VOLUME 2 OF 2

DRAWINGS

SEPTEMBER 2025



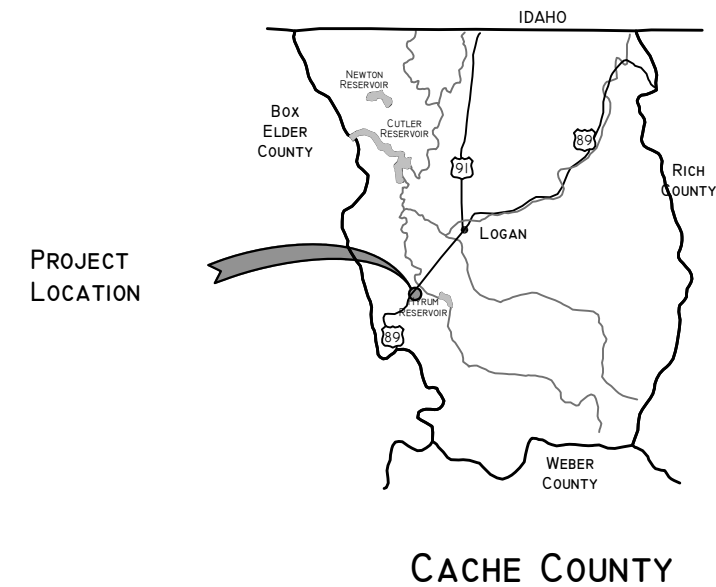
1276 South 820 East, Suite 100
American Fork, UT 84003
T 801 756-0309 F 801 756-0481



Utah



FRANSON
CIVIL ENGINEERS



CACHE COUNTY

[illegible]

WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
COVER SHEET, LOCATION MAPS

Generals.dwg
O-2 2025 WELLSVILLE-MENDON Upper Canal Design\CAD\Design Drawings
Phase 2
LAYOUT: Cover

SHEET
G1 OF G5

SHEET INDEX

GENERAL SET

- G1 COVER SHEET, LOCATION MAPS
- G2 SHEET INDEX, LEGEND, GENERAL NOTES
- G3 TURNOUT TABLE
- G4 SURVEY CONTROL SHEET
- G5 LIMITS OF DISTURBANCE

PLAN AND PROFILES

- P1 OVERALL PLAN
- P2 OVERALL PROFILE
- P3 PLAN AND PROFILE STA. 9+40 - 25+00
- P4 PLAN AND PROFILE STA. 25+00 - 50+00
- P5 PLAN AND PROFILE STA. 50+00 - 75+00
- P6 PLAN AND PROFILE STA. 75+00 - 100+00
- P7 PLAN AND PROFILE STA. 100+00 - 125+00
- P8 PLAN AND PROFILE STA. 125+00 - 150+00
- P9 PLAN AND PROFILE STA. 150+00 - 175+00
- PI0 PLAN AND PROFILE STA. 175+00 - 200+00
- PII PLAN AND PROFILE STA. 200+00 - 225+00
- PI2 PLAN AND PROFILE STA. 225+00 - 250+00
- PI3 PLAN AND PROFILE STA. 250+00 - 275+00

PUMP STATION

- S1 PUMP STATION LOCATION MAP
- S2 PUMP STATION SITE MAP
- S3 PUMP STATION PLAN VIEW
- S4 PUMP STATION PROFILE VIEW
- S5 PUMP STATION STRUCTURAL DETAILS
- S6 PUMP STATION PUMP SHADE
- S7 PUMP STATION CONNECTION DETAILS
- S8 DRAIN LINE PLAN AND PROFILE
- S9 POWER LINE PLAN AND PROFILE I
- SI0 POWER LINE PLAN AND PROFILE 2
- SII DRAIN AND POWER DETAILS

GENERAL DETAILS

- D1 TRENCH DETAILS
- D2 THRUST BLOCK DETAILS
- D3 PIPE DETAILS
- D4 TURNOUT DETAILS I
- D5 TURNOUT DETAILS 2



GENERAL NOTES:

- 1. THE CONTRACTOR MUST CONSTRUCT ACCORDING TO THE FOLLOWING, AS APPLICABLE, UNLESS STANDARDS HAVE BEEN WAIVED OR MODIFIED IN WRITING.
- 2. CONTRACTOR MUST OBTAIN AND PAY FOR ALL PERMITS AND CONDUCT WORK IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS.
- 3. CONTACT "BLUE STAKES (811)" 72 HOURS PRIOR TO STARTING CONSTRUCTION AND NOTIFY ENGINEER OF ANY POTENTIAL CONFLICTS NOT SHOWN ON THE DRAWINGS.
- 4. THE CONTRACTOR MUST NOTIFY ALL OWNERS OF UTILITIES INCLUDING, BUT NOT LIMITED TO, WATER, IRRIGATION, SANITARY SEWER, TELEPHONE, ELECTRICAL, NATURAL GAS, AND CABLE TELEVISION, OF PROPOSED CONSTRUCTION WITHIN THE UTILITY'S AREA OF RESPONSIBILITY. THE CONTRACTOR IS RESPONSIBLE FOR MEETING WITH AND COORDINATING HIS/HER CONSTRUCTION ACTIVITIES WITH THOSE OF THE UTILITY COMPANIES INVOLVED AND TO FIELD LOCATE ALL EXISTING UTILITIES WITHIN THE AREA OF OPERATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
- 5. CONTRACTOR MUST PROTECT ALL FEDERAL, STATE AND LOCAL SURVEY CONTROL MONUMENTS. ANY MONUMENT DISTURBED MUST BE REPLACED IN COORDINATION WITH A CACHE COUNTY DESIGNATED SURVEYOR AT NO COST TO THE OWNER.
- 6. PROVIDE EROSION AND SEDIMENT CONTROL DURING ALL CONSTRUCTION IN ACCORDANCE WITH CITY, COUNTY AND STATE REQUIREMENTS.
- 7. PROVIDE DUST CONTROL DURING ALL CONSTRUCTION IN ACCORDANCE WITH CITY, COUNTY AND STATE REQUIREMENTS.
- 8. PROTECT ALL EXISTING PAVEMENTS, STRUCTURES AND EXISTING UTILITIES. REPAIR OR REPLACE IF DAMAGED OR DISTURBED AT NO ADDITIONAL COST TO THE OWNER.
- 9. PROVIDE TRAFFIC AND PEDESTRIAN CONTROL, CONSTRUCTION SIGNING, WARNING SIGNS AND BARRIERS, INCLUDING CONSTRUCTION TRAFFIC ENTERING AND EXITING ROADWAYS, IN ACCORDANCE WITH COUNTY AND MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REGULATIONS.
- 10. LIMIT CONSTRUCTION ACTIVITIES TO THE PROJECT BOUNDARIES UNLESS OTHERWISE PERMITTED BY THE OWNER.
- 11. CONTRACTOR TO CONSTRUCT AND STAGE ONLY WITHIN LIMITS OF DISTURBANCE MARKED ON DRAWINGS. FOR AREAS IN THE LIMITS OF DISTURBANCE OUT SIDE OF WELLSVILLE MENDON CONSERVATION DISTRICT PARCELS THE CONTRACTOR WILL NEED TO COORDINATE WITH THAT LANDOWNER, NO ADDITIONAL AREAS ARE PERMITTED OUTSIDE OF THE LIMITS OF DISTURBANCE.
- 12. ATTEND ALL PRE-CONSTRUCTION AND SITE COORDINATION MEETINGS.
- 13. PROVIDE MAGNETIC IDENTIFICATION TAPE ABOVE ALL UTILITIES AND CONDUITS IN COMPLIANCE WITH UTAH STATE LAW.
- 14. RECORD AND PROVIDE A RECORD DRAWING OF CONDUIT AND UTILITY LOCATIONS TO THE OWNER.
- 15. EXCAVATION MATERIAL TO BE STOCKPILED IN AREAS TO BE DETERMINED IN FIELD BY THE PROJECT ENGINEER, AND THE OWNER.
- 16. THE TERM CONTRACTOR MUST MEAN ALL CONTRACTORS, SUBCONTRACTORS, AND ALL FOLLOW ON CONTRACTORS. REQUIREMENTS FOR ONE MUST APPLY TO ALL.
- 17. TEST LOTS OR TEST AREAS THAT DO NOT MEET DENSITY REQUIREMENTS MUST BE BROUGHT INTO COMPLIANCE BY ADDITIONAL ROLLING OR TAMPING.
- 18. THE CONTRACTOR IS CAUTIONED TO ONLY USE SPECIFIED ACCESS POINTS. THE CONTRACTOR MUST MAINTAIN SERVICEABILITY OF THESE ACCESS POINTS DURING THE FULL EXTENT OF THE WORK AS REQUIRED AND DETERMINED BY THE PROJECT ENGINEER.
- 19. ADDITIONAL NOTES ARE PLACED ON DESIGN OR DETAIL DRAWINGS AND ARE TO BE ADHERED TO IN THEIR ENTIRETY..
- 20. NO USED MATERIALS ARE ALLOWED ON THIS PROJECT.

CULTURAL RESOURCES NOTES

- 1. IF PREVIOUSLY UNIDENTIFIED CULTURAL RESOURCES ARE LOCATED DURING PROJECT ACTIVITIES, ALL WORK IN THE VICINITY OF THE FIND MUST CEASE AND THE UTAH STATE HISTORICAL PRESERVATION OFFICER MUST BE CONTACTED AND NOTIFIED, AS WELL AS THE OWNER AND ENGINEER. CONSTRUCTION IN THE VICINITY OF THE FIND MUST BE DELAYED UNTIL THE SITUATION HAS BEEN REMEDIED TO THE SATISFACTION OF ALL INVOLVED PARTIES.

HAZARDOUS AND TOXIC WASTE NOTES

- 1. ANY EXCAVATION OR OTHER ACTIVITIES BY CONTRACTOR THAT REVEALS POTENTIAL HAZARDOUS AND/OR TOXIC WASTE MUST BE IMMEDIATELY REPORTED TO THE OWNER AND ENGINEER. CONSTRUCTION MUST BE TEMPORARILY STOPPED UNTIL THE SITUATION HAS BEEN REMEDIED TO THE SATISFACTION OF ALL INVOLVED PARTIES.
- 2. BMPS SHOULD BE INSTALLED SO THAT STAGING, STORAGE, STOCKPILE, AND OTHER CONSTRUCTION AREAS BE PROTECTED TO THE EXTENT PRACTICAL DURING CONSTRUCTION FROM OIL, GAS, AND/OR OTHER HAZARDOUS MATERIALS.
- 3. BMPS EFFECTIVENESS MUST BE MAINTAINED DURING PROJECT IMPLEMENTATION. BMPS MUST BE REPLACED OR AUGMENTED IF THEY ARE NOT EFFECTIVE.

EROSION CONTROL NOTES:

- 1. CONTRACTOR TO PROVIDE STORM WATER POLLUTION PROTECTION PLAN (SWPPP) TO CACHE COUNTY, CITY OF WELLSVILLE, OWNER AND ENGINEER FOR APPROVAL BEFORE COMMENCING ANY CONSTRUCTION ACTIVITIES. CONTRACTOR TO ALSO SUBMIT NOTICE OF INTENT TO STATE OF UTAH AND COMPLY WITH UPDES PERMIT REQUIREMENTS.
- 2. CONTROLLING SEDIMENT TRANSPORT AND PREVENTING AND/OR CORRECTING PROBLEMS ASSOCIATED WITH EROSION AND RUNOFF PROCESSES WHICH COULD OCCUR BOTH DURING AND AFTER PROJECT CONSTRUCTION WILL BE CLOSELY MONITORED. PERIODIC MAINTENANCE AND INSPECTION OF SEDIMENT CONTROL DEVICES WILL BE SCHEDULED BY CONTRACTOR. PARTICULAR ATTENTION MUST BE GIVEN TO EXISTING DRAINAGE PATTERNS WHICH RUN THROUGH DISTURBED AREAS AND OVER EXTREME SLOPES. THESE PATTERNS WILL BE IDENTIFIED TO ISOLATE PROBLEM AREAS WHERE WATER WILL CONCENTRATE. PROVISIONS MUST BE MADE TO CHANNEL RUNOFF AWAY FROM NEW OR EXISTING

- IMPROVEMENTS TO PREVENT UNDERMINING AND GENERAL SITE EROSION. THESE PROVISIONS MUST BE STABILIZED AND MUST REMAIN IN PLACE UNTIL THE PERMANENT STORM DRAINAGE FACILITIES ARE INSTALLED AND FUNCTIONAL.
- 3. BEFORE CONSTRUCTION BEGINS, THE LIMITS OF DISTURBANCE BOUNDARY MUST BE FLAGGED ONSITE AND APPROVED BY OWNER AND THE ENGINEER. UNDER NO CIRCUMSTANCES MUST SITE DISTURBANCE OCCUR OUTSIDE THE DESIGNATED AREAS DURING CONSTRUCTION.
- 4. EXCAVATION AND EMBANKMENT OPERATIONS MUST PROCEED IN SUCH A MANNER SO THAT FINISHING OF SLOPES, INCLUDING REVEGETATION, MUST BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER ROUGH GRADING. ALL SLOPES 2:1 OR FLATTER MUST BE COMPACTED WITH HEAVY EQUIPMENT, LEAVING TRACKS PERPENDICULAR TO THE SLOPE.
- 5. DISTURBED AREAS MUST BE REVEGETATED.
- 6. SEDIMENT TRAPS MUST OUTLET ONTO STABILIZED (PREFERABLY UNDISTURBED) GROUND, INTO A WATER COURSE, OR (IN THE CASE OF A SMALL DRAINAGE WAY) LEFT TO PERCOLATE INTO THE GROUND.
- 7. SEED MIX SEE VOLUME I SECTION 32 92 19 SEEDING. MUST BE APPLIED AT A RATE SO THAT GERMINATION AND SUBSEQUENT COVERAGE REACHES 80% IN A REPRESENTATIVE 10' BY 10' AREA. IF COVERAGE DOES NOT REACH 80%, RESEEDING MUST OCCUR, BEFORE REVEGETATION WILL BE APPROVED.
- 8. STOCK PILES MUST BE ENCIRCLED BY SILT FENCE OR STRAW WATTLES. EROSION CONTROL TEMPORARY DIVERSIONS MUST BE PLACED UPHILL OF STOCKPILES.
- 9. ALL SLOPES 2:1 OR STEEPER MUST BE SEEDED AND BLANKETED WITH AN APPROVED COMPOST, WOOD FIBER, OR COCONUT FIBER BLANKET PROPERLY STAPLED IN PLACE AND ENTRENCHED IN TOP OF SLOPE.
- 10. SILT FENCE MUST BE INSTALLED AT THE TOE OF ALL DOWNHILL SLOPES IN THE CONSTRUCTION AREAS. NO GRUBBED AREA MUST BE WITHOUT SILT FENCE OR OTHER EROSION CONTROL DEVICE FOR LONGER THAN 48 HOURS. ALL SILT FENCE OR LIMITS OF DISTURBANCE FENCING IS TO BE REPAIRED/REPLACED AS NECESSARY.
- 11. SILT DEPOSITED BEHIND SILT FENCES WILL BE REMOVED AS NECESSARY AFTER STORMS. REPORTING OF SILT REMOVAL WILL OCCUR DURING WEEKLY CONSTRUCTION MEETINGS AND ON THE SWPPP INSPECTION FORMS.
- 12. CONTRACTORS WILL MAINTAIN SILT FENCES AND OTHER BMPS UNTIL PERMANENT LANDSCAPING OR VEGETATIVE COVER IS ESTABLISHED.
- 13. BMPS FOR SEDIMENT AND EROSION CONTROL SUITABLE TO PREVENT EXCEEDANCES OF STATE WATER QUALITY STANDARDS MUST BE SELECTED AND INSTALLED BEFORE STARTING CONSTRUCTION AT THE SITE. ONE RESOURCE THAT MAY BE USED IN EVALUATING APPROPRIATE BMPS IS *SALT LAKE COUNTY'S STORM WATER BEST MANAGEMENT PRACTICES.*, AVAILABLE ONLINE AT [HTTPS://SLCO.ORG/GLOBALASSETS/I-SITE-FILES/ENGINEERING/NIFTIC/STORMWATER/DOCUMENTS/-CONSTRUCTION-BMP-MANUAL.PDF](https://slco.org/globalassets/i-site-files/engineering/niftic/stormwater/documents/-construction-bmp-manual.pdf) OTHER RESOURCES MAY ALSO BE USED FOR SELECTING APPROPRIATE BMPS.
- 14. PERMANENT EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED IN A MANNER THAT WILL PROVIDE LONG-TERM SEDIMENT AND EROSION CONTROL TO PREVENT EXCESS SEDIMENT FROM ENTERING WATERS OF THE STATE.
- 15. A BMP INSPECTION AND MAINTENANCE PLAN MUST BE DEVELOPED AND IMPLEMENTED. BMPS MUST BE INSPECTED AND MAINTAINED DURING PROJECT IMPLEMENTATION.
- 16. BMP EFFECTIVENESS MUST BE MONITORED DURING PROJECT IMPLEMENTATION. BMPS MUST BE REPLACED OR AUGMENTED IF THEY ARE NOT EFFECTIVE.

LEGEND

SECTION/VIEW/DETAIL TITLE LABELS

SECTION REFERENCES

- A REFERS TO THE SECTION DESIGNATION LABEL (TOP)
- 4 REFERS TO THE SHEET WHERE THE VIEW/SECTION IS SHOWN (BOTTOM)

VIEW/DETAIL REFERENCES

- A REFERS TO THE VIEW/DETAIL DESIGNATION LABEL (TOP)
- 7 REFERS TO THE SHEET WHERE THE DETAIL IS SHOWN (BOTTOM)

HIGH PRESSURE GAS	_____ HPGAS _____	HPGAS _____
GAS	_____ GAS _____	GAS _____
COMCAST OVERHEAD	_____ OHC _____	OHC _____
COMCAST UNDERGROUND	_____ C _____	C _____
HYRUM POWER	_____ P _____	P _____
LUMEN CENTURY LINK	_____ C _____	C _____
SEWER	_____ S _____	S _____
STORM DRAIN	_____ SD _____	SD _____
FIBER OPTIC	_____ FO _____	FO _____
WATER	_____ W _____	W _____
LIMITS OF DITURBANCE	-----	-----

FRANSON
CIVIL ENGINEERS

1276 South 820 East, Suite 100
American Fork, UT 84003
T 801 756-0309 F 801 756-0481

DESIGNER: BEN SANDBERG	DRAFTSMAN: MATT GURT	CHECKED: REVIEWED:	CHAOS BROWN REVIEWED:	PROJECT LEADER: CHAOS BROWN	PRINT DATE: SEPTEMBER 9, 2025	NO.	DATE	INTS.	DESCRIPTION

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

SHEET INDEX, LEGEND, GENERAL NOTES

General.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LA YOUT: Index

JOB NO.
23025

SHEET

G2 OF G5

Addendum
#1
Plot Date: 9/25/2025

TURNOUT TABLE BY STATION

	Turnout and/or Name	Approx.		Size					
		Phase I Sheet	Phase II Sheet	Sta.	Shares	Acres	Q gpm	Q cfs	Inches
1	Holland/Cooley/Christensen	NA	P3	15+49	40	15.2	106.4	0.24	4
2	Wright/Holland	NA	P4	25+46	55.6	24	168	0.37	4
3	Hugie/Bassett	NA	P4	25+48	55.36	25	175	0.39	4
4	Wright	NA	P4	33+22	13.7	9.1	63.7	0.14	4
5	Demler/CIF	NA	P4	33+27	12	12	84	0.19	4
6	Baldwin/Seely/Arrant	NA	P4	36+48	30.9	23.6	165.2	0.37	4
7	Reeves	NA	P4	46+12	7	24.9	174.3	0.39	4
8	Brown/Nielsen	NA	P4	46+38	2	2.5	17.5	0.04	2
9	Whitaker	NA	P5	53+59	15	10	70	0.16	4
10	Callister/DMH Utah	NA	P5	66+94	184	115	805	1.79	10
11	Parker	NA	P6	81+70	210	161.7	1131.9	2.52	10
12	Legacy Cattle CO LLC	NA	P7	110+49	134	100.5	703.5	1.57	8
13	Gunnell	NA	P7	118+31	100	79.1	553.7	1.23	8
14	Poppleton/MT Sterling	NA	P7	118+36	64.5	45.2	316.4	0.70	6
15	Jones	NA	P7	118+41	149	113	791	1.76	10
16	KSTA-6	P4	P8	130+96	28.6	17.5	122.5	0.27	4
17	Blue Mountain	P4	P8	144+34	59	37.5	262.5	0.58	6
18	Richards/Stuart	P5	P9	155+28	57	28.5	199.5	0.44	6
19	Cooper	P5	P9	166+35	16	8.1	56.7	0.13	4
20	Adam & Jordan Maughan	P5	P9	166+49	24	14	98	0.22	4
21	Laurel Maughan	P5	P9	168+64	56	32	224	0.50	6
22	East Side 200 E/Leishman/Walker	P5	P9	173+49	13	12.6	88.2	0.20	4
23	Bartlett/Woodward/Jensen/Cooper	P6	P9	177+15	17.68	7.15	50.05	0.11	4
24	West Side 200 E	P6	P10	177+20	190.0	79.65	557.55	1.24	8
25	Cooper/Stucki/Armstrong	P6	P10	183+49	77.3	20.5	143.5	0.32	4
26	Wellsville Ranches HOA	P6	P10	190+80	71	27.2	190.4	0.42	4
27	Bankhead	P7	P11	203+56	54.5	25.3	177.1	0.39	6
28	Spahr/Kurek	P7	P11	211+24	6.1	6.9	48.3	0.11	2
29	Callister	P7	P11	217+80	12	17.7	123.9	0.28	4
30	Allison Murray	P8	P12	234+68	10.9	13.1	91.7	0.20	4
31	Quinn Murray	P9	P13	251+21	64.9	75	525	1.17	8
32	Kerr	P9	P13	266+10	58.7	73.1	511.7	1.14	8



FRANSON
CIVIL ENGINEERS

1276 South 820 East, Suite 100
American Fork, UT 84003
T 801 756-0309 F 801 756-0481



DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 25, 2025
NO.	DATE	INTS.	REV.	DESCRIPTION	
1	SEPTEMBER 2025	ES, MC		ADDENDUM #1	
2					
3					
4					
5					

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

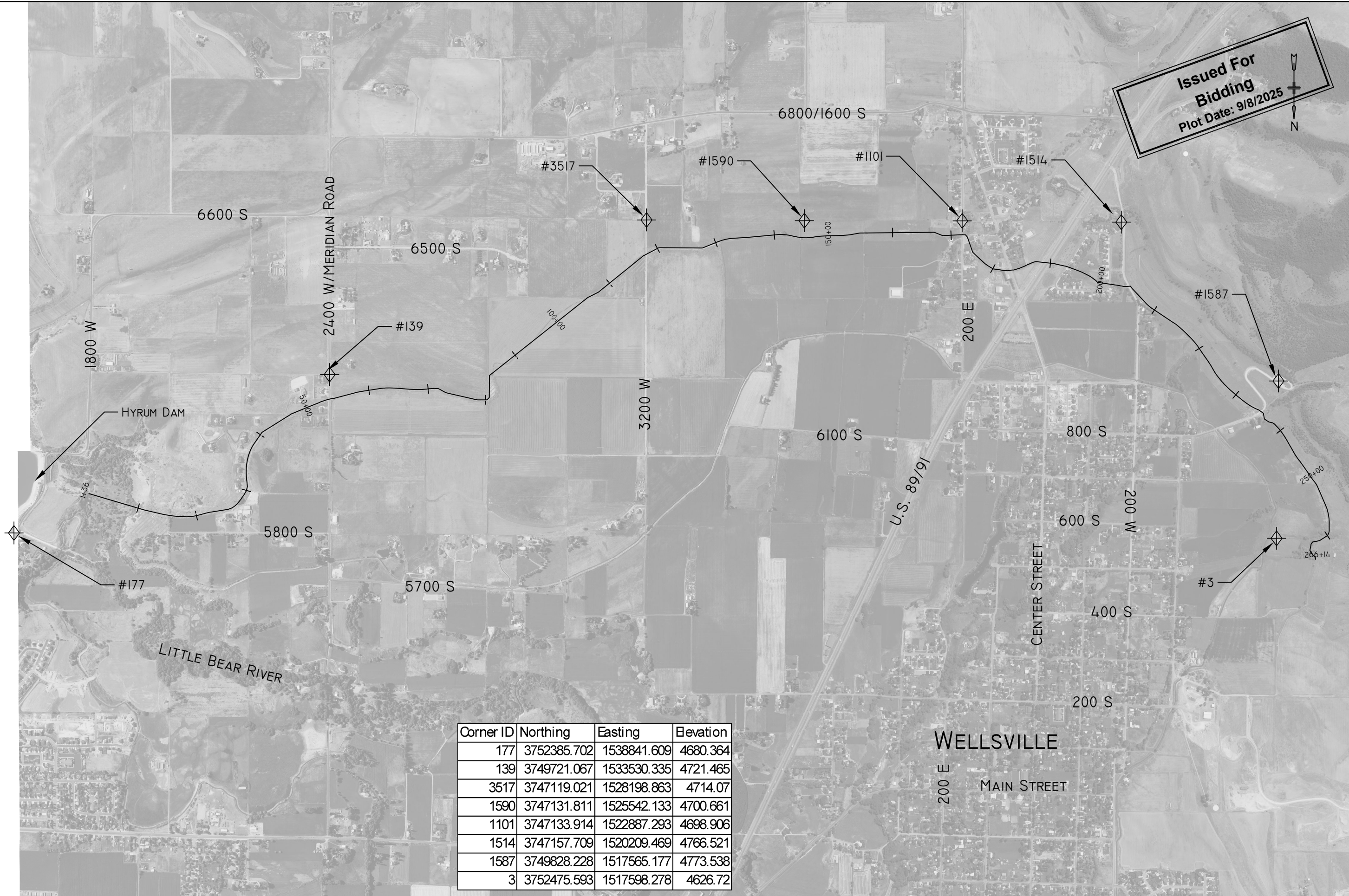
TURNOUT TABLE

Generals.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD Design Drawings
Phase 2
LAYOUT: Index (2)

JOB NO.
23025

SHEET

G3 OF G5



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Bidding
Plot Date: 9/8/2025



1276 South 820 East, Suite 100
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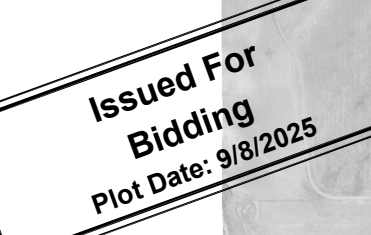
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Corner ID	Northing	Easting	Elevation
177	3752385.702	1538841.609	4680.364
139	3749721.067	1533530.335	4721.465
3517	3747119.021	1528198.863	4714.07
1590	3747131.811	1525542.133	4700.661
1101	3747133.914	1522887.293	4698.906
1514	3747157.709	1520209.469	4766.521
1587	3749828.228	1517565.177	4773.538
3	3752475.593	1517598.278	4626.72

WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
SURVEY CONTROL SHEET

Generals.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD Design Drawings
Phase 2
LAYOUT: Survey

JOB NO.
23025



FRANSON
CIVIL ENGINEERS

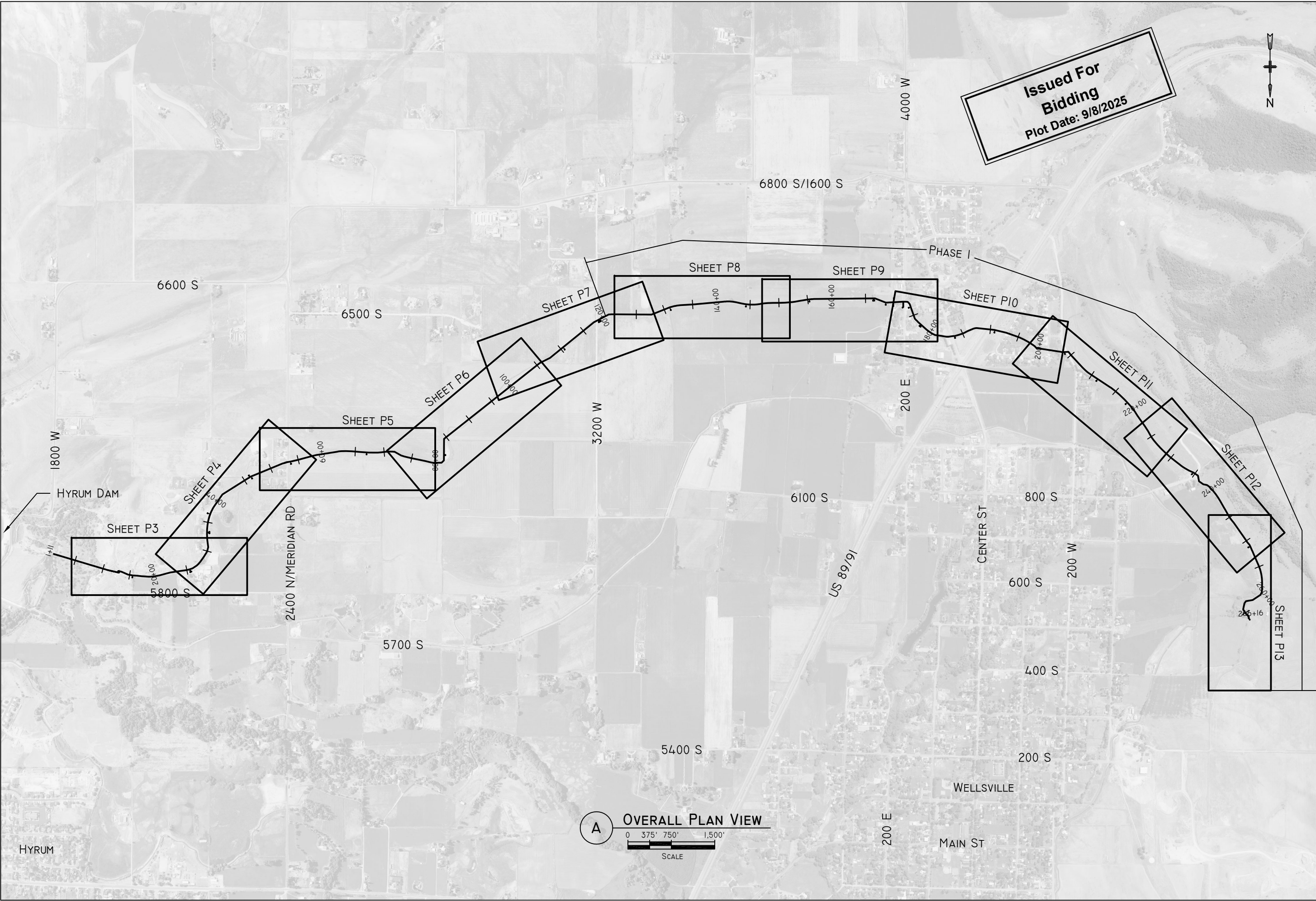
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WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
LIMITS OF DISTURBANCE

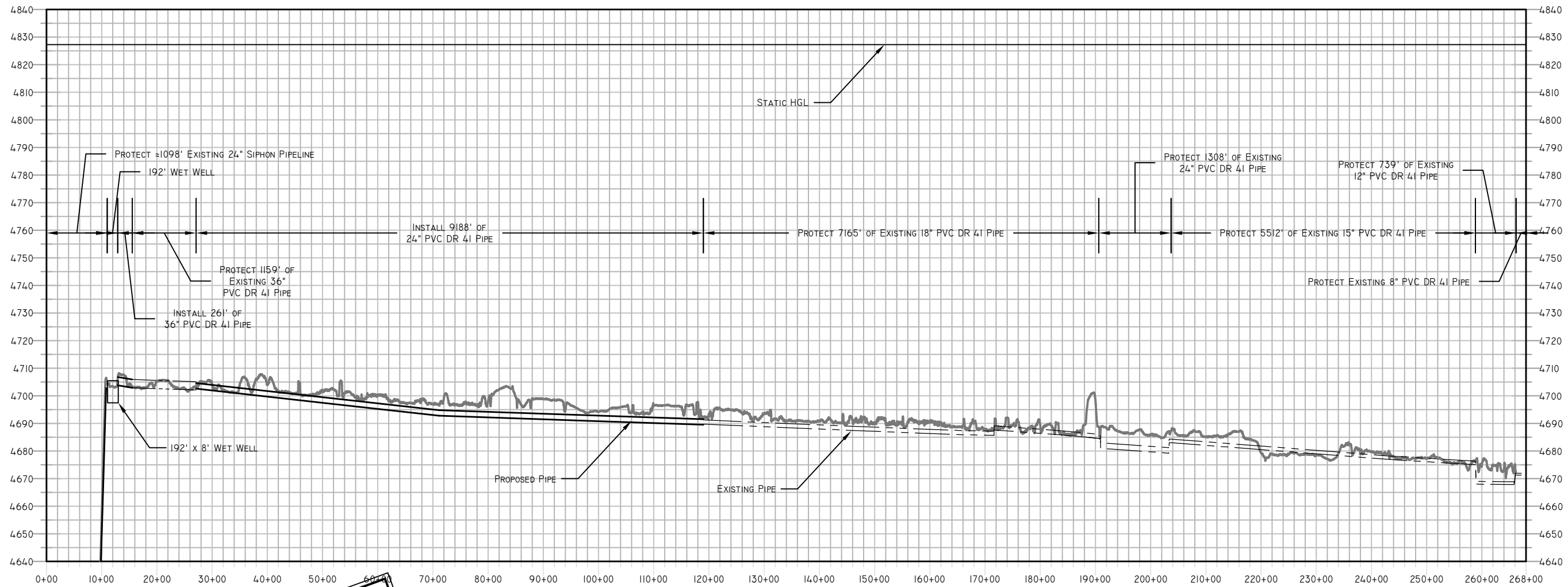
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Phase 2
LAYOUT: Disturbance

JOB NO.
23025

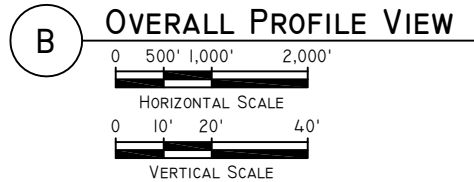


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Bidding
Plot Date: 9/8/2025

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WELLSVILLE MENDON CONSERVATION DISTRICT		CHAD BROWN	
UPPER CANAL PHASE II		PROJECT LEADER: CHAD BROWN	
OVERALL PLAN		PRINT DATE: SEPTEMBER 8, 2025	
Plan and Profiles.dwg 09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD Design Drawings Phase 2 LAYOUT: Overall		CHECKED: CHAD BROWN	
		REVIEWED: CHAD BROWN	
JOB NO. 23025		DESIGNER: BEN SANDBERG	
		DRAFTSMAN: MATT GURR	
SHEET PI OF P13		NO.	
		DATE	
HYRUM		INTS.	
		DESCRIPTION	



Issued For Bidding
Plot Date: 9/8/2025



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DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.		DATE		DESCRIPTION	

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

OVERALL PROFILE

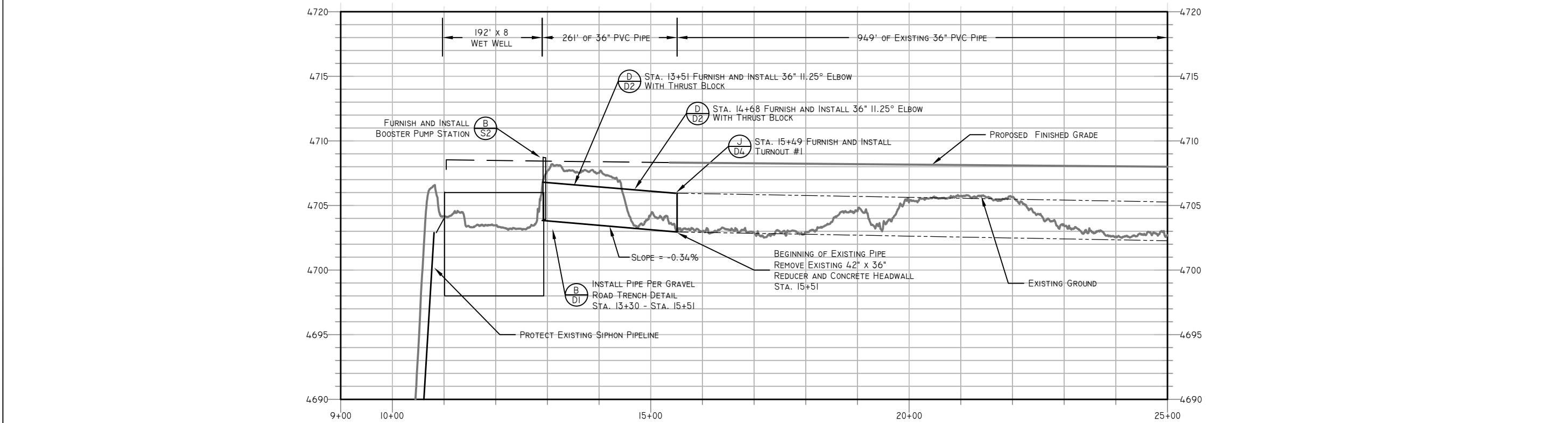
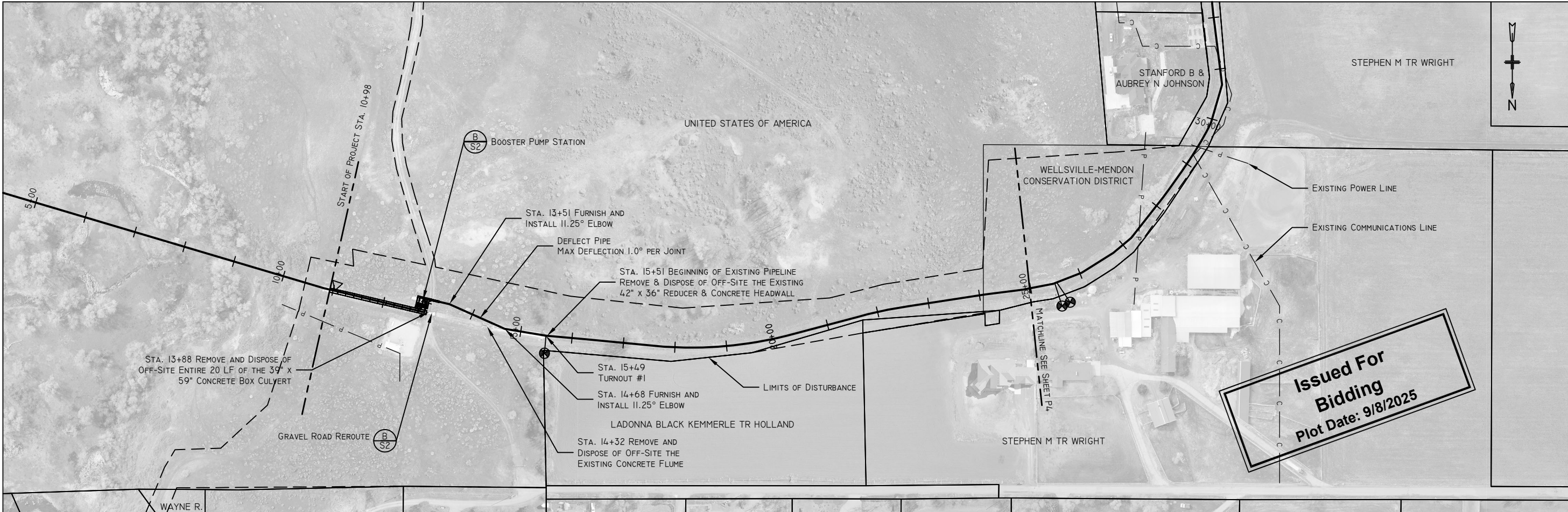
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09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LAYOUT: Overall Profile

JOB NO.

23025

SHEET

P2 OF P13



C PLAN AND PROFILE STA. 9+00 - 25+00

0 50' 100' 200'
HORIZONTAL SCALE

0 2' 4' 8'
VERTICAL SCALE

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CIVIL ENGINEERS



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PROFESSIONAL ENGINEER
No. 132563
BENJAMIN G. SANDBERG
STATE OF UTAH

CHAD BROWN
PROJECT LEADER
SEPTEMBER 9, 2025
PRINT DATE

CHAD BROWN
REVIEWED
SEPTEMBER 9, 2025
REVISIONS

BEN SANDBERG
CHECKED
MATT GURR
REVIEWED
NO. DATE

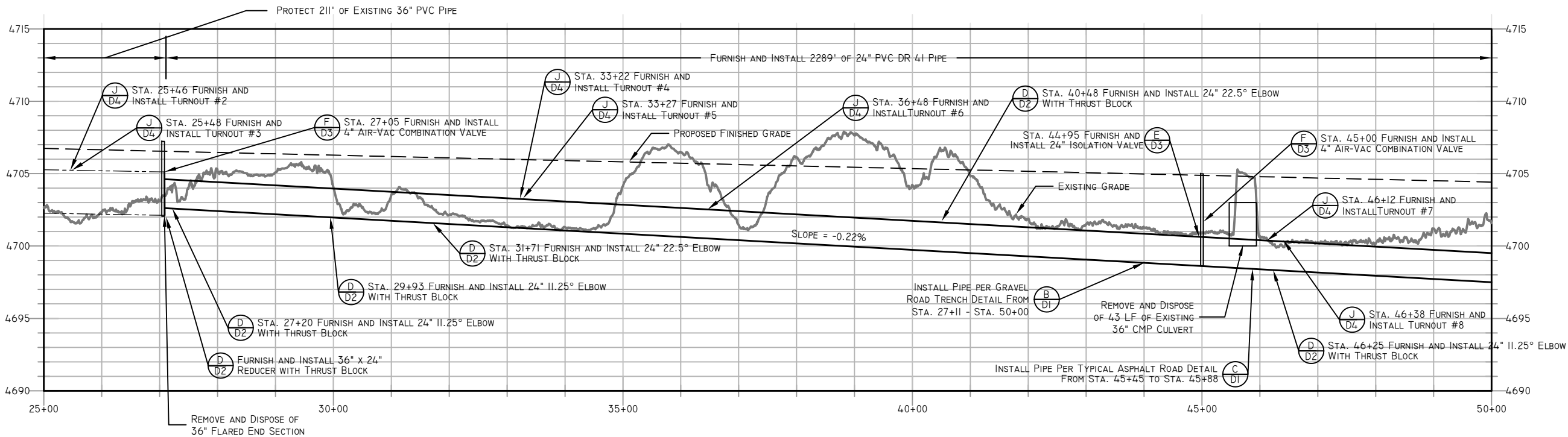
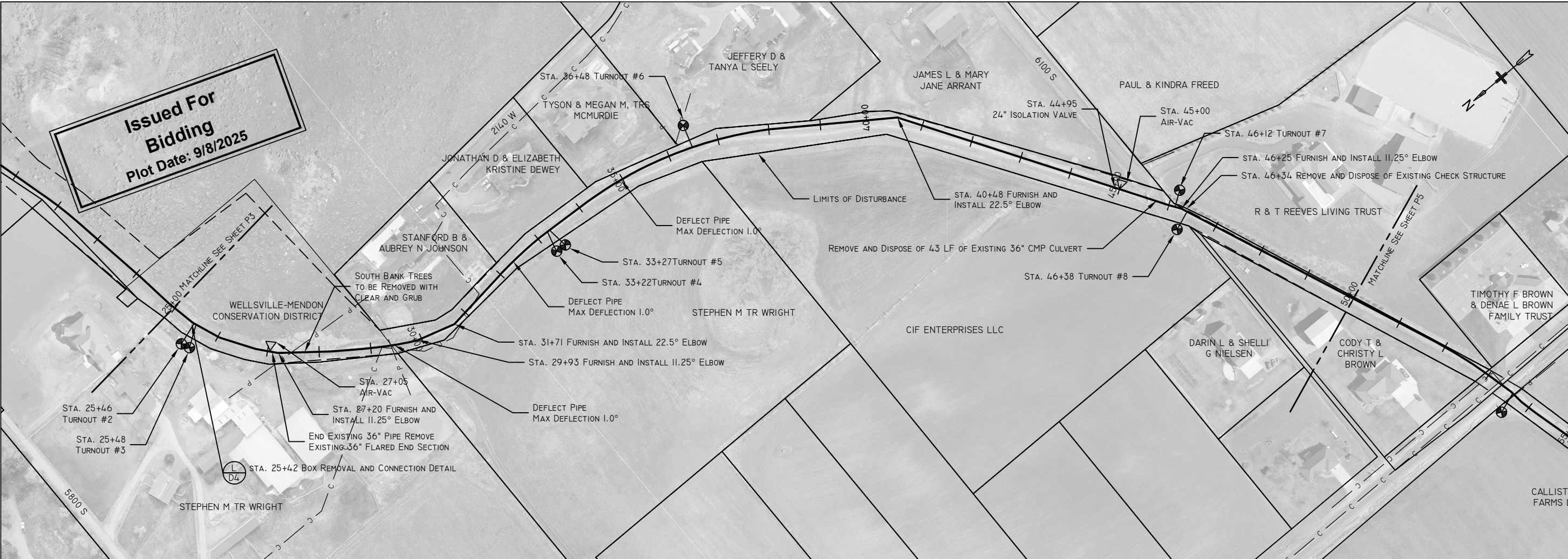
DESIGNER: BEN SANDBERG
DRAFTSMAN: MATT GURR

WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
PLAN AND PROFILE STA. 9+40 - 25+00

Plan and Profiles.dwg
09/23/25 WELLSVILLE-MENDON Upper Canal Design/CAD Design Drawings
Phase 2
LAYOUT: P3 10-25

JOB NO. 23025

SHEET
P3 OF P13



D PLAN AND PROFILE STA. 25+00 - 50+00

0 50' 100' 200'
HORIZONTAL SCALE
0 2' 4' 8'
VERTICAL SCALE

FRANSON
CIVIL ENGINEERS

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American Fork, UT 84003
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PROFESSIONAL ENGINEER
No. 132563
BENJAMIN G. SANDBERG
STATE OF UTAH

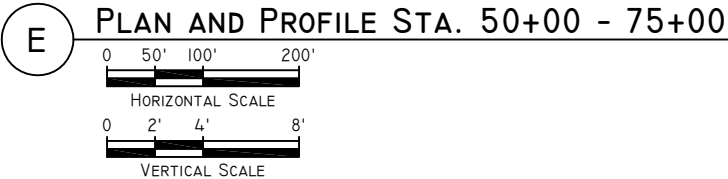
CHAD BROWN
PROJECT LEADER
SEPTEMBER 8, 2025
PRINT DATE
CHAD BROWN
REVIEWED
BEN SANDBERG
DESIGNER
MATT GURR
DRAFTSMAN
NO. DATE
DESCRIPTION
NO. DATE
INTS.

WELLSVILLE-MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
PLAN AND PROFILE STA. 25+00 - 50+00

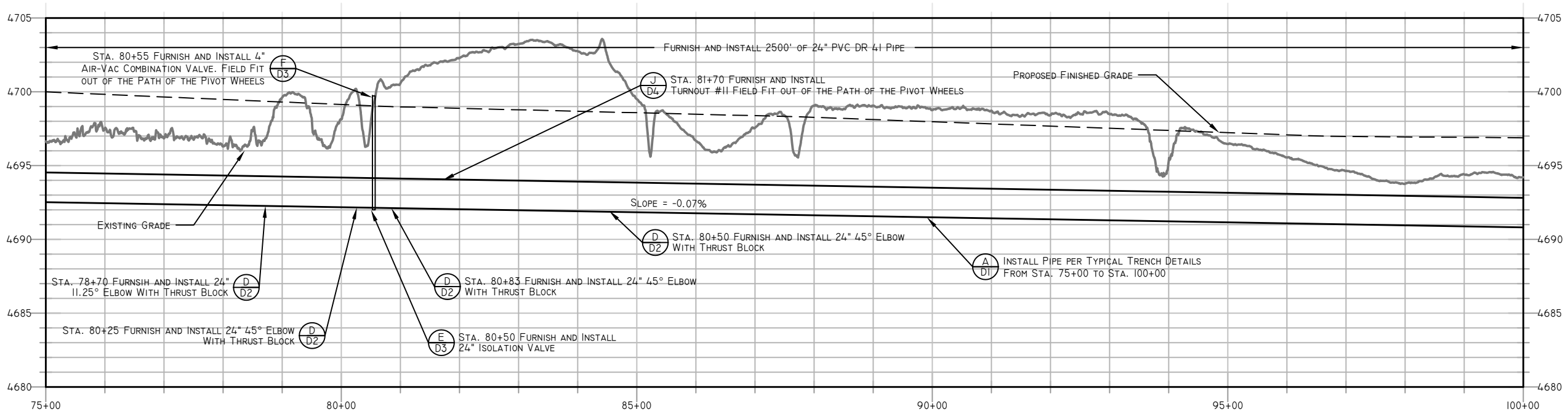
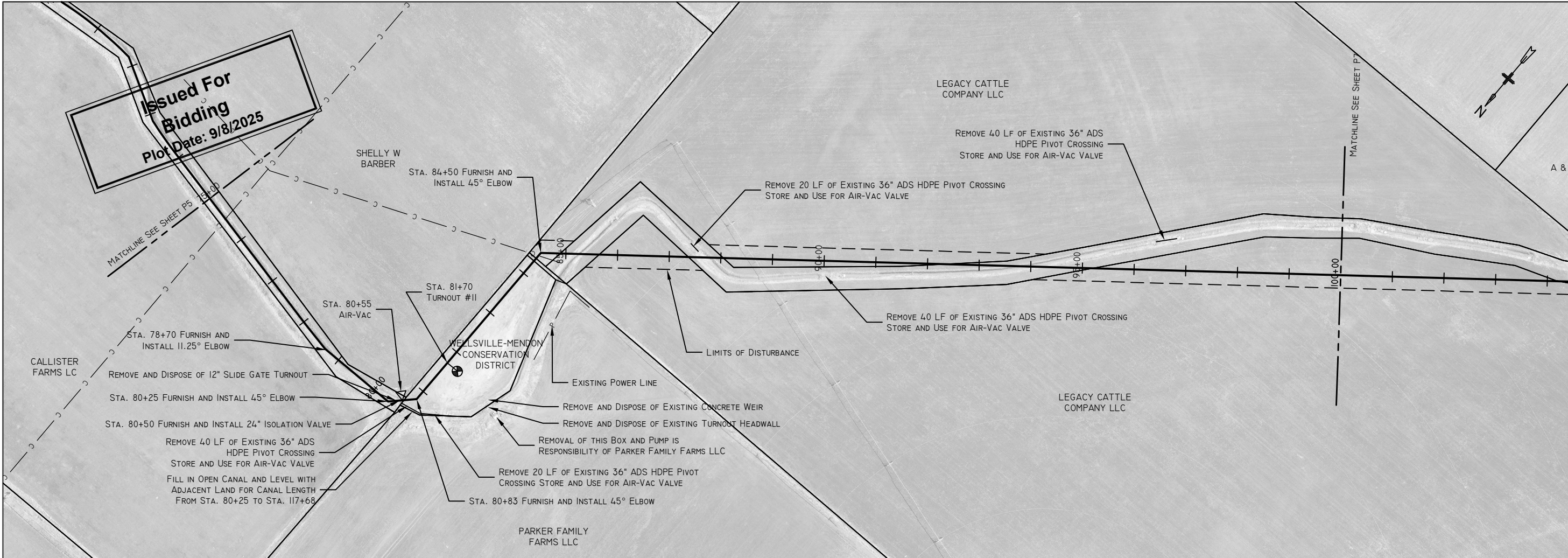
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09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CAD Design Drawings
Phase 2
LAYOUT: P4 25-50

JOB NO.
23025

SHEET
P4 OF P13

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SHEET P5 OF P13	WELLSVILLE MENDON CONSERVATION DISTRICT UPPER CANAL PHASE II PLAN AND PROFILE STA. 50+00 - 75+00	
	JOB NO. 23025	Plan and Profiles.dwg 03-2-025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings DATE: 03-2-025 DRAWN BY: P5 50-75



F PLAN AND PROFILE STA. 75+00 - 100+00

0 50' 100' 200'
HORIZONTAL SCALE

0 2' 4' 8'
VERTICAL SCALE

FRANSON

CIVIL ENGINEERS



1276 South 820 East, Suite 100
American Fork, UT 84003
T 801 756-0309 F 801 756-0481

PROFESSIONAL ENGINEER

NO. 132563

BENJAMIN G. SANDBERG

STATE OF UTAH

DESIGNER: BEN SANDBERG

DRAFTSMAN: MATT GURR

CHECKED: CHAD BROWN

REVIEWED: CHAD BROWN

PROJECT LEADER: CHAD BROWN

SEPTEMBER 9, 2025

PRINT DATE:

NO. DATE

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WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PLAN AND PROFILE STA. 75+00 - 100+00

JOB NO. 0923025

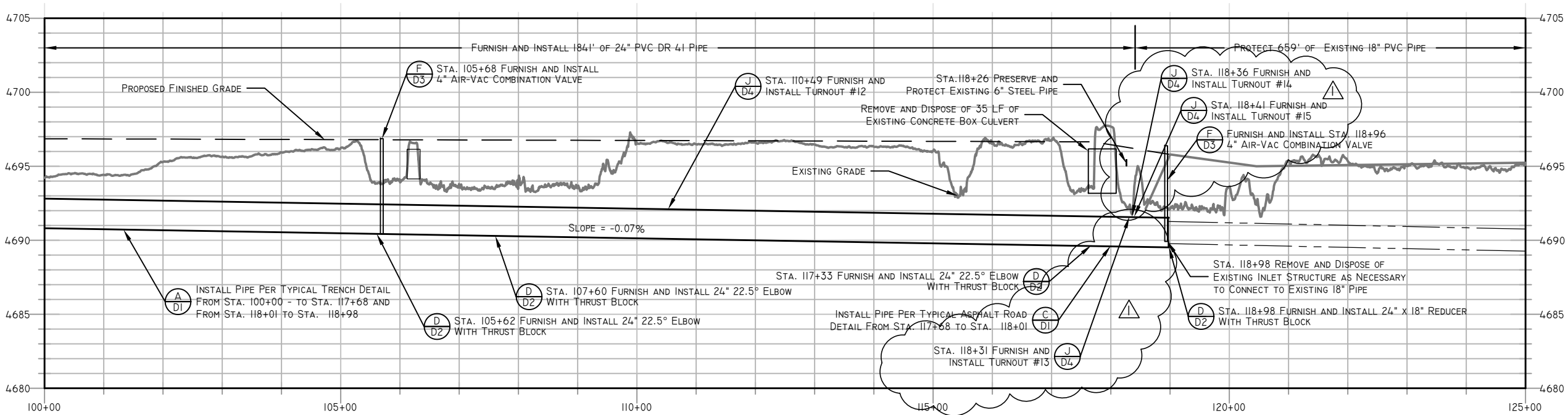
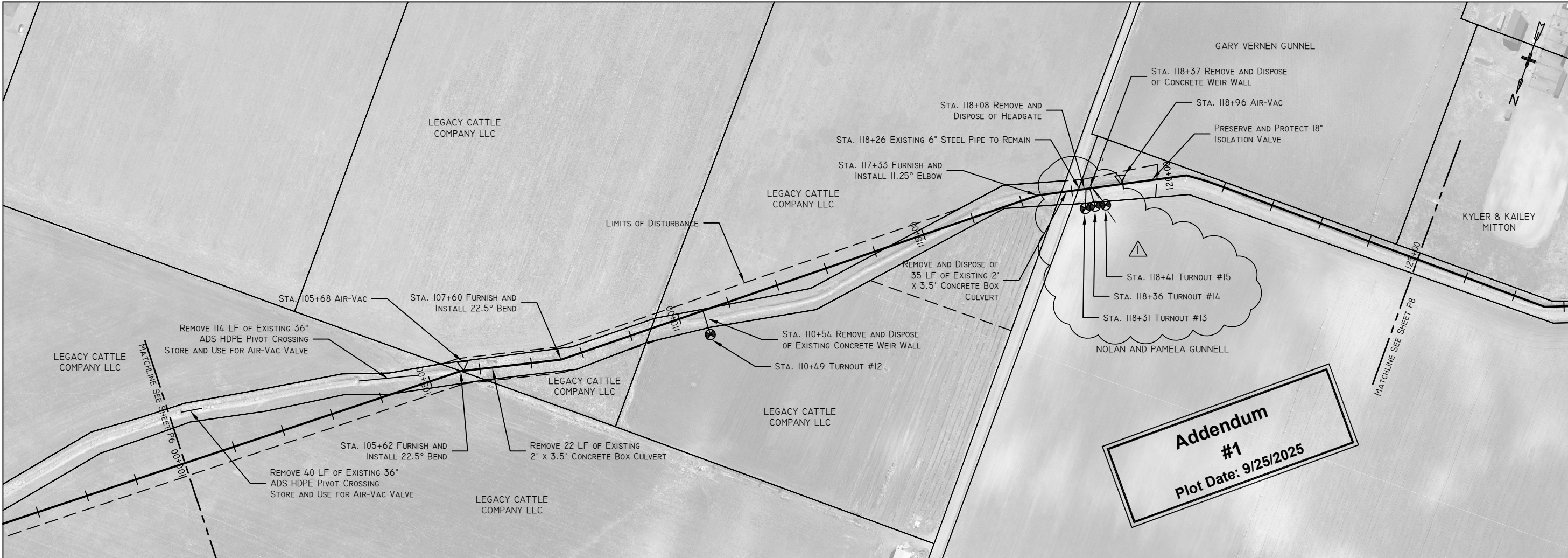
WELLSVILLE-MENDON Upper Canal Design

Phase 2

23025

SHEET

P6 OF P13



G PLAN AND PROFILE STA. 100+00 - 125+00

0 50' 100' 200'
HORIZONTAL SCALE

0 2' 4' 8'
VERTICAL SCALE

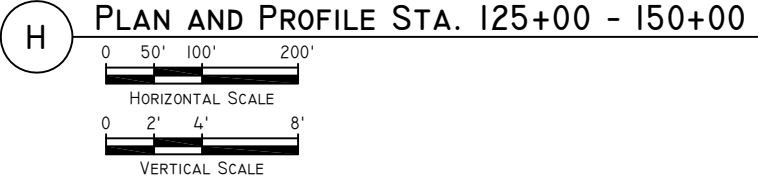
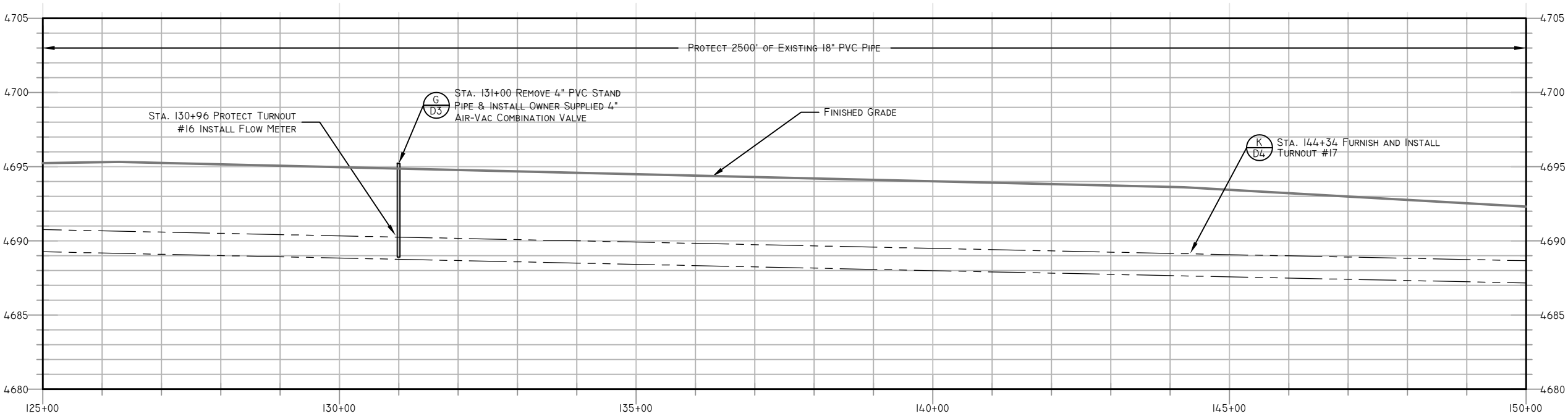
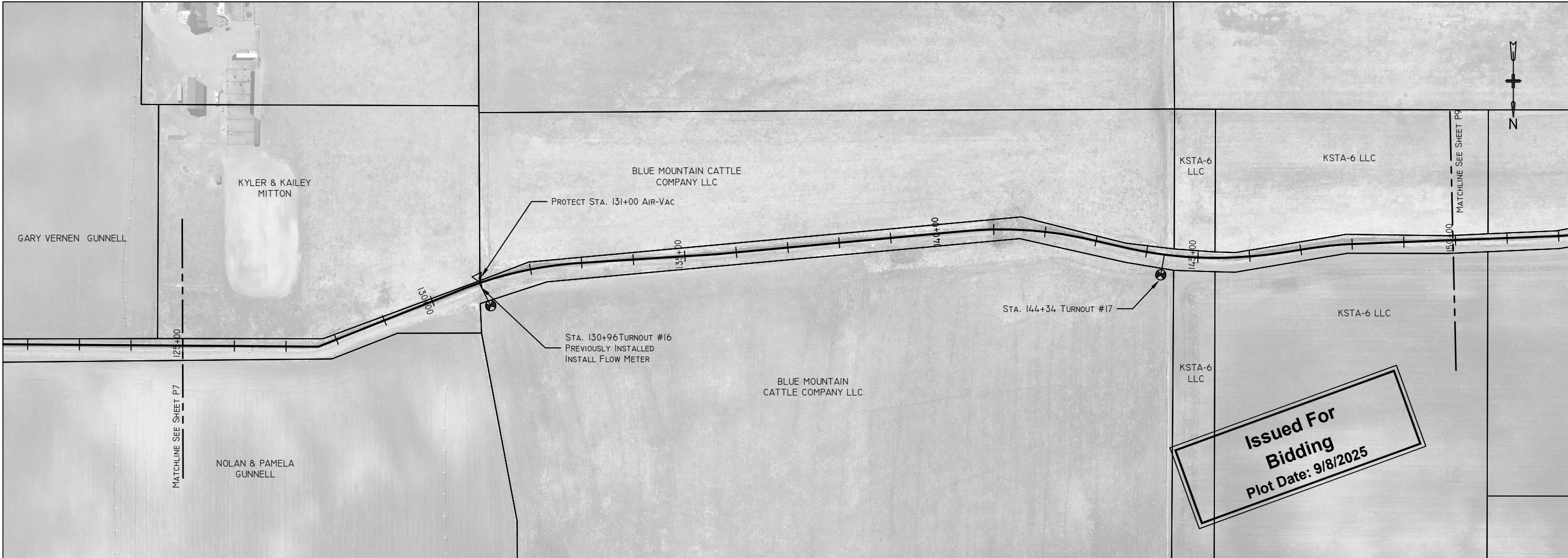
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CIVIL ENGINEERS



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American Fork, UT 84003
T 801 756-0309 F 801 756-0481

PROFESSIONAL ENGINEER
No. 132563
BENJAMIN G. SANDBERG
STATE OF UTAH

DESIGNER: BEN SANDBERG	CHECKED: CHAD BROWN	PROJECT LEADER: CHAD BROWN
DRAFTSMAN: MATT GURR	REVIEWED: REVIEWED	PRINT DATE: SEPTEMBER 25, 2025
NO.	DATE	DESCRIPTION
1	SEPTEMBER 2025	BS, MC
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PROFESSIONAL ENGINEER

No. 132563

BENJAMIN G. SANDBERG

STATE OF UTAH

DESIGNER: BEN SANDBERG

DRAFTSMAN: MATT GURR

NO. DATE

INTS.

CHECKED: CHAD BROWN

REVIEWED: CHAD BROWN

REVISIONS

PROJECT LEADER: CHAD BROWN

PRINT DATE: SEPTEMBER 8, 2025

DESCRIPTION

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PLAN AND PROFILE STA. 125+00 - 150+00

Plan and Profiles.dwg

09/23/2025

WELLSVILLE-MENDON Upper Canal Design

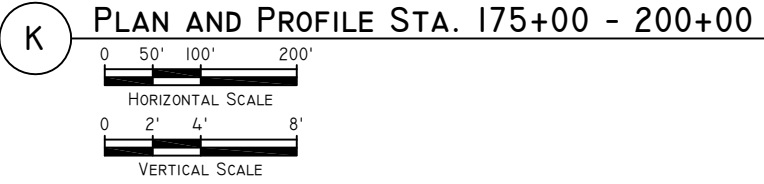
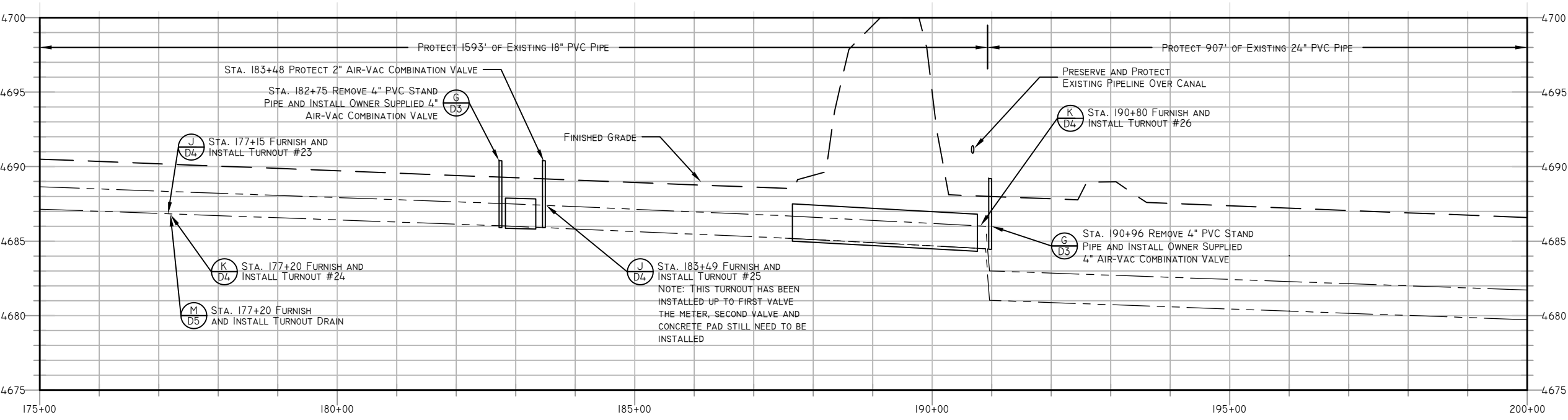
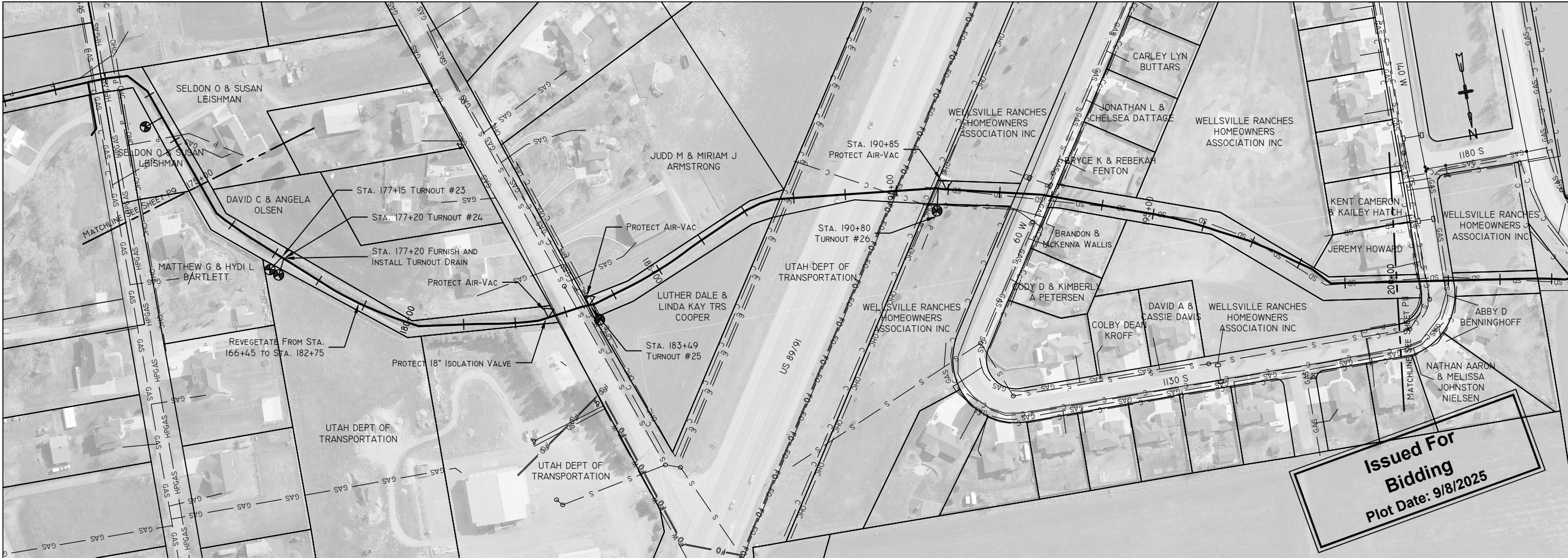
CADD Design Drawings

Phase 2

LAYOUT: P8 125-150

JOB NO. 23025

SHEET P8 OF P13



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PROFESSIONAL ENGINEER

No. 132563

BENJAMIN G. SANDBERG

STATE OF UTAH

PROJECT LEADER:

CHAD BROWN

PRINT DATE:

SEPTEMBER 9, 2025

CHECKED:

BEN SANDBERG

REVIEWED:

MATT GURR

DESIGNER:

BEN SANDBERG

DRAFTSMAN:

MATT GURR

NO.

DATE

INTS.

DESCRIPTION

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PLAN AND PROFILE STA. 175+00 - 200+00

Plan and Profiles.dwg

09/23/2025 WELLSVILLE-MENDON Upper Canal Design

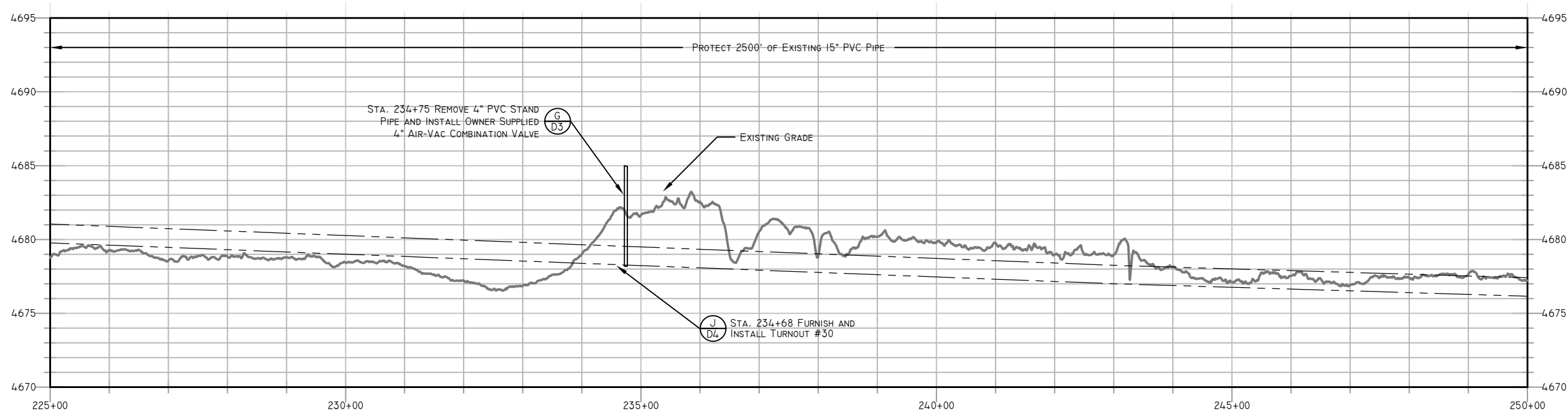
CAD Design Drawings

Phase 2

LAYOUT: P10.175-200

SHEET

P10 OF P13



M **PLAN AND PROFILE STA. 225+00 - 250+00**

0 50' 100' 200'
HORIZONTAL SCALE

0 2' 4' 8'
VERTICAL SCALE

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PROFESSIONAL ENGINEER

No. 132563

BENJAMIN G. SANDBERG

STATE OF UTAH

DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.	DATE	INTS.	DESCRIPTION		

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PLAN AND PROFILE STA. 225+00 - 250+00

JOB NO.

0923025

Plan and Profiles.dwg

0923025 WELLSVILLE-MENDON Upper Canal Design

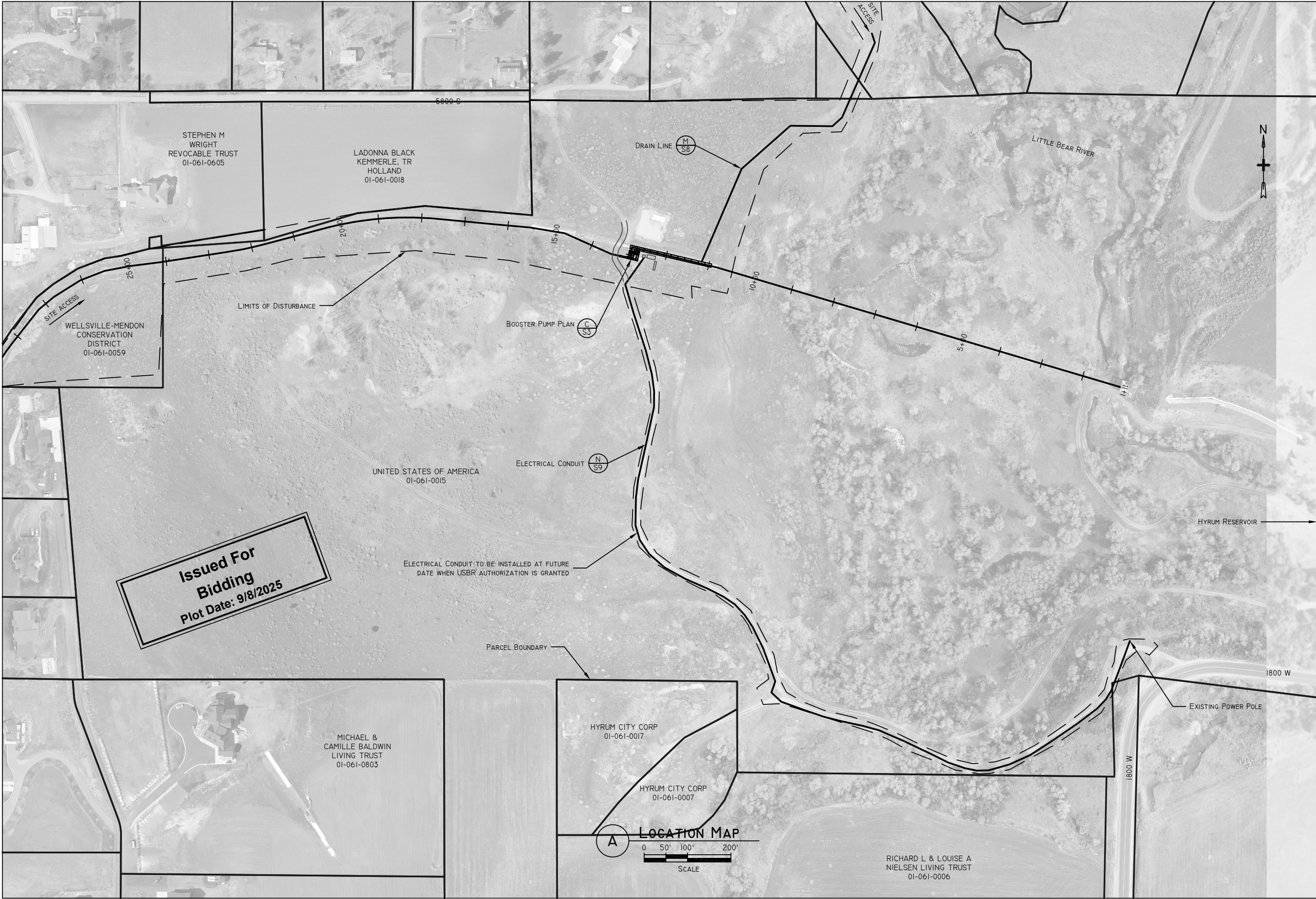
Phase 2

CAD Design Drawings

LAYOUT: P12 225-250

SHEET

P12 OF P13



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PROFESSIONAL ENGINEER

No. 132563

BENJAMIN G. SANDBERG

STATE OF UTAH

SEP 8 2025

DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.	DATE	INTS.	REVISIONS	DESCRIPTION	

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PUMP STATION LOCATION MAP

Pump Station.dwg

09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings

Phase 2

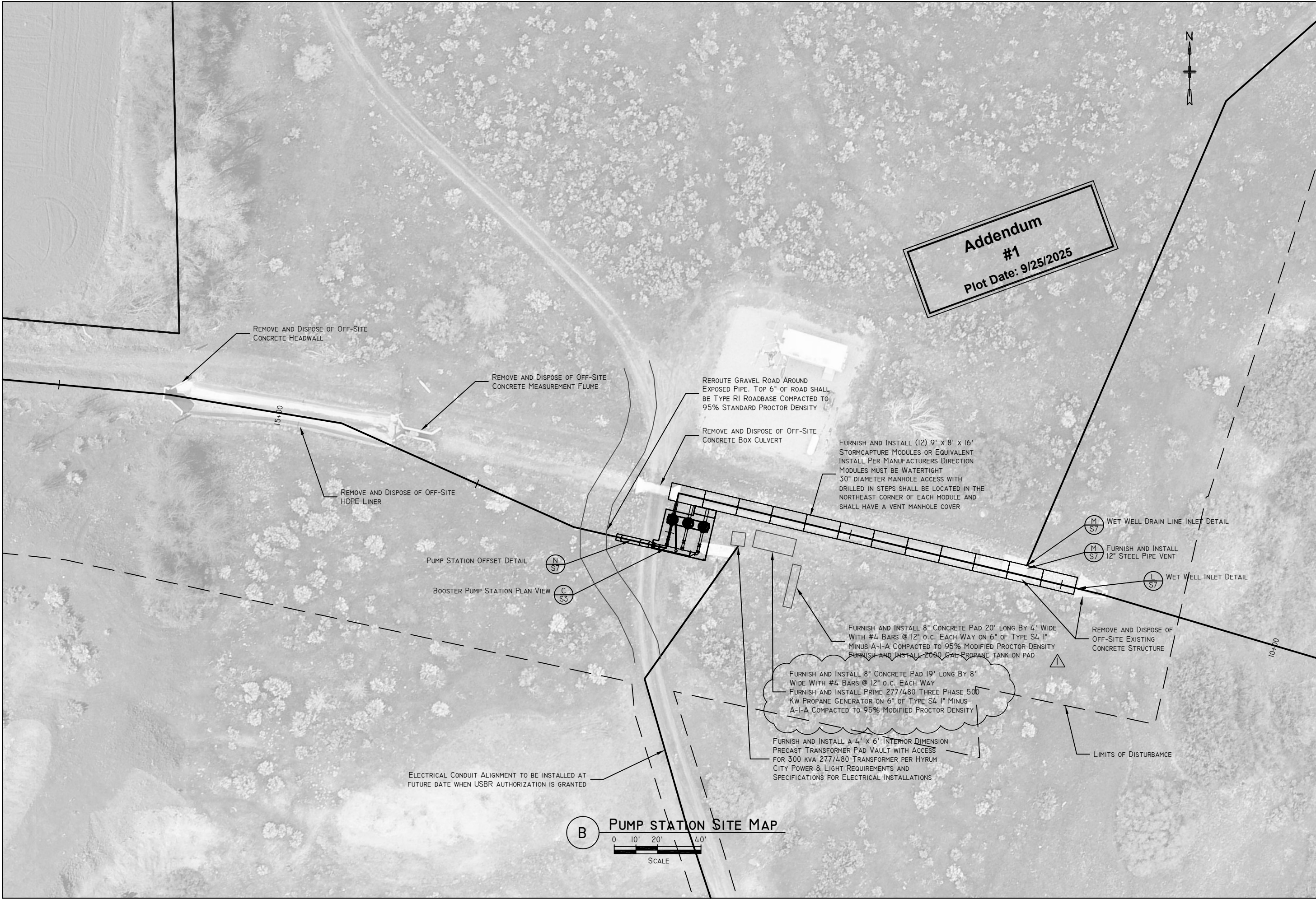
LA YOUT: Loc Map1

JOB NO.

23025

SHEET

SI OF SII



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PROFESSIONAL ENGINEER
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BENJAMIN G. SANDBERG
STATE OF UTAH

DESIGNER: BEN SANDBERG

CHECKED: CHAD BROWN

PROJECT LEADER: CHAD BROWN

DRAFTSMAN: MATT GURR

REVIEWED: CHAD BROWN

PRINT DATE: SEPTEMBER 25, 2025

NO. DATE INTS. BS. MC. ADDEDUM #1

1 SEPTEMBER 2025 1 0 0

DESCRIPTION

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PUMP STATION SITE MAP

Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LAYOUT: Site Map

JOB NO. 23025

SHEET S2 OF S11

NOTES:

1. CONTRACTOR TO PROVIDE SUBMITTAL OF SPECIFIC DETAIL TO CONSTRUCT MANIFOLD AND METHOD OF CONNECTING THE 36" MAIN LINE
2. CONTRACTOR TO PROVIDE DETAILS FOR INSTALLING POWER CONDUITS FROM THE TRANSFORMER TO THE PUMP STATION AND CONTROLS.

Addendum
#1

Plot Date: 9/25/2025

PUMP STATION OFFSET DETAIL

FURNISH AND INSTALL 4" VAL-MATIC 20C04-C6BNY-2CF AIR VAC VALVE

8'X16' PRECAST CONCRETE BOX

48" CONCRETE MANHOLE

PRESSURE TRANSDUCER (VENDOR SPECIFIED LOCATION)

CONTROL PANEL DETAILS BY CONTRACTOR (SEE NOTE 2)

INSTALL CONTROL PANEL

INSTALL OWNER SUPPLIED PUMP

FURNISH AND INSTALL (3) 10" SPRING ASSISTED DOUBLE-PLATED CHECK VALVES

(3) FURNISH AND INSTALL 10" FLEXIBLE FLG X FLG EXPANSION JOINT

10" EPOXY COATED OR GALVANIZED STEEL PIPE (TYP)

INSTALL OWNER SUPPLIED 10" FLOW METER

FURNISH AND INSTALL (3) 10" BUTTERFLY VALVES WITH HAND WHEEL (TYP)

FURNISH AND INSTALL 10" EPOXY COATED OR GALVANIZED STEEL 90° BEND

36" EPOXY COATED OR GALVANIZED STEEL PUMP MANIFOLD (SEE NOTE 1)

FURNISH AND INSTALL EPOXY COATED OR GALVANIZED STEEL CONCENTRIC 36" X 10" REDUCER

FURNISH AND INSTALL, AFTER PIPELINE HAS BEEN PRESSURE TESTED, 3" PRESSURE RELIEF VALVE, WATERMAN AA-60C OR EQUIVALENT SET TO 75 PSI. THE SET PRESSURE MUST BE STAMPED ON THE VALVE, AND THE VALVE MUST BE MANUFACTURED SO THAT THE SET PRESSURE CANNOT BE ADJUSTED.

PLAN VIEW

NOT TO SCALE



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DRAFTSMAN:		DESIGNER:		PROJECT LEADER:	
MATT GURR		BEN SANDBERG		CHAD BROWN	
CHECKED:		REVIEWED:		PRINT DATE:	
				SEPTEMBER 25, 2025	
REVISIONS					
NO.		DATE		DESCRIPTION	
1		SEPTEMBER 2025		ADDENDUM #1	

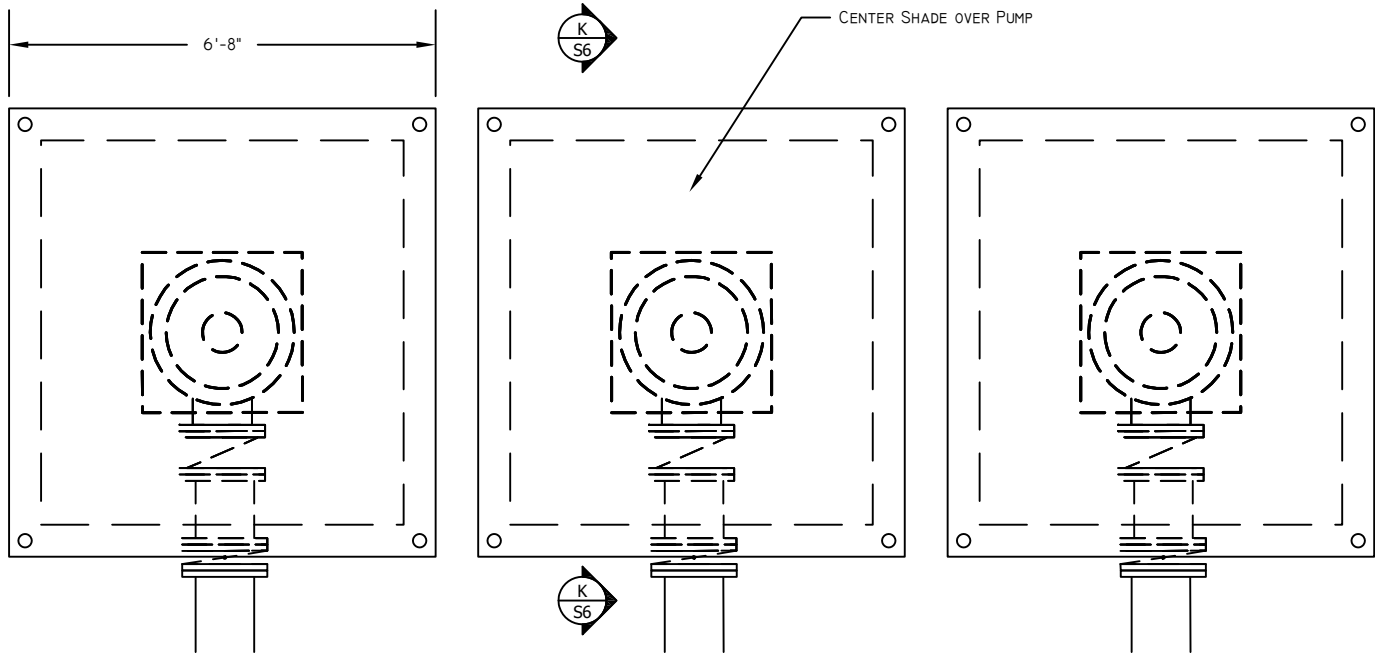
WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
PUMP STATION PLAN VIEW

Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LA YOUT: Plan View

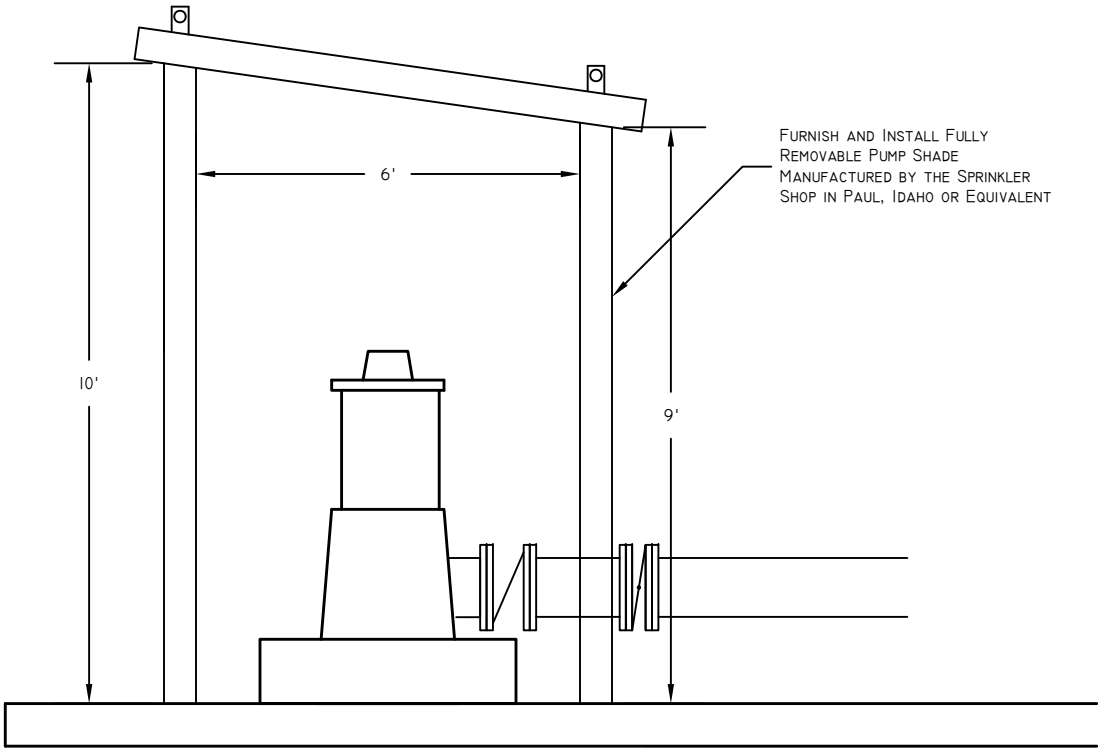
JOB NO.
23025

SHEET
S3 OF S11





J PUMP SHADE PLAN
NOT TO SCALE



K PUMP SHADE SECTION
NOT TO SCALE

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Bidding
Plot Date: 9/8/2025

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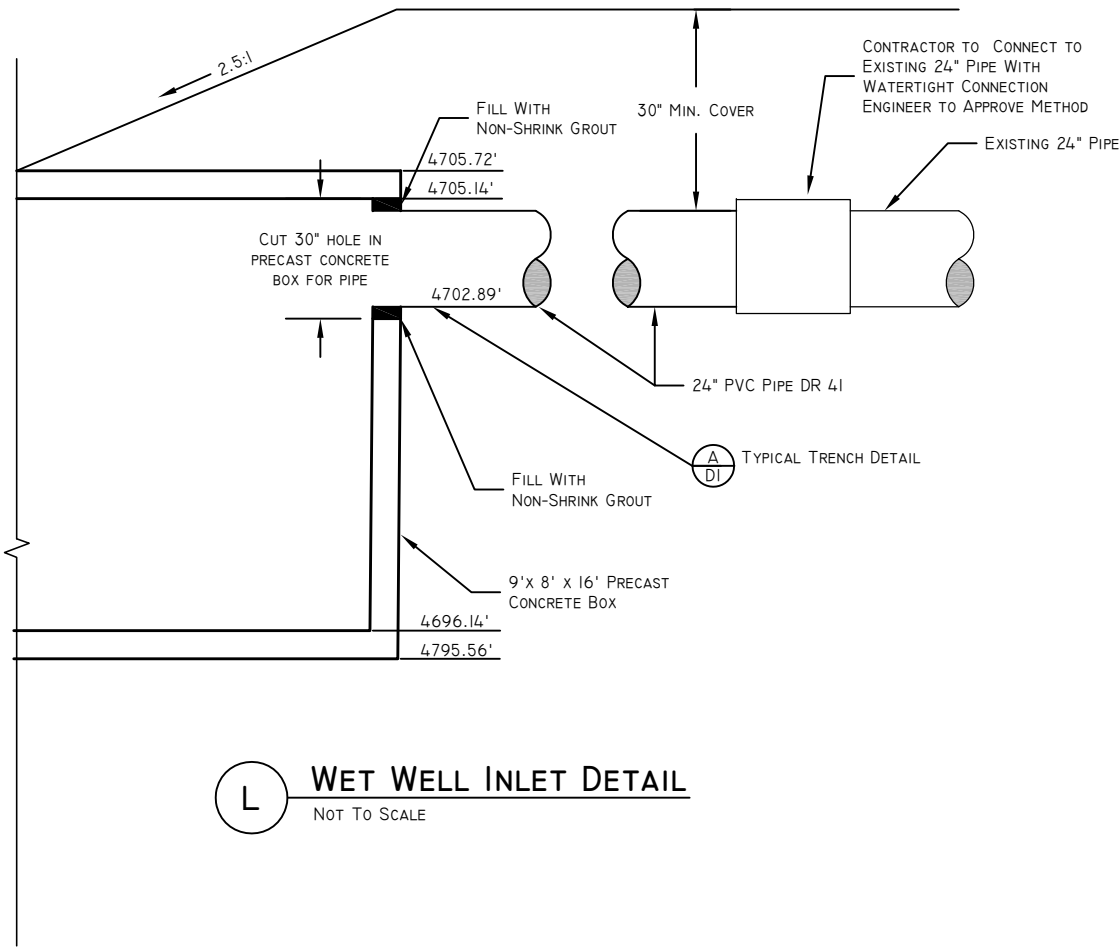
DESIGNER:	BEN SANDBERG	CHECKED:	CHECKED	PROJECT LEADER:	CHAD BROWN	
						DRAFTSMAN:
NO.	DATE	INTS.	REVISIONS			
			DESCRIPTION			

WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
PUMP STATION PUMP SHADE

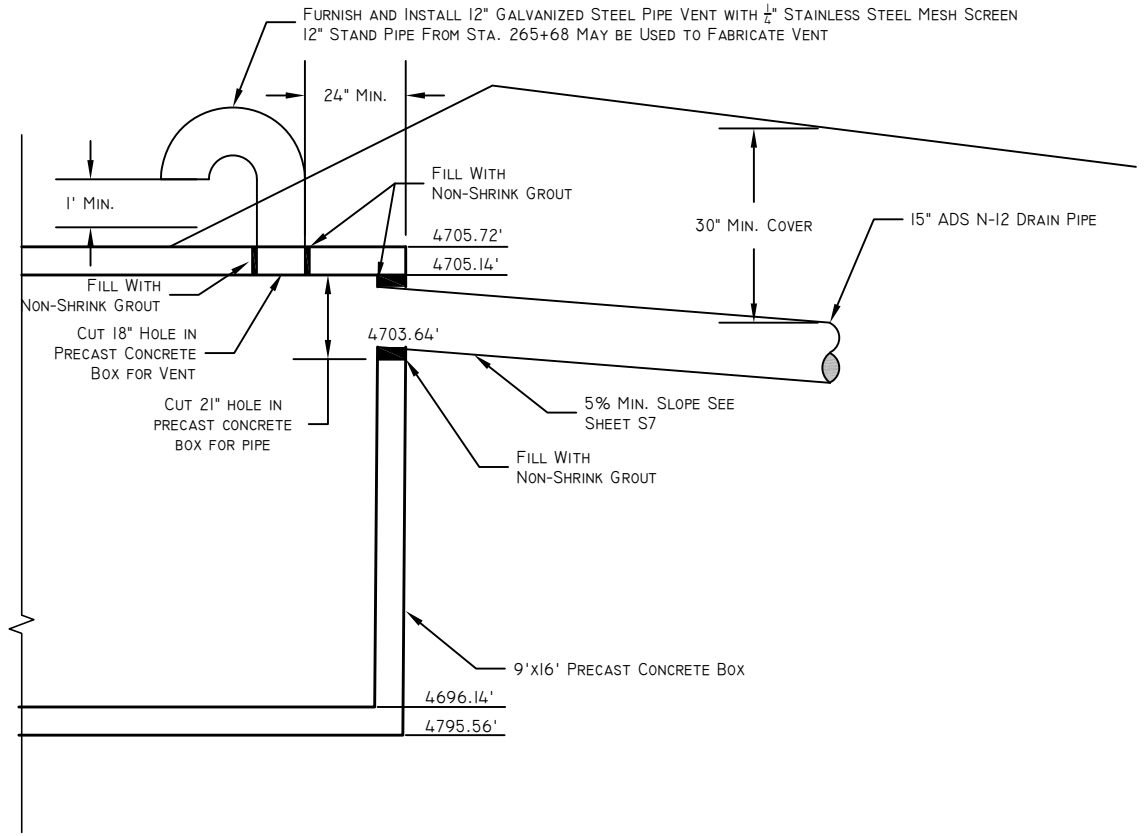
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09/23/2025 WELLSVILLE-MENDON Upper Canal DesignCADDesign Drawings
Phase 2
LAYOUT: Roof

JOB NO.
23025

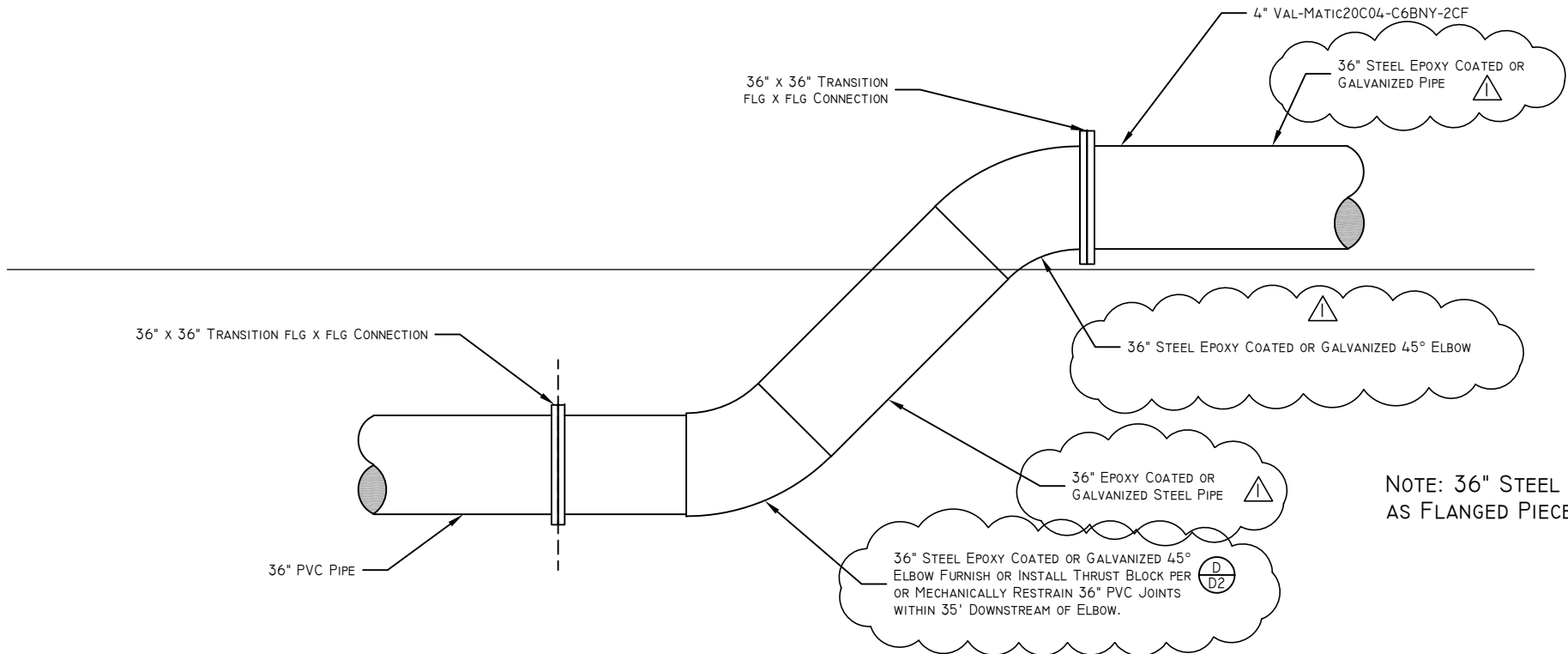
SHEET
S6 OF SII



L WET WELL INLET DETAIL
NOT TO SCALE



M WET WELL DRAIN LINE INLET DETAIL
NOT TO SCALE



N PUMP STATION OFFSET DETAIL
NOT TO SCALE

**Addendum
#1**
Plot Date: 9/25/2025

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PROFESSIONAL ENGINEER
No. 132563
BENJAMIN G. SANDBERG
STATE OF UTAH

DESIGNER:	DRAFTSMAN:	CHECKED:	PROJECT LEADER:
BEN SANDBERG	MATT GURR	CHAD BROWN	CHAD BROWN
DATE:	NO.	REVISIONS:	PRINT DATE:
SEPTEMBER 2025	02	1	SEPTEMBER 25, 2025

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

PUMP STATION CONNECTION DETAILS

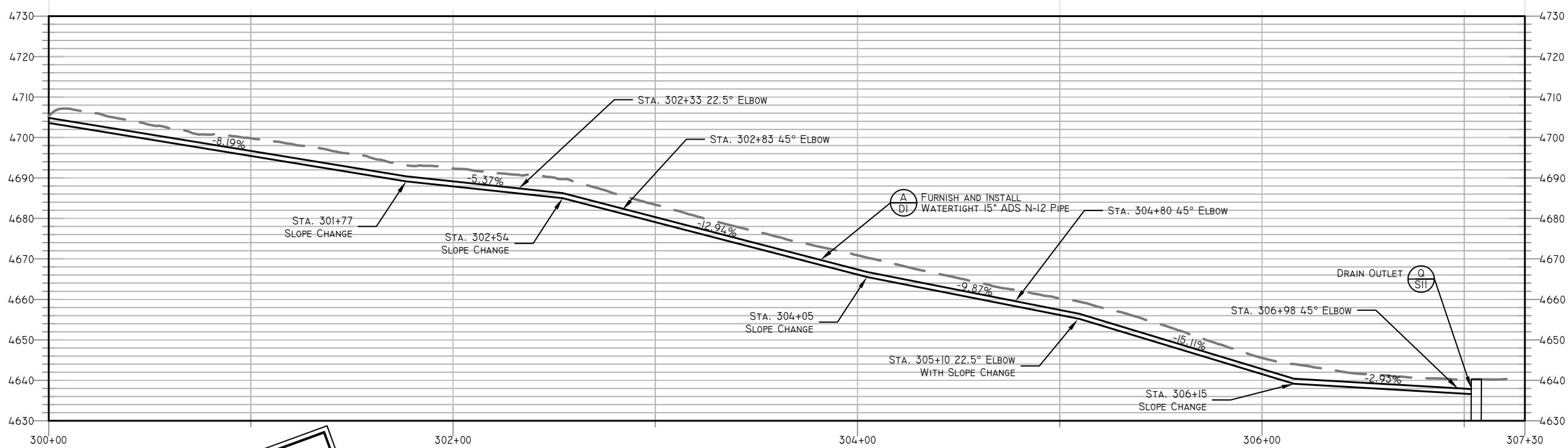
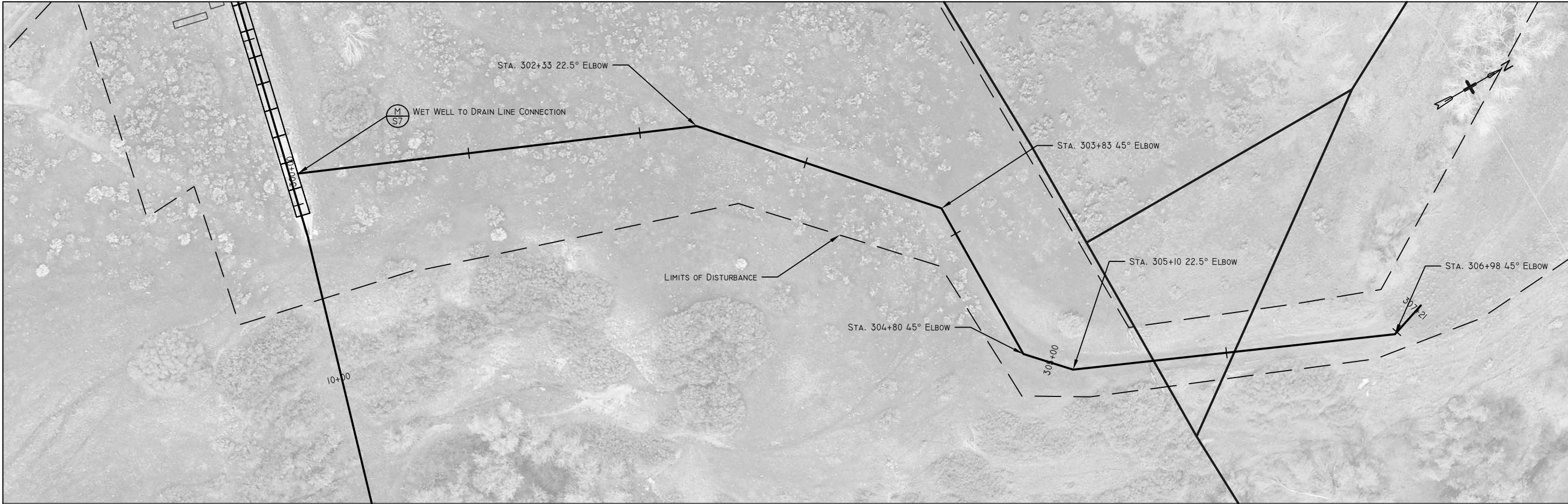
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09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CAD/Design Drawings
Phase 2
LAYOUT: Connection Details

JOB NO.

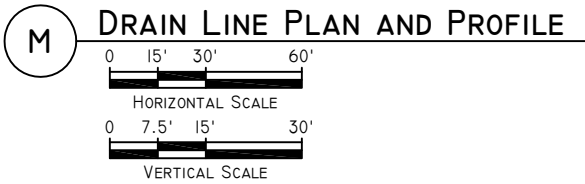
23025

SHEET

S7 OF **SII**



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PROFESSIONAL ENGINEER
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BENJAMIN G. SANDBERG
STATE OF UTAH

DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.	DATE	INTS.	DESCRIPTION		

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

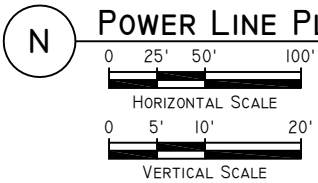
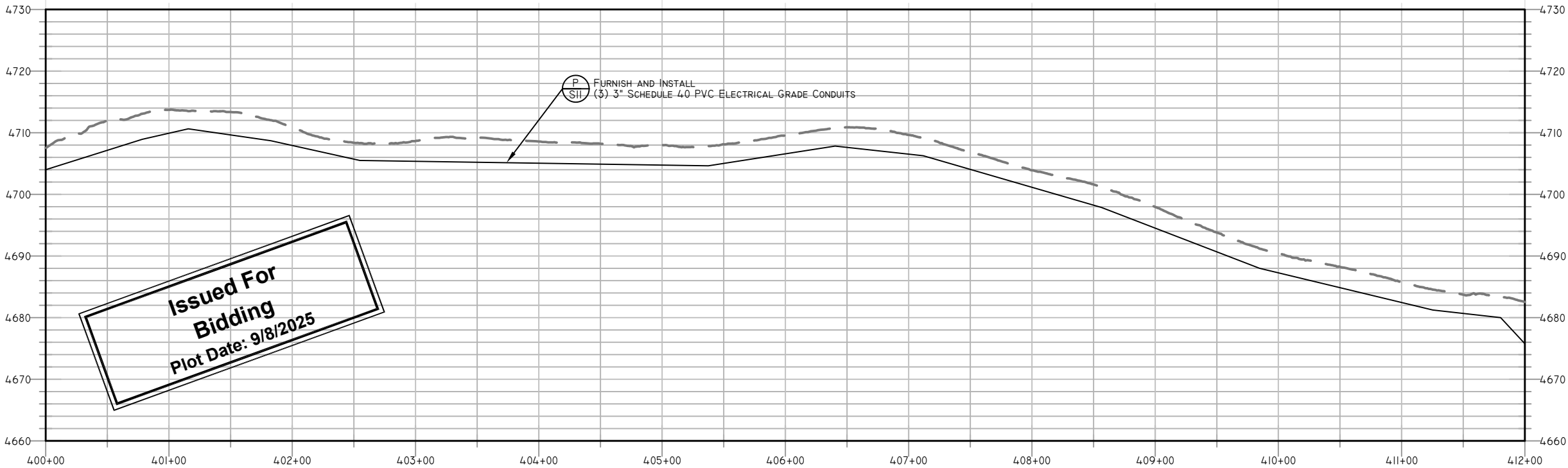
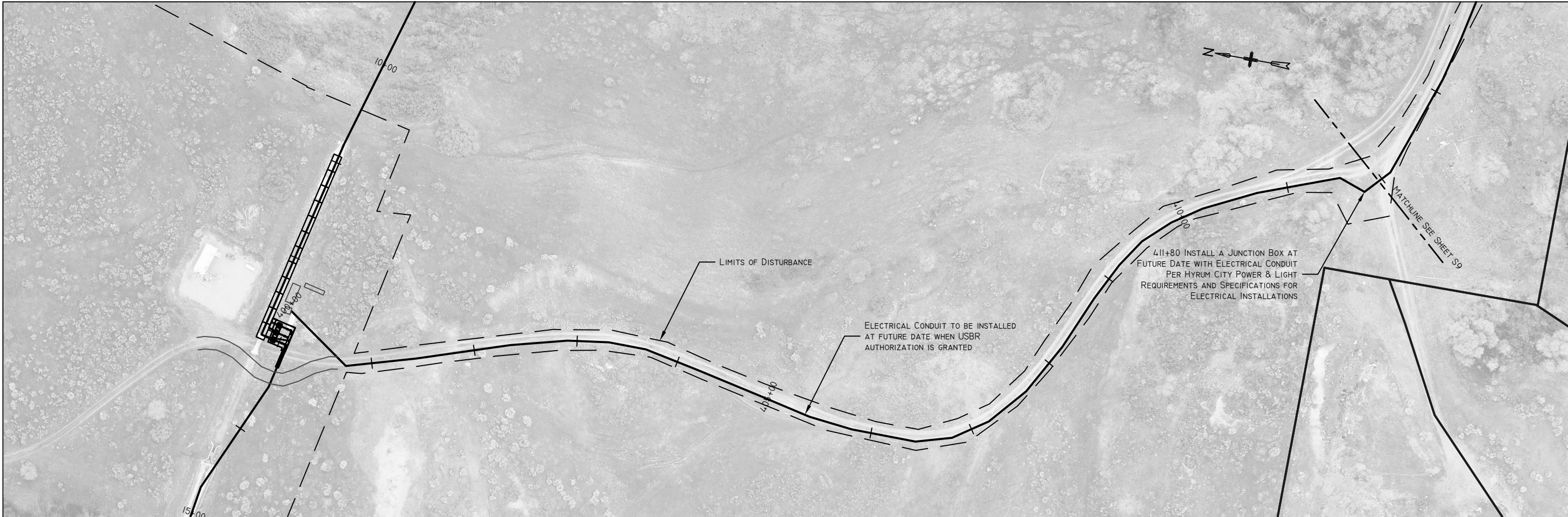
DRAIN LINE PLAN AND PROFILE

Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LAYOUT: Drain

JOB NO. 23025

SHEET

S8 OF **S11**



POWER LINE PLAN AND PROFILE I

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DESIGNER: BEN SANDBERG	CHECKED: MATT GURR	PROJECT LEADER: CHAD BROWN	PRINT DATE: SEPTEMBER 8, 2025
		REVIEWED:	DESCRIPTION:
DRAFTSMAN:	NO.	DATE	INTS.

WELLSVILLE MENDON CONSERVATION DISTRICT

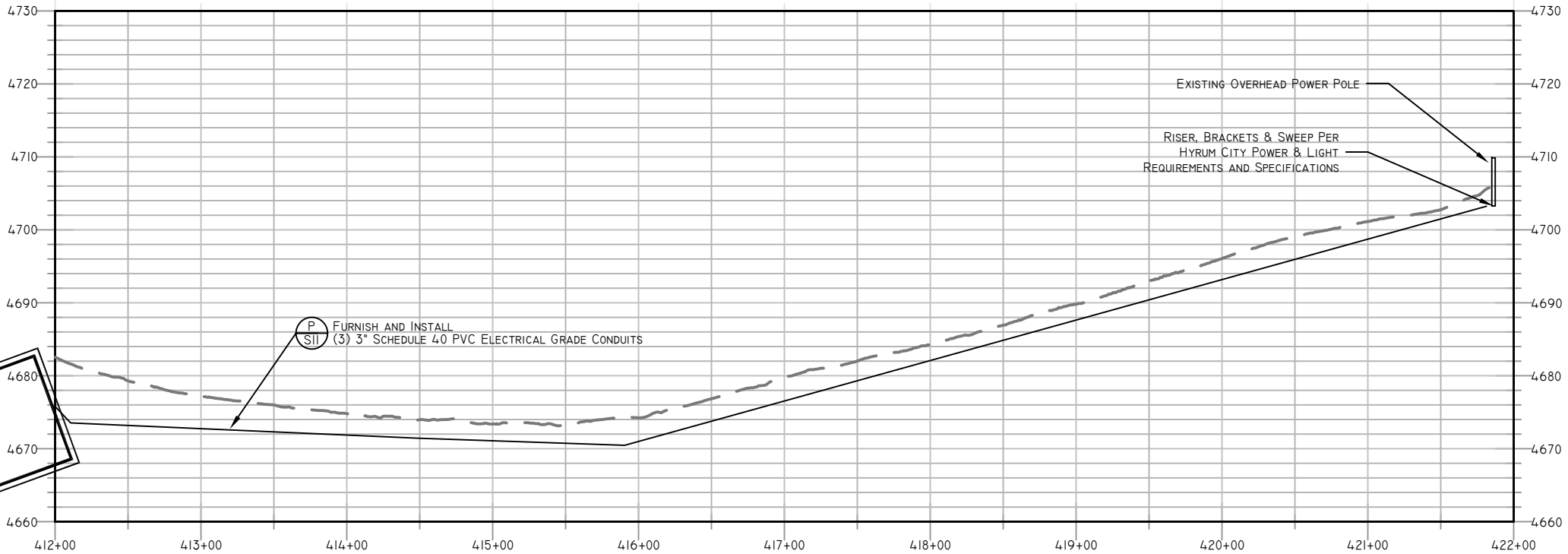
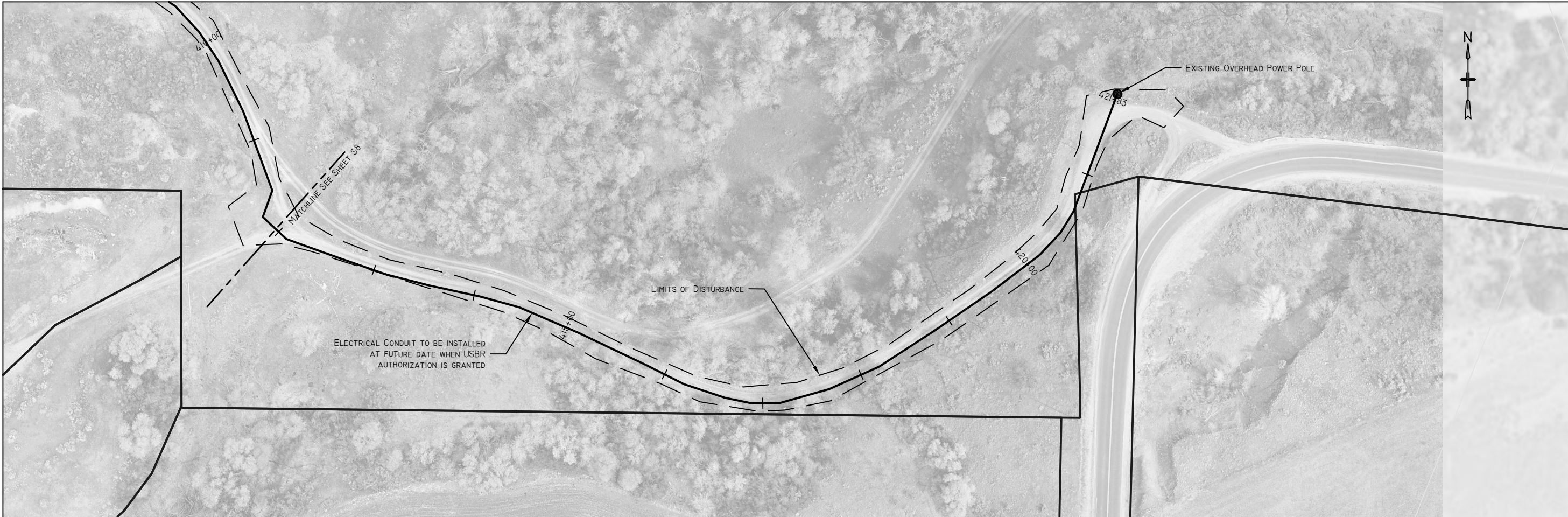
UPPER CANAL PHASE II

POWER LINE PLAN AND PROFILE I

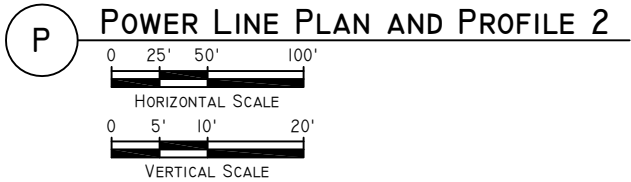
Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LAYOUT: Power

JOB NO.
23025

SHEET
S9 OF **SII**



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Plot Date: 9/8/2025



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DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.	DATE	INTS.	REVISIONS		
			DESCRIPTION		

WELLSVILLE MENDON CONSERVATION DISTRICT

UPPER CANAL PHASE II

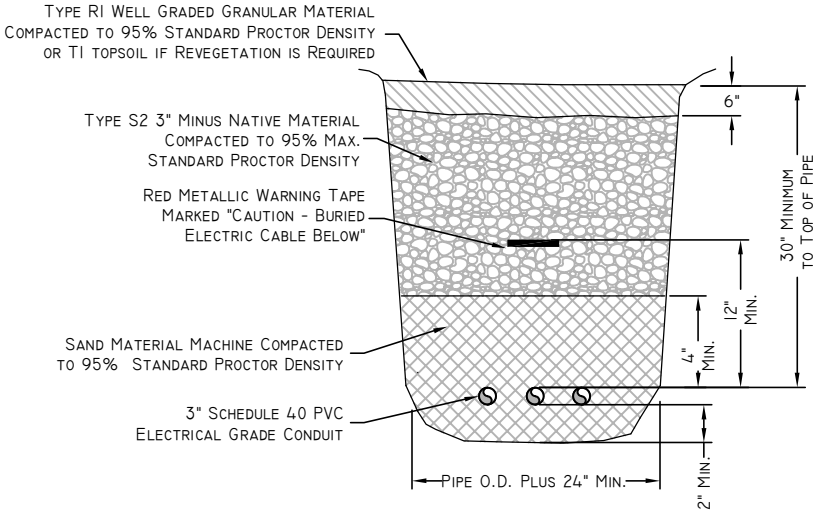
POWER LINE PLAN AND PROFILE 2

JOB NO.

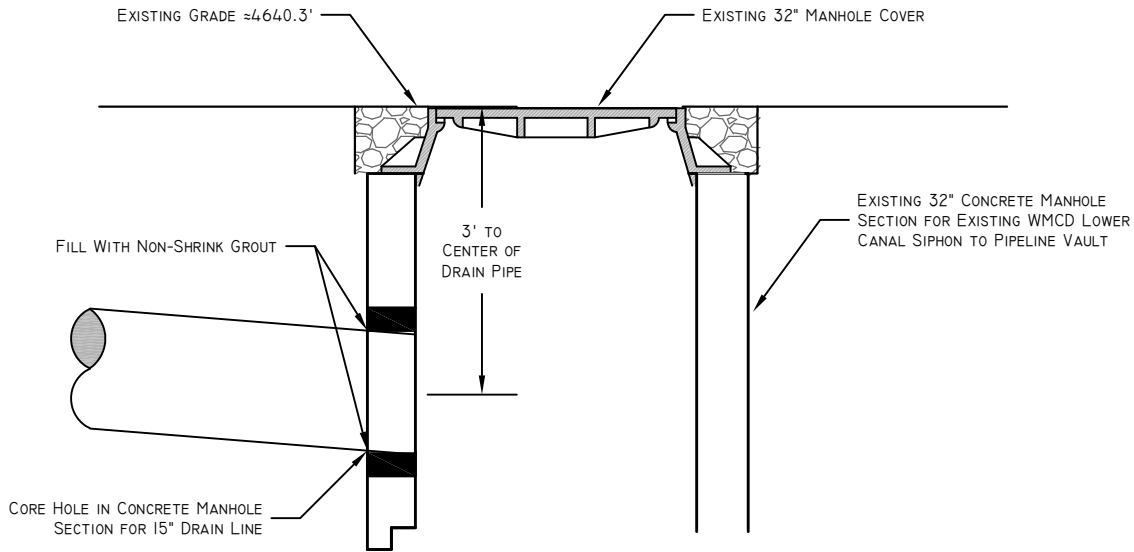
23025

Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD Design Drawings
Phase 2
LAYOUT: Power (2)

SHEET
S10 OF **S11**



P GRAVEL ROAD ELECTRIC TRENCH
NOT TO SCALE



Q DRAIN OUTLET
NOT TO SCALE

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Bidding
Plot Date: 9/8/2025

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PROFESSIONAL ENGINEER
BENJAMIN G. SANDBERG
No. 132563
STATE OF UTAH

DESIGNER:	BEN SANDBERG	CHECKED:	CHAD BROWN	PROJECT LEADER:	CHAD BROWN
DRAFTSMAN:	MATT GURR	REVIEWED:	REVIEWED	PRINT DATE:	SEPTEMBER 8, 2025
NO.	DATE	INTS.	REVISIONS	DESCRIPTION	

WELLSVILLE MENDON CONSERVATION DISTRICT
UPPER CANAL PHASE II
DRAIN AND POWER DETAILS

Pump Station.dwg
09/23/2025 WELLSVILLE-MENDON Upper Canal Design/CADD/Design Drawings
Phase 2
LAYOUT: Drain Details

JOB NO.
23025

SHEET
SII OF SII



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1. IF IN CACHE COUNTY ROADWAY ENSURE CACHE COUNTY STANDARDS ARE FOLLOWED.
2. ALL HOT-MIX ASPHALT SHALL BE PG58-28, SP-1/2, FOR CLASS II ROAD PER APWA 32 12 05.
3. CONTRACTOR SHALL APPLY TACK COAT, COMPLIANT WITH APWA 32 12 14, BETWEEN LAYERS OR LIFTS IF THE PREVIOUS PAVEMENT LAYER IS DIRTY OR OLDER THAN 24 HOURS PER APWA SECTION 32 12 16.
4. CONTRACTOR SHALL PROTECT ALL EXISTING PAVEMENT TO BE LEFT IN PLACE. REPAIR OR REPLACE DAMAGED PAVEMENTS AT NO ADDITIONAL EXPENSE TO OWNER.
5. ALL ASPHALT CUT LOCATIONS REPRESENT FINISHED LOCATIONS. CUTS ARE TO BE NEAT, CLEAN, AND VERTICAL PRIOR TO PATCHING ASPHALT.
6. ANY SAW CUTS REQUIRED PRIOR TO THE FINAL PATCH TO FACILITATE CONSTRUCTION ARE CONTRACTOR WAYS AND MEANS AND WILL NOT BE PAID IN ADDITION TO THE FINAL CUTS. ADDITIONALLY, ANY DAMAGE TO THE SAW-CUT EDGE MUST BE REPAIRED AT NO ADDITIONAL COST TO THE OWNER IF DAMAGED AFTER CUTTING.
7. ALL SAW CUT EDGES AND FINISHED EDGES SHALL BE TREATED WITH A TACK COAT PRIOR TO THE PLACEMENT OF ASPHALT IN ACCORDANCE WITH APWA 32 12 14.

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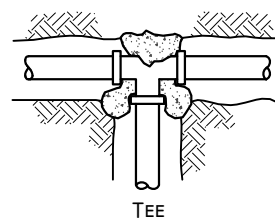


PIPE DIAMETER (IN)	ANCHOR BLOCK (CF)	REBAR NUMBER (#)	DEPTH OF REBAR (FT)
4	1	4	1
6	2	4	1
8	3	4	2
10	4	5	2
12	6	5	3
15	10	6	3
18	14	6	4
24	26	6	4
30	40	6	4
36	58	6	4

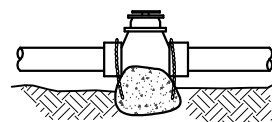
		THRUST BLOCK SOIL BEARING AREA				
			BEND ANGLE (DEGREES)			
DIAMETER	PIPE AREA	TEES & DEAD ENDS	90	45	22.5	11.25
(IN)	(IN ²)	(FT ²)	(FT ²)	(FT ²)	(FT ²)	(FT ²)
2	3	0.2	0.2	0.1	0.1	0.0
4	13	0.6	0.9	0.5	0.2	0.1
6	28	1.4	2.0	1.1	0.6	0.3
8	50	2.5	3.6	1.9	1.0	0.5
10	79	3.9	5.6	3.0	1.5	0.8
12	113	5.7	8.0	4.3	2.2	1.1
15	177	8.8	12.5	6.8	3.4	1.7
18	254	12.7	18.0	9.7	5.0	2.5
24	452	22.6	32.0	17.3	8.8	4.4
36	1018	50.9	72.0	39.0	19.9	10.0

SEE NOTE 7 TO VERIFY BEARING PRESSURE

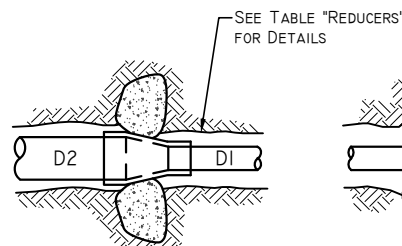
**Issued For
Bidding
Plot Date: 9/8/2025**



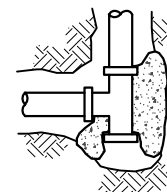
TE



VALVE ANCHOR REQUIRED
FOR THRUST RESTRAINT



REDUCER



PLUGGED TEE

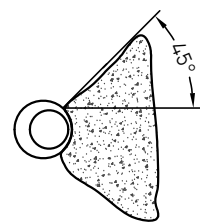
THRUST BLOCK NOTES:

1. CONCRETE THRUST BLOCKING TO BE POURED AGAINST UNDISTURBED EARTH OR STRUCTURAL BACKFILL APPROVED BY ENGINEER. PLACE VISQUEEN BARRIER BETWEEN CONCRETE AND PIPE. VALVE AND FITTING ANCHORS MUST BE GALVANIZED RODS.
2. KEEP CONCRETE CLEAR OF JOINT AND ACCESSORIES.
3. REQUIRED BEARING AREAS AT FITTINGS MUST BE AS REQUIRED IN NOTE 7 TO CONFORM TO TEST PRESSURE(S) AND ALLOWABLE SOIL BEARING STRESS(ES).
4. BEARING AREAS AND SPECIAL BLOCKING DETAILS SHOWN ON PLANS TAKE PRECEDENCE OVER BEARING AREAS AND BLOCKING DETAILS SHOWN ON THIS TYPICAL DETAIL.
5. ALL BURIED PIPING EXCEPT FLANGED, SCREWED, SOCKET WELD PVC OR WELDED STEEL PIPE SPECIFIED TO BE PRESSURE TESTED MUST BE PROVIDED WITH CONCRETE THRUST BLOCKS AT ALL DIRECTION CHANGES UNLESS OTHERWISE NOTED.
6. THRUST BLOCKS MUST NOT BE LOCATED OR SIZED TO ENCASE ADJACENT PIPES OR FITTINGS.
7. BEARING AREAS ARE BASED ON TEST PRESSURE OF 100 POUNDS PER SQUARE INCH AND AN ALLOWABLE SOIL BEARING STRESS OF 2000 POUNDS PER SQUARE FOOT. FOR ALLOWABLE BEARING PRESSURES LESS THAN 2,000 POUNDS PER SQUARE FOOT, USE THIS EQUATION TO CORRECT THE AREA

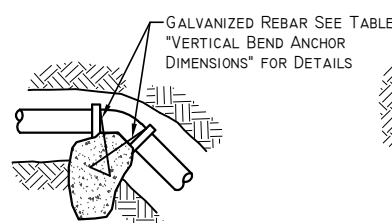
$$\text{BEARING AREA} = \text{AREA} \times \left(\frac{2000}{\text{ACTUAL ALLOWABLE BEARING}} \right)$$

REDUCERS			
D1	D2	AREA DIFFERENCE (IN ²)	THRUST BLOCK SOIL BEARING AREA (FT ²)
8.0	12.0	62.8	3.1
12.0	15.0	63.6	3.2
15.0	24.0	275.7	13.8
18.0	24.0	197.9	9.9
24.0	36.0	565.5	28.3

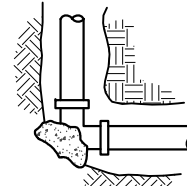
ASSUMED BEARING PRESSURE FOR THESE CALCULATIONS IS 200 LB/FT²
SEE NOTE 7 TO VERIFY BEARING PRESSURE



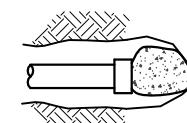
TYPICAL SECTION
THRU THRUST BLOCKS



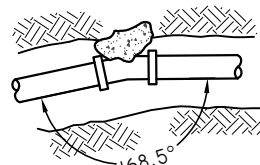
VERTICAL BEND



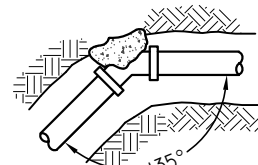
90° BEND



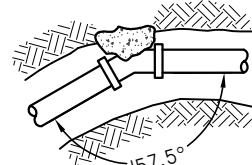
DEAD END



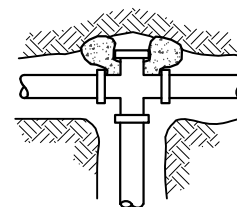
11.5° BEND



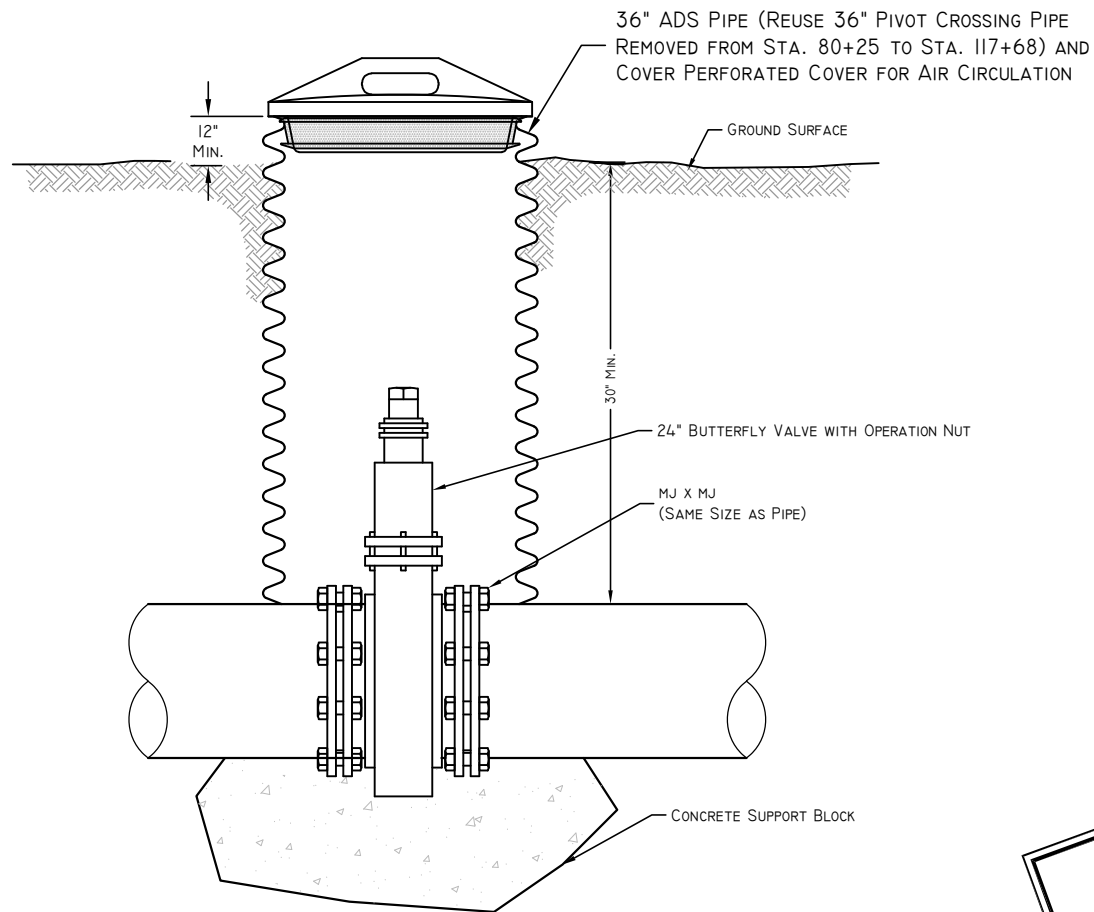
45° HORIZONTAL BEND



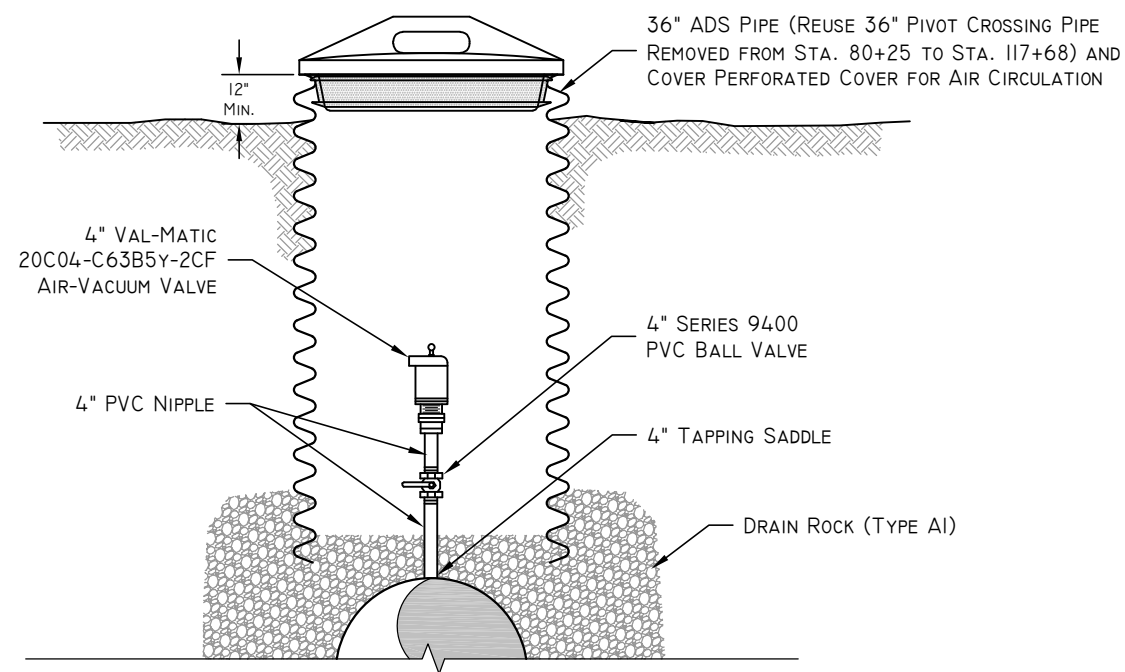
22.5° BEND



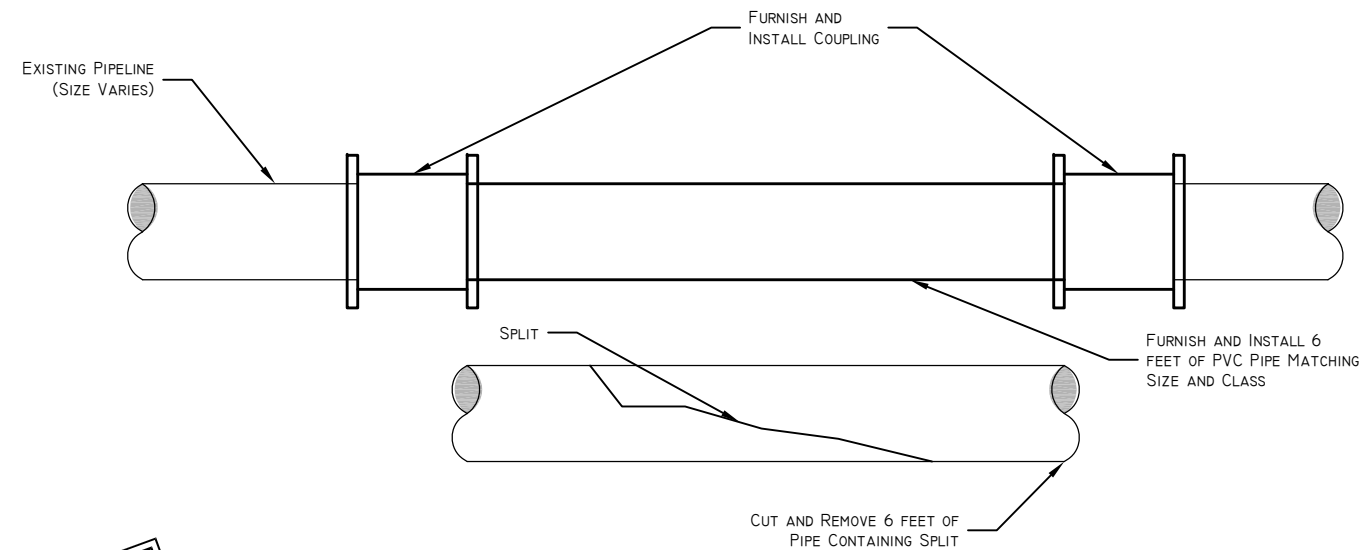
PLUGGED CROSS



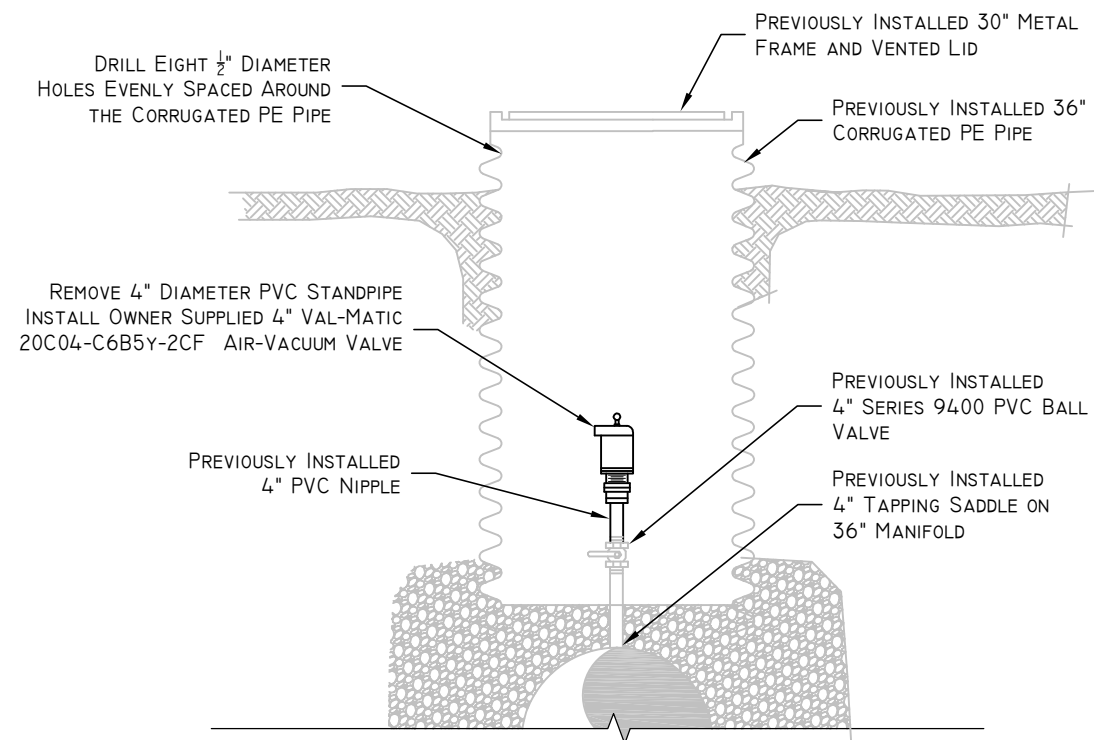
E ISLOATION VALVE DETAIL
NOT TO SCALE



F AIR-VAC VALVE
NOT TO SCALE



H SIX FOOT SECTION REPLACEMENT
NOT TO SCALE



G PHASE I AIR-VAC VALVE
NOT TO SCALE

Issued For Bidding
Plot Date: 9/8/2025

DESIGNER	DRAFTSMAN	CHECKED	PROJECT LEADER	NO.	DATE	DESCRIPTION
BEN SANDBERG	MATT GURR	REVIEWED	CHAD BROWN	1	SEPTEMBER 8, 2025	
				2		
				3		
				4		
				5		
				6		
				7		
				8		
				9		
				10		

**Issued For
Bidding**
Plot Date: 9/8/2025

FURNISH AND INSTALL 1" COMBINATION AIR-VAC VALVE

☐ INSTALL OWNER SUPPLIED FLOW METER

WEI LDED CONNECTIONS

NIZED STEEL 
 URNOUT SIZE

RI COMPACT TO 95% STANDARD _____

AND TEE

POINTS

STALL DR 41 PIPE SIZE
TIGHTEN GIFT

[illegible]

1. COMPACT TO 95% STANDARD

ADVANCED

FURNISH AND INSTALL COUPLING BETWEEN

NOT TO SCALE

AND INSTALL 1" COMBINATION AIR-VAC VALVE —

1. PAD SIZE TO BE 3' x 7' x 6" THICK, REINFORCE CONCRETE WITH A WIRE MESH 6X6 W2.9XW2.9.
2. ALL STEEL PIPE SHALL BE SCHEDULE 40

INSTALL OWNER SUPPLIED

FURNISH AND INSTALL FLANGED

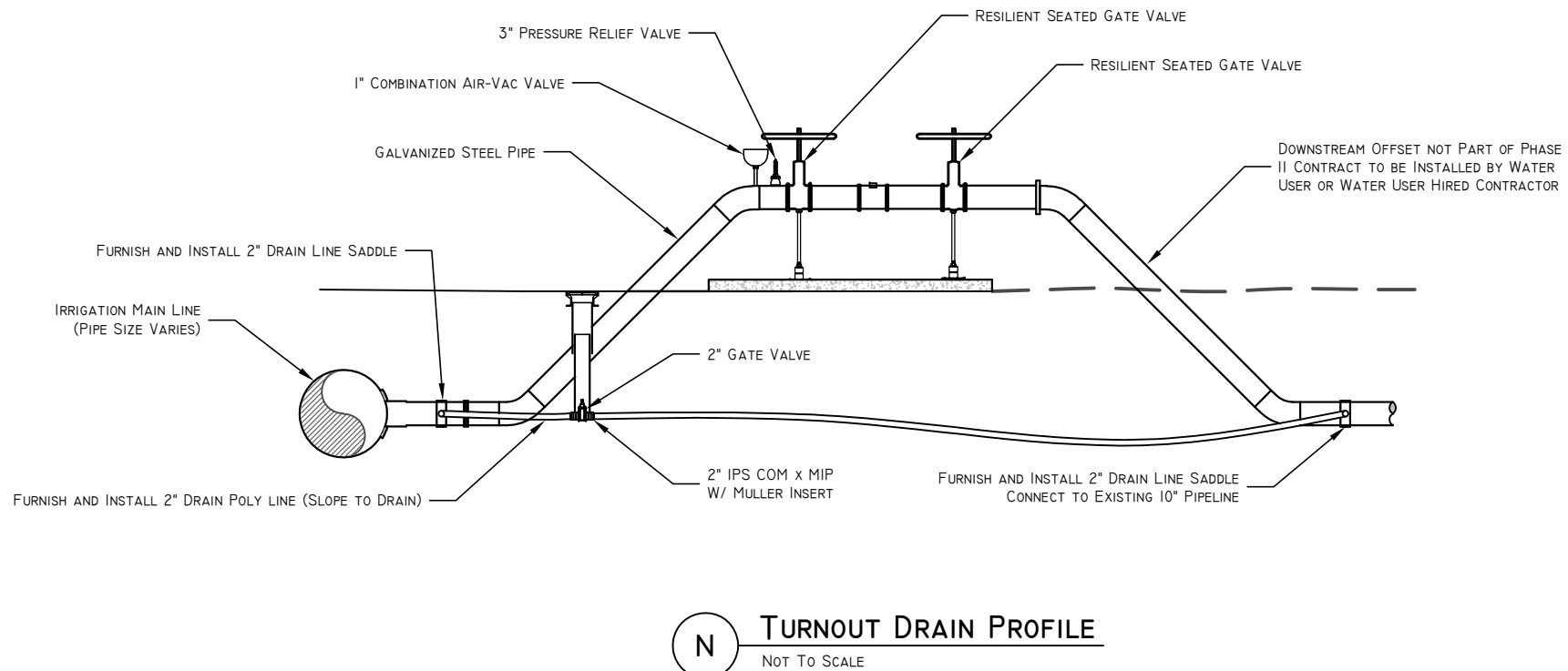
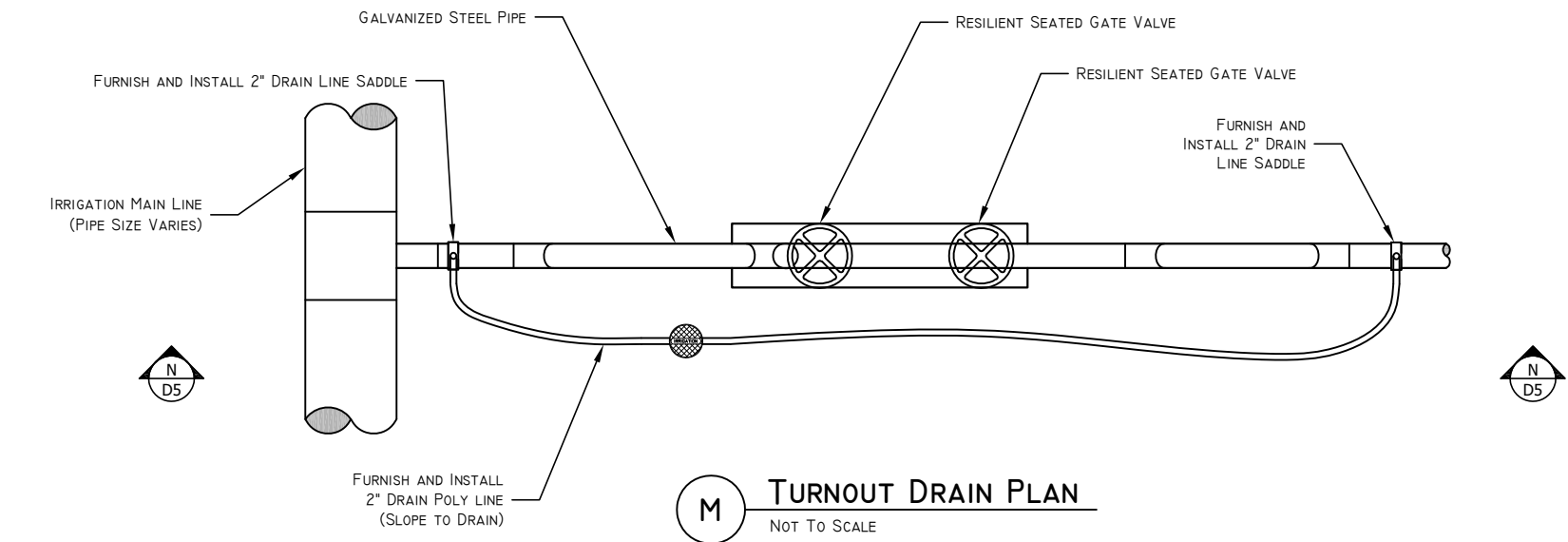


Details.dwg
O:\A2 3025 WELLSVILLE-MENDON Upper Canal Design\CAD\Design Drawings
Phase 2
LAYOUT: D4 Turnouts

10

SHEET
D4 OF D5

**Issued For
Bidding**
Plot Date: 9/8/2025



GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Parcel Number: 01-061-0059

Property Address: (Not Available)

Tax Roll Acreage: 2.19

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

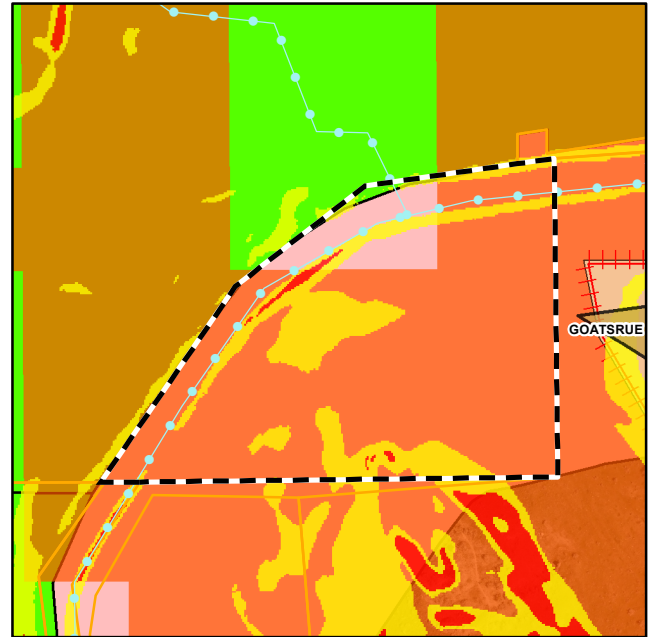
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Hyrum

Base Zone: A10

Overlay Zone: None



Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Areas That May Require Further Analysis

Canals	Steep Slopes	Wildfire Hazard Areas
Noxious Weeds	Landslide Scarps	Ag. Protection Areas
Moderate Slopes	Landslides	Ag. Protection Area Buffers

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Parcel Number: 01-061-0060

Property Address: (Not Available)

Tax Roll Acreage: 0.49

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

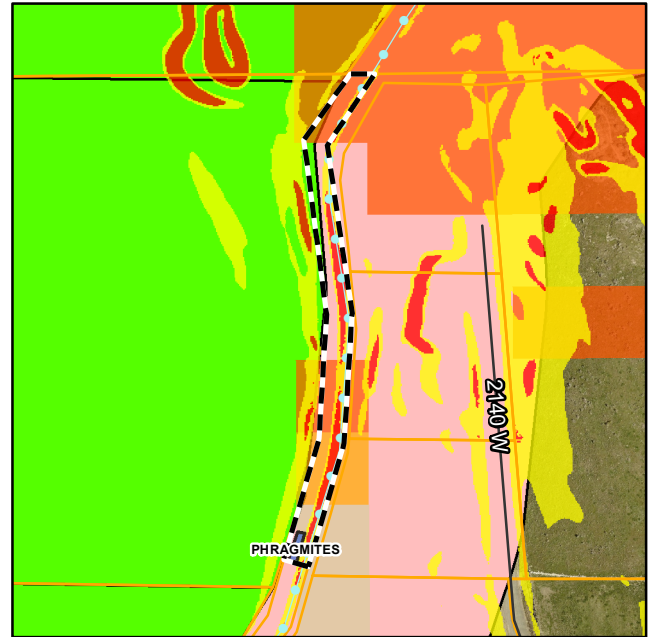
Jurisdiction: Cache County
Future

Annexation Area: Hyrum

Base Zone: A10

Overlay Zone: None

Generated on 02 Oct. 2025 at 12:52 PM



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

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All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Noxious Weeds

Moderate Slopes

Steep Slopes

Wildfire Hazard Areas

Ag. Protection Areas

Ag. Protection Area Buffers

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 12:54 PM

Parcel Number: 01-061-0061

Property Address: (Not Available)

Tax Roll Acreage: 0.86

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

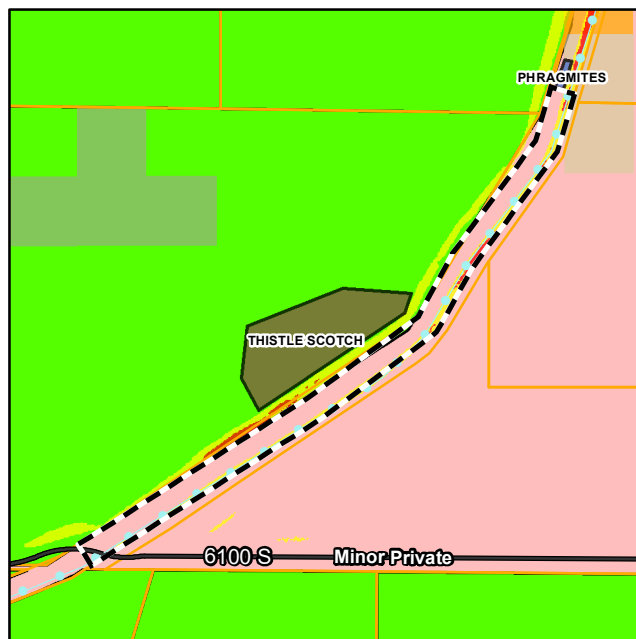
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Hyrum

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a subdivision lot, verify on plat

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	Noxious Weeds	Wildfire Hazard Areas
Canals	Moderate Slopes	Ag. Protection Areas
County Road Function Class	Steep Slopes	Ag. Protection Area Buffers
Encroachment Permit		

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 12:55 PM

Parcel Number: 01-061-0062

Property Address: (Not Available)

Tax Roll Acreage: 0.59

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

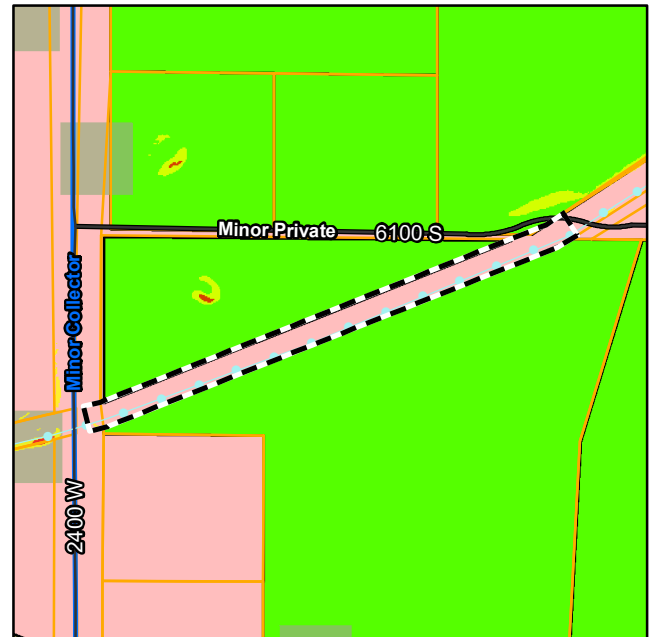
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Hyrum, Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	Encroachment Permit	Wildfire Hazard Areas
Canals	Moderate Slopes	Ag. Protection Areas
County Road Function Class	Steep Slopes	Ag. Protection Area Buffers

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 12:56 PM

Parcel Number: 01-061-0015

Property Address: (Not Available)

Tax Roll Acreage: 130.91

Owner Name: UNITED STATES OF AMERICA

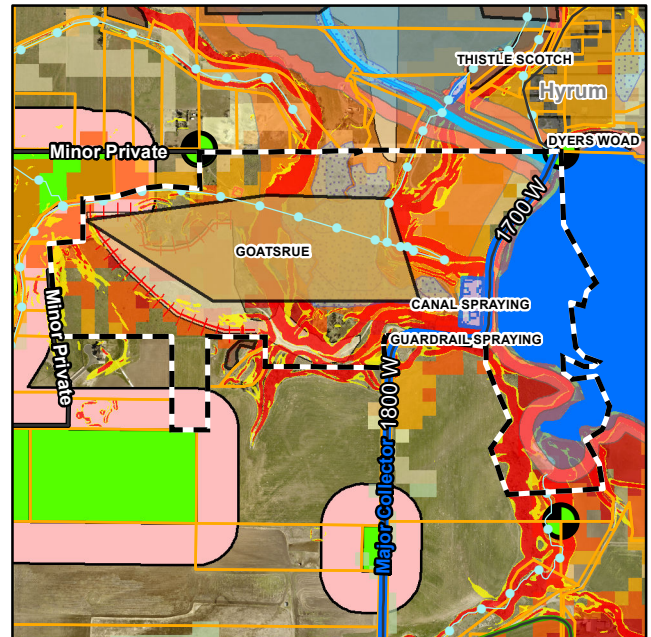
Owner Address: 125 S STATE ST
SALT LAKE CITY, UT 84138-1102

Jurisdiction: Cache County
Future

Annexation Area: Hyrum

Base Zone: A10

Overlay Zone: Public Infrastructure Overlay (PI)



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	Water Bodies	Landslide Scarps
Canals	Major Waterways	Landslides
County Road Function Class	FEMA Floodplain	Liquefaction Potential
Encroachment Permit	County Floodplain Buffer	Wildfire Hazard Areas
Section Corner	Moderate Slopes	Ag. Protection Areas
Noxious Weeds	Steep Slopes	Ag. Protection Area Buffers

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 12:58 PM

Parcel Number: 10-045-0019

Property Address: (Not Available)

Tax Roll Acreage: 1.27

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **legal** parcel

Legality Review: Appears to have the same configuration as on August 8, 2006

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Moderate Slopes

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 12:59 PM

Parcel Number: 10-045-0056

Property Address: (Not Available)

Tax Roll Acreage: 0.54

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

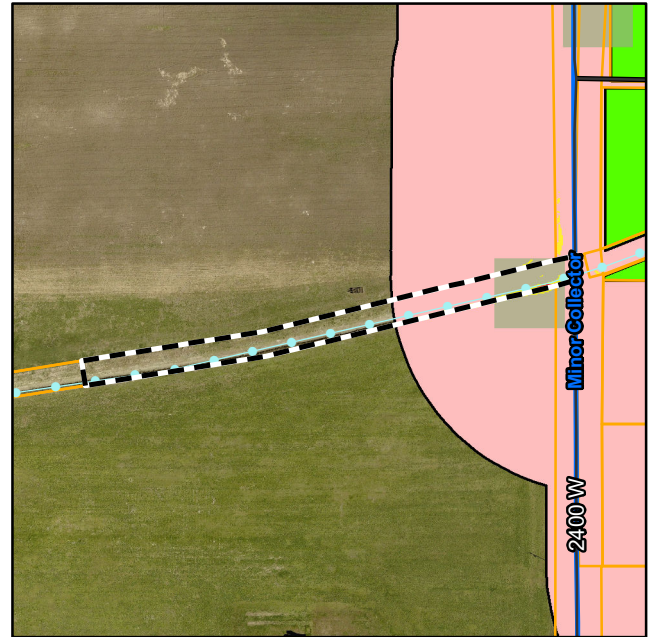
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	Encroachment Permit	Wildfire Hazard Areas
Canals	Moderate Slopes	Ag. Protection Areas
County Road Function Class	Steep Slopes	Ag. Protection Area Buffers

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 01:00 PM

Parcel Number: 10-045-0057

Property Address: (Not Available)

Tax Roll Acreage: 1.0

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Moderate Slopes

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 01:01 PM

Parcel Number: 10-045-0058

Property Address: (Not Available)

Tax Roll Acreage: 0.63

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Moderate Slopes

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 01:02 PM

Parcel Number: 10-045-0059

Property Address: (Not Available)

Tax Roll Acreage: 1.78

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

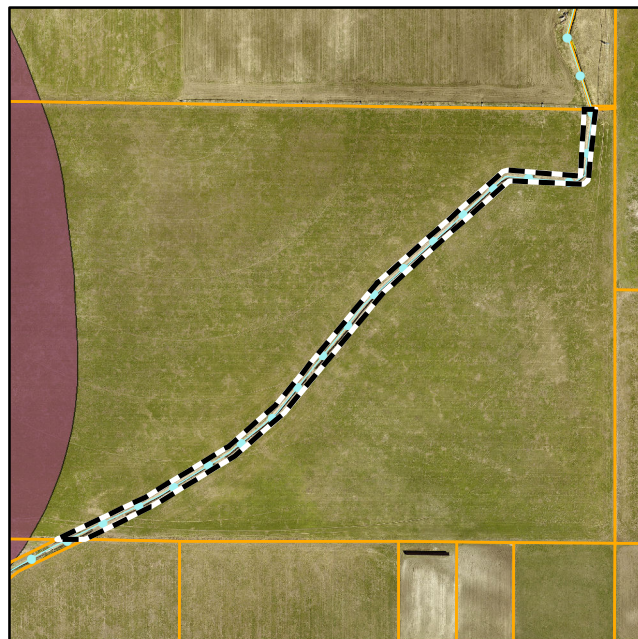
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Moderate Slopes

Fault Lines Surface Rupture
Study Zones UGS

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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 01:04 PM

Parcel Number: 10-045-0060

Property Address: (Not Available)

Tax Roll Acreage: 0.32

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

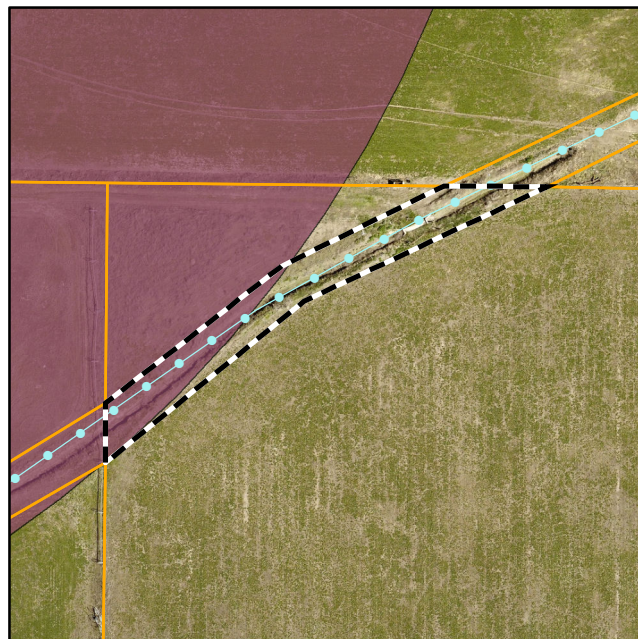
Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

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All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Canals

Fault Lines Surface Rupture
Study Zones UGS

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

Cache County assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein. All datasets may contain errors. The information shown here is not intended to replace evaluation by a competent, licensed professional. In particular, the parcel boundaries are representational only and are not legal definitions of real property, nor are they intended to replace a land survey by a licensed surveyor.

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 02 Oct. 2025 at 01:04 PM

Parcel Number: 10-045-0061

Property Address: (Not Available)

Tax Roll Acreage: 0.69

Owner Name: WELLSVILLE-MENDON
CONSERVATION DISTRICT

Owner Address: PO BOX 70
WELLSVILLE, UT 84339-0070

Jurisdiction: Cache County
Future

Annexation Area: Wellsville

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	County Road Function Class	Moderate Slopes
Canals	Encroachment Permit	Fault Lines Surface Rupture
		Study Zones UGS

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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PARCEL LEGALITY

Summary

Parcel legality in the unincorporated county is established by the definition of “Lot/Parcel” in section 17.07 of the Cache County Land Use Ordinance (<https://bit.ly/lotparcel>). In a nutshell, there are two checks to see if a parcel is legal:

1. Is the parcel currently the same as shown on an approved, recorded subdivision plat?
2. If it's not in a recorded subdivision, is it the same size and shape as it was on August 8, 2006?

How the Legality Check Works?

The GIS Parcel Summary Tool is designed to get you 80% of the way towards determining whether a parcel is legal. Determining if one parcel has the same shape as another is simple for humans but much more difficult for a computer. Instead of comparing the parcel's current shape with its 2006 shape, the Tool does two separate checks for each parcel:

1. Is the center point of the parcel inside a subdivision boundary?
2. Is the parcel's current System ID in the list of System IDs that existed as of August 8, 2006?

What is a System ID?

System IDs are an internal number assigned to each variation of a parcel to track its acreage over time for tax purposes. A new System ID is generated any time a parcel's legal acreage changes or a new parcel is created. So, if a parcel still has the same System ID, it's a good bet it hasn't significantly changed.

If the center is inside a subdivision boundary, the Tool reports “Potentially a subdivision lot.” If it isn't, you'll see “Potentially a legal parcel” or “Potentially a restricted parcel” based on the results of the second check. Regardless, the Tool will always report whether it thinks the parcel has changed since August 8, 2006.

Limitations

The Tool is not perfect and can miss some situations like the following:

- The parcel hasn't changed, but the legal acreage has been updated.
- A boundary line agreement updates the legal description without significantly changing the property (but still triggers a change in System ID).
- A subdivision lot's boundary is changed without a subdivision amendment, which would make the lot restricted until the plat is properly amended.
- A sliver of a parcel is split off for right-of-way on a UDOT project.

The GIS Parcel Summary Tool should **only be used as the first step** in the legality and sensitive area reviews. **County Planning and Zoning staff** can help you verify if a parcel is legal.

SENSITIVE AREAS

AREA	LEGEND	IF AREA IS PRESENT:
Natural and/or Manmade Waterways		
Wetlands		Wetland delineation, the review and determination of wetland areas, may be required. Development in wetland areas shall not occur except as permitted by the U.S. Army Corps of Engineers. Wetland acreage does not count toward the assessment of developable acreage.
Water Bodies		Development shall not occur in waterways, and acreage identified as waterways does not count toward the assessment of developable acreage. Additional setbacks are required from waterways. See §17.18.050 Standards and Development Plan [A-3-a-b]. for additional setback requirements.
Major Waterways		
Canals		
Floodplain		
FEMA Floodplain Floodplain Buffer	 	A Floodplain Development Permit is required. See §17.18.040 Sensitive Areas Analysis [A-2-c] and §17.18.050 Standards and Development Plan [B-3] for requirements. If structures are located within the county floodplain buffer, the owner/developer must provide an elevation certificate documenting a minimum of 1' of freeboard for structures, or meet the requirements of FEMA Technical Bulletin 1 / August 2008.
Source Water Protection Zones		
Zone 1 or 2	 Zone 1  Zone 2	Septic systems are not permitted within Zone 1 or 2 of a source water protection zone. See §17.10.050 Supplemental Standards [A-3-b].
Slopes		
Moderate Slopes		Any development on moderate slopes requires a geotechnical report. See §17.18.040 Sensitive Areas Analysis [A-2-a] and §17.18.050 Standards and Development Plan [B-1, 5] , and §17.18.060 Geotechnical Report Minimum Standards for requirements.
Steep Slopes		Development is not permitted on steep slopes, and this acreage does not count toward the assessment of developable acreage. See §17.18.040 Sensitive Areas Analysis [A-1-b] and §17.18.050 Standards and Development Plan [A-2] for requirements.
Geologic Hazards		
Fault Lines (UGS) Fault Lines Surface Rupture Study Zone Areas (UGS)	 	A geotechnical report is required if development is proposed within the hazard area(s). See §17.07.040 General Definitions; Geologic Hazard; Sensitive Area; for requirements see §17.18.040 Sensitive Areas Analysis [A-2-e] and §17.18.050 Standards and Development Plan [B-5] , and §17.18.060 Geotechnical Report Minimum Standards.
Debris Flow		
Landslide Scarps		
Landslide		
Liquefaction Potential:		
6=Moderate to High 7= High	 	
Important Habitat Areas		
Maguire Primrose		A Habitat Management Plan is required. See §17.18.040 Sensitive Areas Analysis [A-2-d] and §17.18.050 Standards and Development Plan [B-4] for requirements.
Canada Lynx		
Greater Sage Grouse		
Yellow-Billed Cuckoo		

AREA	LEGEND	IF AREA IS PRESENT:																	
Wildfire Hazards																			
Wildland-Urban Interface		Wildland-Urban Interface; Additional requirements and standards may apply. Contact the Cache County Fire District (435) 755-1670 and refer to the 2006 Utah Wildland-Urban Interface Code .																	
Wildfire Threat Level Index																			
<table><thead><tr><th>Wildfire Threat Level</th><th>Assess Group</th></tr></thead><tbody><tr><td>0 Urban, Agriculture, Barren or Water</td><td></td></tr><tr><td>1 Very Very Low</td><td rowspan="3">LOW</td></tr><tr><td>2 Very Low</td></tr><tr><td>3 Low</td></tr><tr><td>4 Low to Moderate</td><td rowspan="2">MODERATE</td></tr><tr><td>5 Moderate</td></tr><tr><td>6 Moderate to High</td><td rowspan="3">HIGH</td></tr><tr><td>7 High</td></tr><tr><td>8 Very High</td></tr><tr><td>9 Extreme</td><td></td></tr></tbody></table>	Wildfire Threat Level	Assess Group	0 Urban, Agriculture, Barren or Water		1 Very Very Low	LOW	2 Very Low	3 Low	4 Low to Moderate	MODERATE	5 Moderate	6 Moderate to High	HIGH	7 High	8 Very High	9 Extreme			The Utah Wildfire Risk Assessment Portal (https://wildfirerisk.utah.gov/) is the primary mechanism for Utah Division of Forestry, Fire, and State Lands to deploy wildfire risk information and create awareness about wildfire issues across the state. The Wildfire risk and threat data layers were developed as part of the West Wide Wildfire Assessment covering the seventeen Western States. Collectively these applications will provide the baseline information needed to support mitigation and prevention efforts across the state. A more detail report can be generated from the website link above.
Wildfire Threat Level	Assess Group																		
0 Urban, Agriculture, Barren or Water																			
1 Very Very Low	LOW																		
2 Very Low																			
3 Low																			
4 Low to Moderate	MODERATE																		
5 Moderate																			
6 Moderate to High	HIGH																		
7 High																			
8 Very High																			
9 Extreme																			
Agricultural Protection Areas																			
Protection Areas		See the recorded Agriculture Protection Area. See §2.70 Agriculture Protection Area Advisory Board ; See also UCA §17-41 .																	
300ft Buffer																			
Airport Overlays																			
65 Ldn Noise Area		For airport areas, see §17.17.060 Schedule of Uses to determine if the proposed use is permitted in the airport zone . Federal Aviation Administration (FAA) review may also be required.																	
Inner Approach Zone																			
Approach Zone																			
Traffic Pattern Zone																			
Influence Area																			
FAA Regulation Part 77																			
1,000ft / 100 = 10ft																			
2,000ft/ 100 = 20ft																			
3,000ft/ 100 = 30ft																			
4,000ft/ 100 = 40ft																			
4,500ft/ 100 = 45ft																			
Encroachment Permit																			
Encroachment Permit	(No Symbol)	An Encroachment Permit is required when working within the county right-of-way see, §12.02.020: Development of Roadways																	

AREA	LEGEND	IF AREA IS PRESENT:
Section Corner Disturbance Notification		
Corner Disturbance		Disturbed section corner—County Surveyor to be notified. See Utah State Code 17-23-14
County Road Functional Classification		
Functional Classification	Function Class  Minor Arterial  Major Collector  Minor Collector  Major Local  Minor Local  Major Private  Minor Private  Agricultural Access  Seasonal/Recreation  Unimproved	The functional classification of a roadway identifies the relative importance of the mobility and access functions for that roadway. Function class also identifies the following; *Minimum Access Spacing: See Table 5.1 Road Manual *Right-of-Way (feet): See Table B-6 Road Manual *Setback of Structure: See Table 17.10.040 Dev. Standards General County Roadway Standards: §12.02: Roadway Standards
Migratory Bird Production Area		
Production Area 1,000ft Buffer	 	Migratory Bird Production Area- an owner of a new development located in whole or in part within 1,000 feet of a migratory bird production area shall provide the following notice on any plat filed with the county recorder. See Utah State Code 28-23-1,2,3 Migratory Bird Production Area.
Conservation Easements		A conservation easement is a voluntary and binding legal agreement between a property owner and an easement holder (a land trust or governmental agency) that permanently restricts the use of open land and water areas for the purpose of preservation. See Utah State Code 57-18 Land Conservation Easement Act
Noxious Weeds		
Noxious Weeds	Sample Legend  DYERS WOOD  ELONGATED MUSTARD  EURASIAN MILFOIL  FIELD BINDWEED  GARLIC MUSTARD  GIANT REED  GOATSRUE	Under the Utah Noxious Weed Act and County Ordinance No. 2015-06 your project may need to be inspected by a Cache County employed Noxious Weed Control Supervisor to either detect and treat noxious weeds and/or to inspect the disturbance of, removal of or deposit of soils onto the property. More info. can be found on the County's Vegetation Management website.

Staff Report: Lower Foods – South Road Extension CUP

6 November 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Jake Leatham

Parcel ID#: 08-002-0008

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Location

Reviewed by Conner Smith

Project Address:

700 S. Highway 91,
Richmond

Current Zoning:

Agricultural (A10)

Acres: 7.80

Surrounding Uses:

North – Industrial/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural



Findings of Fact

A. Request description

1. A request to operate a Transport Services (Use Type 3500) on 7.80 acres located at 700 S. Highway 91, Richmond, in the Industrial (I) Zone. This project is an accessory to a General Manufacturing (Use Type 2100) operation that is located inside of Richmond City limits.
2. Land Use Context:
 - a. Rezone:
 - i. This parcel was rezoned from the Agricultural (A10) Zone to the Industrial (I) Zone in 2025. It was recommended for approval by the Planning Commission on August 7th, 2025 and was approved by the County Council as Ordinance 2025-26 on September 23rd, 2025.

- b. Parcel status: The subject property has changed size and configuration since August 8th, 2006. However, this was done by a boundary line adjustment as the property is legal.
 - c. Adjacent uses: The properties to the south and east are primarily a mix of agricultural and residential, the properties to the west are primarily agricultural, and the properties to the north are a mix of industrial and residential. Richmond City is located directly to the north.
- 3. The applicant has provided a Letter of Intent (LOI) and plans (Attachment A) that details the proposed construction, phasing, and operations as summarized here: **See Condition #1**
 - a. Purpose:
 - i. The purpose of the project is the enhance internal circulation for semi-truck traffic that accesses the Lowers Family Foods (LFF) property. LFF wants to reduce safety concerns and mitigate the risk semi-trucks executing hazardous maneuvers along Highway 91. By creating a dedicated access route and staging area, the functionality and safety both on and off site will improve.
 - ii. A portion of the proposed project is located within Richmond City Limits. This approval only applies to the portion of the project that is located within the County, and the applicant will need to obtain any necessary permits from Richmond City. **See Condition #2**
 - b. Operation:
 - i. Employees:
 - 1. LFF currently employs ~300 staff. However, this frontage road is exclusively for semi-truck logistics.
 - ii. Hours of Operation:
 - 1. Hours of operation will be Monday through Saturday, 7AM to 7PM.
 - iii. Parking:
 - 1. This project is not meant to serve customers or employees.
 - iv. Waste:
 - 1. Any waste or debris generated by the construction of the operation will be disposed of using existing waste disposal infrastructure already present on the LFF property. **See Condition #3**
 - v. Equipment:
 - 1. Equipment will be limited to semi-trucks and occasional light utility vehicles.
 - vi. Lighting:
 - 1. Light poles will be installed to ensure visibility and safety for low-light staging.
 - a. A lighting plan must be provided to the Cache County Development Services Department. **See Condition #4**
 - b. Exterior lighting must be dark sky compliant. **See Condition #5**
 - vii. Signage:
 - 1. Wayfinding and safety signage will be installed on the property.
 - a. Any proposed signage must comply with Chapter 17.23 of the County Code and obtain approval of a Zoning Clearance and Building Permit prior to construction. Signage cannot be located in the public right-of-way. **See Condition #6**

B. Conditional Uses See conclusion #1

- 4. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:

- a. Compliance with law;
- b. Health, safety, and welfare;
- c. Adequate service provision;
- d. Impacts and mitigation.

C. Compliance with law *See conclusion #1*

5. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use. ***See conclusion #1***
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity. ***See conclusion #1***
6. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. ***See conclusion #1***
7. The subject property has changed its size and configuration since August 8th, 2006 via a boundary line adjustment. Therefore, the parcel is still legal.
8. §17.07.030, Use Related Definitions defines these uses as “2100 General Manufacturing”, and “3500 Transport Services”.
9. §17.07.040, Definitions, defines “2100 General Manufacturing” as:
 - a. “The manufacture, processing, and assembling of products by mechanical or chemical processes. Typically includes the manufacturing of rock products (including concrete/asphalt plants); metal products; wood products (including saw mills and pulp factories); plastic components; and the commercial processing of animal products (meat, dairy, eggs, etc.).”
10. §17.07.040, Definitions, defines “3500 Transport Services” as:
 - a. “An establishment engaged primarily in the loading and unloading of freight onto tractor trucks or the dispatch of tractor trucks which will be used to haul freight. May also include services for the fueling, servicing, repair, or parking of trucks or similar heavy commercial vehicles. Excludes the parking of a single truck by an owner/operator at their place of residence and trucks owned and operated by an agricultural entity engaged in the transport of seventy-five percent (75%) or more of that owner’s agricultural products.
11. §17.09.030, Schedule of Uses by Zoning District, permits these uses as a CUP in the Industrial (I) Zone.
12. The primary activities as identified with the LOI are proposed to only occur on the subject parcel and will not cause unreasonable risk to the safety of persons or property, and it does not unreasonably interfere with the lawful use of surrounding properties.

D. Health, Safety, and Welfare *See Conclusion #1*

13. The County Land Use Ordinance stipulates that:
 - a. Proposed CUPs must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.
14. The primary activities as identified within the LOI will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties so long as the conditions of approval are met.

E. Adequate service provision *See conclusion #1*

15. The County Land Use Ordinance stipulates that:

- a.** The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.

16. §17.10.040: Minimum lot frontage in the Industrial Zone is 150’.

17. The Road Manual specifies the following:

a. §2.1 Roadway Functional Classification – Minor Collector

- i.** Minor collector roads provide service to smaller communities and link important traffic generators with the rural hinterland. These routes should be spaced at intervals consistent with population density in order to accumulate traffic from local roads and bring traffic from all developed areas within a reasonable distance of collector roads.

b. §2.1 Roadway Functional Classification – Major Local

- i.** Major local roads serve a dual function of providing access to properties that abut the road as well as providing through or connection service between higher road classification facilities. Major local roads may have significant local continuity and may operate at relatively high speeds. Because of the possibility of 2.0 Roadway Design (2021) | Roadway Manual 10 through traffic, a meaningful segment of traffic on major local roads may include drivers who are unfamiliar with the roads. Traffic on major local roads is largely composed of passenger vehicles or other smaller vehicle types. Where a significant proportion of traffic is trucks or other heavy vehicles, additional design considerations will be required.

18. Access: Primary access to the property will be from Highway 91

a. A basic analysis of Highway 91 is as follows:

- i.** Is an existing Utah Department of Transportation (UDOT) road classified as a Principal Arterial.
- ii.** Principal arterials in rural areas are typically designed to provide relatively high overall travel speeds with minimum interference to through movement.
- iii.** Provides access to multiple dwellings, agricultural properties, and the LFF property, but is primarily the main connection between Smithfield and Richmond.
- iv.** This Section of US-91 is classified as an Access Category 4, which has an access spacing of 500 feet and a minimum street spacing of 660 feet.
- v.** UDOT must approve access to any proposed development. ***See Condition #7***

b. A basic analysis of State Street is as follows:

- i.** Is an existing County Road classified as a Minor Collector.
- ii.** Minor collector roads provide service to smaller communities and link important traffic generators. Minor collectors are spaced at intervals consistent with population density in order to accumulate traffic from local roads.
- iii.** Provides access to multiple dwellings, agricultural uses, and is a main route for buses to North Cache Junior High.
- iv.** Road is paved, has a width of ~22 feet, and a planned width of 30 feet.

c. 9400 North:

- i.** 9400 N. is a public road that connects Highway 91 to State Street. As it is shown on the Richmond City Master Plan, aligns with the County grid, and would be a

continuation of 9400 N. located on the other side of the highway, the Public Works Department states that this road should be included as part of this development.

- d. The developer will need to provide Site Improvement Plans. **See Condition #8**
- e. The developer shall provide all necessary right-of-way dedications along State Street and 9400 South. **See Condition #9**
 - i. See Road Manual Section 2.4.1.d.
- f. The developer must submit roadway improvement plans that have been prepared by a licensed engineer to the Public Works Department's Engineering Division for review and approval. **See Condition #10**
 - i. See Road Manual Section 1.4.
- g. The developer shall improve 9400 North and State Street to meet the minimum standards of a Major Local Road along the frontage of the proposed development. An executed Improvement Agreement will be required prior to recording the CUP. **See Condition #11**
 - i. See Road Manual Section 2.4.A.1.e.
- h. The developer must provide approval from UDOT for the planned road accessing US-91 prior to recording the permit and comply with the conditions of the approval. **See Condition #7**
 - i. See Road Manual Section 2.4.A.1.e.
- i. The developer must provide a Traffic Impact Study (TIS) that meets the requirements outlined in the Cache County Manual of Roadway Design and Construction Standards, Section 1.9. **See Condition #12**

19. Parking:

- a. §17.22 Off Street Parking Standards:
 - i. Uses under 2000 – Manufacturing Industries and 3000 – Sales and Services require a parking analysis. Per §17.22.020: Development Standards(B)(1), uses that require more than five parking stalls require a parking analysis. As the proposed project area is greater than 1,250 square feet, more than five parking stalls will be required. Therefore, prior to recording a permit, a parking analysis that has been completed by a licensed professional must be submitted to the Development Services Department for approval. **See Condition #13**
- b. §17.22 Performance Standards:
 - i. §17.22.020(D)(4) states that the development must be designed and constructed in such a way as to minimize the negative impacts of vehicle activity on neighboring property and public streets. **See Condition #14**

20. Screening:

- a. §17.10.030 Development Density and Standards Specific to Base Zoning Districts:
 - i. Should a parcel that is in the Industrial (I) Zone share a border with a parcel that is in the Agricultural (A10), Rural 5 (RU5), or Rural 2 (RU2) Zones then all requirements of §17.10.030(A) must be met. In this case, the subject property shares a property boundary with several parcels that are in the Agricultural (A10) Zone. Therefore, the applicant must ensure that the requirements of §17.10.030(A) are met. **See Condition #15**

21. #§16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns about the project. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development.

22. §16.04.080 [F] Solid Waste Disposal – The applicant is responsible for the removal of any waste generated by the project. Per their LOI, any waste or garbage generated during construction or

operation will be disposed of via waste disposal infrastructure that is already present on the LFF property. **See Condition #3**

F. Impacts and mitigation See conclusion #1

23. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”

24. The County Land Use Ordinance stipulates that:

- a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
- b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.

25. Known or reasonably anticipated detrimental effects of the use are as follows:

a. Storm water/Site Development:

- i. Applicant must submit a stormwater report prepared by a licensed engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or predevelopment hydrologic condition, whichever is less. **See Condition #16**
- ii. Any required stormwater infrastructure and easements must be shown on the revised site plan and constructed prior to recording the permit. **See Condition #16**
- iii. Applicant will need to provide Site Improvement Plans prepared by licensed Professional. Plans shall include, but not limited to; site plan, site grading, site drainage, and site details. **See Condition #16**

b. Lighting:

- i. Lighting can potentially cause a disruption to surrounding properties. The applicant must ensure that the construction and layout of the proposed lighting is minimized for surrounding properties and public streets. **See Conditions #4, #5**

c. Agricultural Protection Area:

- i. This project is within 300 feet of an agricultural protection area.

d. Sensitive Areas:

- i. There are no known sensitive lands present on the property.

G. Public Notice and Comment—§17.02.040 Notice of Meetings

26. Public notice was posted online to the Utah Public Notice Website on October 24th, 2025.

27. Notices were posted in three public places on October 24th, 2025.

28. Notices were mailed to all property owners within 300 feet of the subject property on October 24th, 2025.

29. The agenda meeting agenda was posted to the County website on October 24th, 2025.

Conditions

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

- 1. The applicant and operator(s) must abide by the information as provided in the application and the information as identified in this staff report as well as any required revisions needed to the Letter of Intent and plans. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority.

2. This approval is limited to the portion of the project that is located in Cache County and does not approve or permit any construction or operation within Richmond City limits.
3. During construction and operation, all waste that is produced as part of this project must be disposed of via proper waste disposal methods.
4. Prior to recording the permit, the applicant must provide a lighting plan for review and approval by the Development Services Department.
5. During operation, all lighting must be dark sky compliant.
6. Prior to construction, any signage must obtain a zoning clearance approval and a building permit before installation.
7. Prior to recording the permit, the applicant must provide an approval from UDOT that confirms that the access coming off of Highway 91 is permitted. This approval must be submitted for review and approval by the Public Works Department and the Development Services Department.
8. Prior to recording the permit, the applicant must submit Site Improvement Plans that have been prepared by a licensed professional. Plans shall include, but not be limited to a site plan, site grading, site drainage, and site details.
9. Prior to recording the permit, the applicant shall provide all necessary right-of-way dedications along State Street and 9400 South.
10. Prior to recording the permit, the applicant must submit plans, prepared by a licensed engineer, for all roadway improvements for review and approval by the Public Work's Engineering Division.
11. Prior to recording the permit, the applicant must improve 9400 N. and State Street to meet the minimum standards of a Major Local Road along the frontage of the proposed development. An executed improvement agreement must be completed.
12. Prior to recording the permit, the applicant must submit a TIS, that meets the requirements outlined in the Cache County Road Manual Section 1.9, for review and approval by the Public Works Department.
13. Prior to recording the permit, the applicant must submit a parking analysis for review by the Public Works Department and approval by the Development Services Department.
14. Prior to recording the permit, the applicant must submit updated plans showing how they will meet the requirements of §17.22.020(D)(4) for review and approval by the Public Works Department and the Development Services Department.
15. Prior to recording the permit, the applicant must submit updated plans showing how they will meet the requirements of §17.10.030(A) for review and approval by the Public Works Department and the Development Services Department.
16. Prior to recording the permit, the applicant must submit a storm water report prepared by a licensed engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or predevelopment hydrological condition, whichever is less. The report must be reviewed and approved by the County Engineer. The applicant must provide written approval that the County Engineer has approved the report. Prior to recording the permit, the site plan(s) must be revised to show the location of any required storm water infrastructure and easements identified in the approved storm water report. Prior to recording the permit, any required storm water infrastructure identified in the approved storm water report must be constructed with all required permits in place (e.g., land disturbance, flood plain permit, etc).

Conclusions

Based on the findings of fact and conditions noted herein, staff recommends approval of the Lower Foods – South Road Extension Conditional Use Permit as:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and;
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request.

ATTACHMENT A



Development Services Department

Building | GIS | Planning & Zoning

Application: Conditional Use Permit

Date Received:	By:	Receipt #:	Amount:	Check #:
9/25/2025	CS	21825	\$600.00	0304

1. A pre-application meeting with the Development Review Committee is required for all Conditional Use Permit applications. Call (435) 755-1640 to set an appointment.
2. Applications are accepted by appointment only once the pre-application meeting has been held.
3. The items indicated in the attached checklist must accompany this application.
4. Incomplete applications are not accepted.
5. Late applications are held for the next meeting's agenda.
6. The application fee is not refundable.
7. Your greenbelt taxation status and value of your property may change by proceeding with this application. Please contact the County Assessor's Office for more information.
8. Any information submitted with this application becomes public record and is posted online.

Project Information

- ☐ ___ A parcel review has been completed for each property.
- ☐ ___ A plat map, legal description, and taxation certification has been provided for each property.
- ☐ Use Index No. and Type General Manufacturing, 2100 and/or Transport Services, 3500

Conditional Use Permit Name: Lower Foods - South Road Extension

Parcel/Tax ID number(s): 08-002-0008

Approximate Address: 700 S HIGHWAY 91, Richmond, UT 84333

Zone(s): Industrial (I) Total Acreage: 7.8

Agent Contact Information

Agent Name: Jake Leatham Email: jacob.leatham@sunrise-eng.com

Phone: 435.563.3734 Mailing Address: 2100 N Main, North Logan, UT 84341

Property Owner Contact Information

Owner Name: Alan Lower of Lower Properties, LLC Email: alan@llranch.com

Phone: 435.258.2449 Mailing Address: 700 S HIGHWAY 91, Richmond, UT 84333

Development Services Department
179 North Main, Suite 305
Logan, Utah 84321

www.cachecounty.gov/devserv
devservices@cachecounty.gov
(435) 755-1640

Date: June 20th, 2025

Cache County Development Services
179 North Main Suite 305
Logan, UT 84321

To Whom It May Concern:

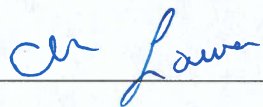
We the undersigned property owners hereby appoint Jake Leatham
as our agent in regards to the proposed project named Lower Foods - South Road Extension
located at 700 S HWY 91, Richmond, UT 84333, with
Tax ID#(s) 08-002-0008.

By appointing an agent, we understand that they are authorized to make decisions regarding said development and will be the point of contact should issues/questions arise during the review period.

Furthermore, by signing you also acknowledge that your greenbelt taxation status and value of your property may change by proceeding with this application. Please contact the County Assessor's Office for more information regarding taxation status.

Alan Lower of Lower Properties, LLC
Print Name

Jun 20, 2025
Date


Signature

700 S HWY 91, Richmond, UT 84333
Address

Original: September 29, 2025

Updated: November 3, 2025

Angie Zetterquist
Interim Director
Cache County Development Services
179 North Main Street, Suite 305
Logan, UT 84321

Subject: Letter of Intent - Conditional Use Permit Application for Lower Foods: South Road Extension

Angie,

On behalf of Lower Family Foods (LFF), we are submitting this Letter of Intent in support of our Conditional Use Permit application for improvements to the existing Lower Foods meat processing facility located in Richmond City, Utah. Following the guidance provided during the Development Services meeting held on April 22, 2025, we hope this letter offers clarity on the nature and intent of our proposed improvements.

Proposed Use

As discussed in the aforementioned Development Services meeting and subsequent discussions with the County, the proposed use of the subject parcel has been identified as General Manufacturing (Use Type 2100) and/or Transport Services (Use Type 3500). The intended improvements involve the extension of the existing LFF frontage road southward on the Lower's property. This extension will not be used for manufacturing purposes itself but will instead serve to enhance internal circulation for semi-truck traffic accessing the LFF facility. The key objective of this project is to reduce safety concerns and mitigate the risk of semi-trucks executing hazardous maneuvers along Highway 91. Please see the example images provided below. By creating a dedicated access route and staging area, we aim to improve both the functionality and safety on and off site. We are currently working with UDOT for access approval.



Three semis have staged on HWY 91: On the east shoulder, west shoulder, and TWLTL.



Semi is backing into the site access from the highway.



Semi has staged on the east highway shoulder.



Semi has staged on the east highway shoulder.



Semi collided with a large landscape rock, dragging the rock onto HWY 91. (1 of 2)



Semi collided with a large landscape rock, dragging the rock onto HWY 91. (2 of 2)

Number of Employees

LFF currently employs ~300 staff members; however, this frontage road project is exclusively for semi-truck logistics and will not affect employee parking or access. No one resides on the LFF property, and the road extension will not increase the number of employees.

Hours of Operation

LFF's primary operations run Monday through Saturday, 7am to 7pm. There are typically auxiliary staff who work overnight for cleaning, prepping, etc. when the plant is not operating. Monday through Friday, semi-trucks steadily filter in and out of the facility starting 7am until 7pm when LFF closes receiving. Saturday sees the least amount of truck trips, with little to none in or out. Sunday has few truck trips until the afternoon or nighttime when a large inflow of trucks, upward of about 20 or so, begin filtering in to be ready come Monday morning. The proposed frontage road will help smooth the flow of these trips without altering operational hours.

Traffic and Parking

This road extension is not designed to serve customer or employee traffic and will not impact existing parking facilities. The extended road is intended for semi-truck traffic, offering staging space and an improved access path. This will alleviate current congestion and improve safety along LFF's Highway 91 Frontage. All parking for employee vehicles will remain as currently provided on the main LFF campus.

Signage

As part of the road project, we will install wayfinding and safety signage to guide semi-trucks to the appropriate access point and avoid confusion along Highway 91. Sign graphics and dimensions will be provided in accordance with §17.23 of the Cache County Code for review and approval once available.



Cache Valley Office
2100 North Main Street, North Logan, Utah 84341 | TEL 435.563.3734

Equipment

Construction of the frontage road will utilize standard earthwork and paving equipment. Once complete, the road will accommodate semi-trucks and occasional light utility vehicles. Lighting poles will also be installed to ensure visibility and safety for during low-light staging.

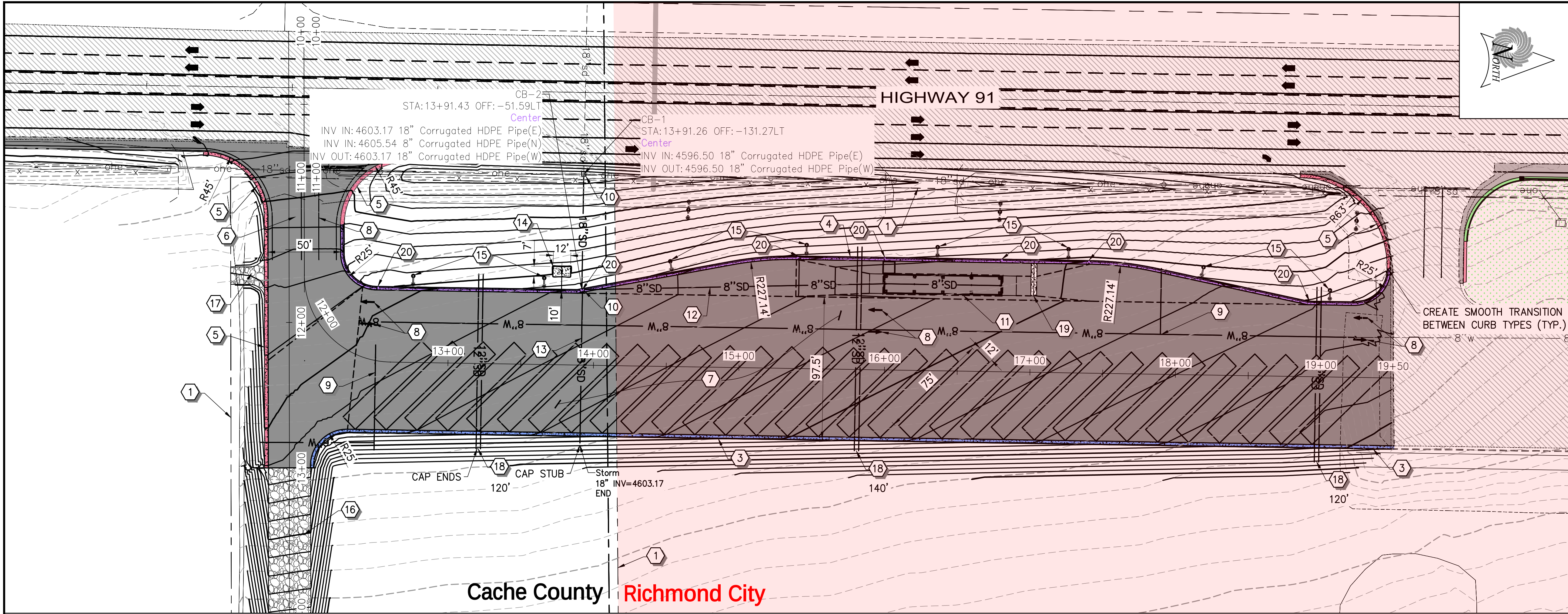
Waste and/or Garbage

Any waste or debris generated by the construction or use of the frontage road will be disposed of using existing waste disposal infrastructure already in place on the LFF property. We will ensure that all materials are handled in compliance with County regulations.

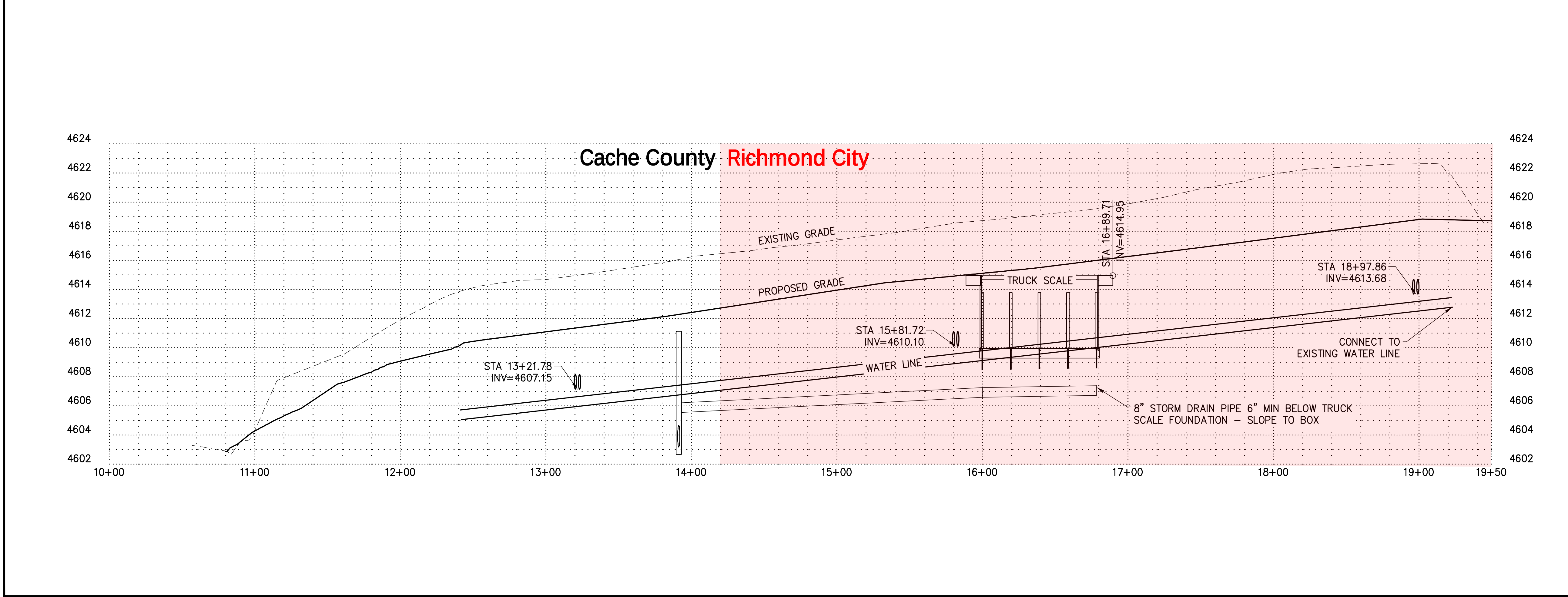
We appreciate your time and consideration of this proposal. LFF remains committed to operating in a safe, orderly, and responsible manner. Please feel free to reach out with any questions or concerns.

A handwritten signature in blue ink, appearing to read "J.L.", is positioned above the printed name.

Jake Leatham, PE
Project Engineer
jacob.leatham@sunrise-eng.com
435.563.3734



- ### SITE NOTES
- 1 PROPERTY LINE / RIGHT OF WAY
 - 2 INSTALL APWA "A" CURB
 - 3 INSTALL SPILL CURB
 - 4 INSTALL UDOT "M-1" CURB
 - 5 INSTALL RIBBON CURB
 - 6 INSTALL ASPHALT ACCESS – SEE UDOT PLANS
 - 7 ASPHALT OR CONCRETE ROAD PER OWNER
 - 8 PROVIDE PAVEMENT MARKINGS PER MUTCD
 - 9 INSTALL 8"Ø WATER LINE
 - 10 INSTALL 3x3 STORM WATER BOX W/ FLAT LID & OFFSET 2'x3' HOLE
 - 11 INSTALL TRUCK SCALE TO MANUFACTURER SPEC
 - 12 INSTALL 8"Ø STORM DRAIN PIPE 6" MIN BELOW TRUCK SCALE
 - 13 INSTALL 18"Ø STORM DRAIN PIPE
 - 14 INSTALL CONCRETE TRANSFORMER PAD PER UTILITY SPECIFICATIONS
 - 15 INSTALL LIGHT POLE PER MANUFACTURER'S DETAILS
 - 16 INSTALL GRAVEL ROAD TO EX. GRADE
 - 17 INSTALL GRAVEL FARM ACCESS
 - 18 INSTALL 2 X 12" ADS PIPES PLACED 3' APART. TO BE USED FOR FUTURE UTILITY CROSSINGS. CAP ENDS.
 - 19 INSTALL 4' VALLEY GUTTER.
 - 20 INSTALL CURB OPENING TO ALLOW STORMWATER TO FLOW INTO GRASS SWALE.



SCALE
0 40' 80'

HORIZ: 1" = 40' : 22 x 34
HORIZ: 1" = 80' : 11 x 17
VERT: 1" = 4' : 22 x 34
VERT: 1" = 8' : 11 x 17

811 Know what's below.
Call before you dig.
1-800-662-4111

REV NO. COMMENT DATE

SUNRISE ENGINEERING

2100 NORTH MAIN STREET
NORTH LOGAN, UTAH 84341
TEL 435.563.3734
www.sunrise-eng.com

LOWER PROPERTIES

SOUTH CAMPUS
SITE PLAN
FRONTAGE ROAD

SEI NO. 07696.0004	DESIGNED JFL	DRAWN JJ	CHECKED SDW	SHEET NO. 1 of 1	SP1
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GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 06 Oct. 2025 at 08:54 AM

Parcel Number: 08-002-0008

Property Address: (Not Available)

Tax Roll Acreage: 7.8

Owner Name: LOWER PROPERTIES LLC

Owner Address: 700 S HIGHWAY 91
RICHMOND, UT 84333-1209

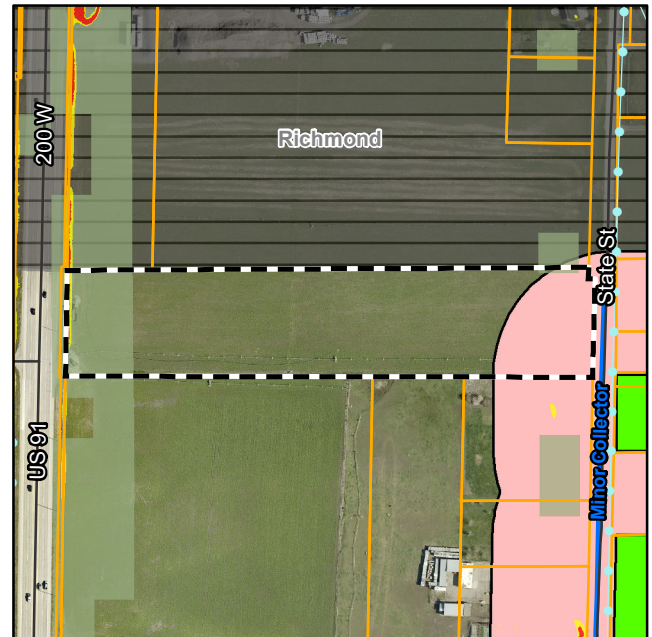
Jurisdiction: Cache County

Future

Annexation Area: Richmond

Base Zone: A10

Overlay Zone: None



*Comprehensive maps can be found
at www.cachecounty.gov/gis*

Initial Parcel Potentially a **restricted** parcel

Legality Review: Does not appear to match its August 8, 2006 configuration

NOTE: Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process.
All other requirements must still be met. Parcel legality should be verified before submitting a land use application.

Areas That May Require Further Analysis

Roads	Encroachment Permit	Wildfire Hazard Areas
Canals	Moderate Slopes	Ag. Protection Areas
County Road Function Class	Steep Slopes	Ag. Protection Area Buffers

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

Cache County assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein. All datasets may contain errors. The information shown here is not intended to replace evaluation by a competent, licensed professional. In particular, the parcel boundaries are representational only and are not legal definitions of real property, nor are they intended to replace a land survey by a licensed surveyor.

PARCEL LEGALITY

Summary

Parcel legality in the unincorporated county is established by the definition of “Lot/Parcel” in section 17.07 of the Cache County Land Use Ordinance (<https://bit.ly/lotparcel>). In a nutshell, there are two checks to see if a parcel is legal:

1. Is the parcel currently the same as shown on an approved, recorded subdivision plat?
2. If it's not in a recorded subdivision, is it the same size and shape as it was on August 8, 2006?

How the Legality Check Works?

The GIS Parcel Summary Tool is designed to get you 80% of the way towards determining whether a parcel is legal. Determining if one parcel has the same shape as another is simple for humans but much more difficult for a computer. Instead of comparing the parcel's current shape with its 2006 shape, the Tool does two separate checks for each parcel:

1. Is the center point of the parcel inside a subdivision boundary?
2. Is the parcel's current System ID in the list of System IDs that existed as of August 8, 2006?

What is a System ID?

System IDs are an internal number assigned to each variation of a parcel to track its acreage over time for tax purposes. A new System ID is generated any time a parcel's legal acreage changes or a new parcel is created. So, if a parcel still has the same System ID, it's a good bet it hasn't significantly changed.

If the center is inside a subdivision boundary, the Tool reports “Potentially a subdivision lot.” If it isn't, you'll see “Potentially a legal parcel” or “Potentially a restricted parcel” based on the results of the second check. Regardless, the Tool will always report whether it thinks the parcel has changed since August 8, 2006.

Limitations

The Tool is not perfect and can miss some situations like the following:

- The parcel hasn't changed, but the legal acreage has been updated.
- A boundary line agreement updates the legal description without significantly changing the property (but still triggers a change in System ID).
- A subdivision lot's boundary is changed without a subdivision amendment, which would make the lot restricted until the plat is properly amended.
- A sliver of a parcel is split off for right-of-way on a UDOT project.

The GIS Parcel Summary Tool should **only be used as the first step** in the legality and sensitive area reviews. **County Planning and Zoning staff** can help you verify if a parcel is legal.

SENSITIVE AREAS

AREA	LEGEND	IF AREA IS PRESENT:
Natural and/or Manmade Waterways		
Wetlands		Wetland delineation, the review and determination of wetland areas, may be required. Development in wetland areas shall not occur except as permitted by the U.S. Army Corps of Engineers. Wetland acreage does not count toward the assessment of developable acreage.
Water Bodies		Development shall not occur in waterways, and acreage identified as waterways does not count toward the assessment of developable acreage. Additional setbacks are required from waterways. See §17.18.050 Standards and Development Plan [A-3-a-b]. for additional setback requirements.
Major Waterways		
Canals		
Floodplain		
FEMA Floodplain Floodplain Buffer	 	A Floodplain Development Permit is required. See §17.18.040 Sensitive Areas Analysis [A-2-c] and §17.18.050 Standards and Development Plan [B-3] for requirements. If structures are located within the county floodplain buffer, the owner/developer must provide an elevation certificate documenting a minimum of 1' of freeboard for structures, or meet the requirements of FEMA Technical Bulletin 1 / August 2008.
Source Water Protection Zones		
Zone 1 or 2	 Zone 1  Zone 2	Septic systems are not permitted within Zone 1 or 2 of a source water protection zone. See §17.10.050 Supplemental Standards [A-3-b].
Slopes		
Moderate Slopes		Any development on moderate slopes requires a geotechnical report. See §17.18.040 Sensitive Areas Analysis [A-2-a] and §17.18.050 Standards and Development Plan [B-1, 5] , and §17.18.060 Geotechnical Report Minimum Standards for requirements.
Steep Slopes		Development is not permitted on steep slopes, and this acreage does not count toward the assessment of developable acreage. See §17.18.040 Sensitive Areas Analysis [A-1-b] and §17.18.050 Standards and Development Plan [A-2] for requirements.
Geologic Hazards		
Fault Lines (UGS) Fault Lines Surface Rupture Study Zone Areas (UGS)	 	A geotechnical report is required if development is proposed within the hazard area(s). See §17.07.040 General Definitions; Geologic Hazard; Sensitive Area; for requirements see §17.18.040 Sensitive Areas Analysis [A-2-e] and §17.18.050 Standards and Development Plan [B-5] , and §17.18.060 Geotechnical Report Minimum Standards.
Debris Flow		
Landslide Scarps		
Landslide		
Liquefaction Potential:		
6=Moderate to High 7= High	 	
Important Habitat Areas		
Maguire Primrose		A Habitat Management Plan is required. See §17.18.040 Sensitive Areas Analysis [A-2-d] and §17.18.050 Standards and Development Plan [B-4] for requirements.
Canada Lynx		
Greater Sage Grouse		
Yellow-Billed Cuckoo		

AREA	LEGEND	IF AREA IS PRESENT:																	
Wildfire Hazards																			
Wildland-Urban Interface		Wildland-Urban Interface; Additional requirements and standards may apply. Contact the Cache County Fire District (435) 755-1670 and refer to the 2006 Utah Wildland-Urban Interface Code .																	
Wildfire Threat Level Index																			
<table><thead><tr><th>Wildfire Threat Level</th><th>Assess Group</th></tr></thead><tbody><tr><td>0 Urban, Agriculture, Barren or Water</td><td></td></tr><tr><td>1 Very Very Low</td><td rowspan="3">LOW</td></tr><tr><td>2 Very Low</td></tr><tr><td>3 Low</td></tr><tr><td>4 Low to Moderate</td><td rowspan="2">MODERATE</td></tr><tr><td>5 Moderate</td></tr><tr><td>6 Moderate to High</td><td rowspan="3">HIGH</td></tr><tr><td>7 High</td></tr><tr><td>8 Very High</td></tr><tr><td>9 Extreme</td><td></td></tr></tbody></table>	Wildfire Threat Level	Assess Group	0 Urban, Agriculture, Barren or Water		1 Very Very Low	LOW	2 Very Low	3 Low	4 Low to Moderate	MODERATE	5 Moderate	6 Moderate to High	HIGH	7 High	8 Very High	9 Extreme			The Utah Wildfire Risk Assessment Portal (https://wildfirerisk.utah.gov/) is the primary mechanism for Utah Division of Forestry, Fire, and State Lands to deploy wildfire risk information and create awareness about wildfire issues across the state. The Wildfire risk and threat data layers were developed as part of the West Wide Wildfire Assessment covering the seventeen Western States. Collectively these applications will provide the baseline information needed to support mitigation and prevention efforts across the state. A more detail report can be generated from the website link above.
Wildfire Threat Level	Assess Group																		
0 Urban, Agriculture, Barren or Water																			
1 Very Very Low	LOW																		
2 Very Low																			
3 Low																			
4 Low to Moderate	MODERATE																		
5 Moderate																			
6 Moderate to High	HIGH																		
7 High																			
8 Very High																			
9 Extreme																			
Agricultural Protection Areas																			
Protection Areas		See the recorded Agriculture Protection Area. See §2.70 Agriculture Protection Area Advisory Board ; See also UCA §17-41 .																	
300ft Buffer																			
Airport Overlays																			
65 Ldn Noise Area		For airport areas, see §17.17.060 Schedule of Uses to determine if the proposed use is permitted in the airport zone . Federal Aviation Administration (FAA) review may also be required.																	
Inner Approach Zone																			
Approach Zone																			
Traffic Pattern Zone																			
Influence Area																			
FAA Regulation Part 77																			
1,000ft / 100 = 10ft																			
2,000ft/ 100 = 20ft																			
3,000ft/ 100 = 30ft																			
4,000ft/ 100 = 40ft																			
4,500ft/ 100 = 45ft																			
Encroachment Permit																			
Encroachment Permit	(No Symbol)	An Encroachment Permit is required when working within the county right-of-way see, §12.02.020: Development of Roadways																	

AREA	LEGEND	IF AREA IS PRESENT:
Section Corner Disturbance Notification		
Corner Disturbance		Disturbed section corner—County Surveyor to be notified. See Utah State Code 17-23-14
County Road Functional Classification		
Functional Classification	Function Class  Minor Arterial  Major Collector  Minor Collector  Major Local  Minor Local  Major Private  Minor Private  Agricultural Access  Seasonal/Recreation  Unimproved	The functional classification of a roadway identifies the relative importance of the mobility and access functions for that roadway. Function class also identifies the following; *Minimum Access Spacing: See Table 5.1 Road Manual *Right-of-Way (feet): See Table B-6 Road Manual *Setback of Structure: See Table 17.10.040 Dev. Standards General County Roadway Standards: §12.02: Roadway Standards
Migratory Bird Production Area		
Production Area 1,000ft Buffer	 	Migratory Bird Production Area- an owner of a new development located in whole or in part within 1,000 feet of a migratory bird production area shall provide the following notice on any plat filed with the county recorder. See Utah State Code 28-23-1,2,3 Migratory Bird Production Area.
Conservation Easements		A conservation easement is a voluntary and binding legal agreement between a property owner and an easement holder (a land trust or governmental agency) that permanently restricts the use of open land and water areas for the purpose of preservation. See Utah State Code 57-18 Land Conservation Easement Act
Noxious Weeds		
Noxious Weeds	Sample Legend  DYERS WOAD  ELONGATED MUSTARD  EURASIAN MILFOIL  FIELD BINDWEED  GARLIC MUSTARD  GIANT REED  GOATSRUE	Under the Utah Noxious Weed Act and County Ordinance No. 2015-06 your project may need to be inspected by a Cache County employed Noxious Weed Control Supervisor to either detect and treat noxious weeds and/or to inspect the disturbance of, removal of or deposit of soils onto the property. More info. can be found on the County's Vegetation Management website.

Staff Report: Edge Estates Parcels 2/3 Conditional Use Permit

6 November 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Justin Robinson

Parcel ID#: 04-075-0002, -0003

Staff Recommendation: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Location

Reviewed by Development Services Staff

Project Address:

~1200 West 2200 North

Near Logan

Current Zoning:

Industrial (I)

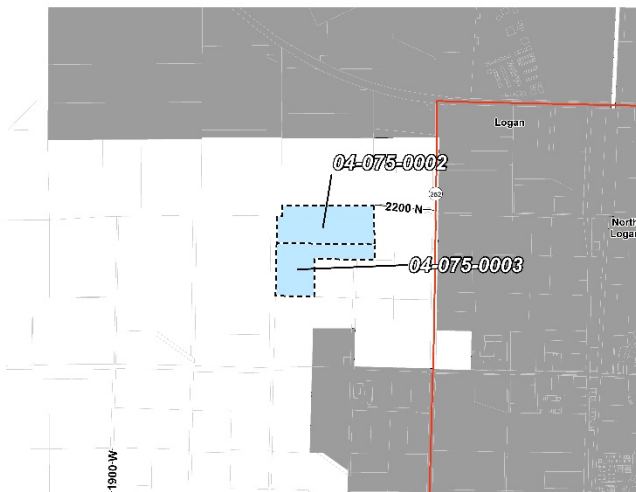
Surrounding Uses:

North – Agricultural

South – Agricultural

East – Industrial/1000 West/Logan City

West – Agricultural



Findings of Fact

A. Request description

1. The Edge Estates Parcels 2/3 Conditional Use Permit (CUP) is a request by Edge Estates LLC to operate a Storage and Warehousing /Storage Yard (Use Type 3400 (1)) facility on the subject properties.
2. The subject properties were rezoned in 2021 from the Agricultural (A10) Zone to the Industrial (I) Zone (Ordinance 2021-16). The rezone was requested in order to expand the existing operation on parcel #04-076-0001, immediately to the east of the subject properties.
3. In 2021, Edge Excavation applied for the West Edge Estates CUP to expand the storage and warehousing use on the adjacent property to the two subject properties. However, the

conditions of approval were not met within the effective period of land use authority approval and is Void.

4. Currently, there are storage and warehouse activities occurring on the subject properties without an approved CUP and are subject of an on-going Code Enforcement case.
5. In September 2025, Suncore Construction and Materials, Inc. (Suncore) received approval with conditions to amend the [2012 CUP](#) on parcel #04-076-0001 for storage and sales of landscape/building materials (currently falls under Use Type 3400 Storage and Warehousing) by adding Use Type 3600 General Vehicle Repair to the site and construct a 6,000 square foot repair shop on the subject property. Suncore is leasing the property from Edge Estates, LLC.
6. The current request is for a separate conditional use permit and is not considered an expansion nor amendment of the CUP on #04-076-0001 that was previously operated by Edge Excavation. This CUP request will also move the owner/operator into compliance with the on-going Code Enforcement case.
7. Land Use Context:
 - a. Parcel status: Parcel #04-0755-0002 does not match the configuration they had on August 8th, 2006 but it is a legal parcel as the change in configuration was with a parcel to the north and no new parcels were created. Parcel #04-075-0003 is a legal parcel as well and has not changed size or configuration since August 8, 2006.
 - b. Adjacent uses: Uses to the north, south, and west are primarily agricultural, to the east is an industrial parcel as well as 1000 West and then Logan City limits.
8. The applicant has provided a letter of intent (LOI) and a site plan (Attachment A) that details the scope of the project as summarized here: ***See conclusion #1; See Condition #1***
 - a. Scope of project:
 - i. The applicant is proposing to develop the subject properties in phases subject to clearance from the United States Army Corps of Engineers (USACE) for the potential wetlands located on the property. Future phases will also require additional approvals from the Development Services Department and the Public Works Department. ***Condition #2***
 - ii. Phase 1: This phase reflects the current operation on the property. Provide a location for placement, storage and processing of construction materials, both new and salvaged from construction demolition projects; construction & transport equipment including both wheeled vehicles/trailers and storage containers/job site offices, and related items. ***Condition #3***
 - iii. Phase 2: Install 2200 North, with subject utilities, per improvement plans that have been developed with Cache County Public Works and the City of Logan to meet specifications and alignment for both entities. This will include constructing the intersection of 1200 West and 2200 North with corresponding underlying sitework for portions of 1200 West to the property boundaries. Materials for the subject roads are already on site as the project was ready to construct prior to notification from the Army Corps of Engineers regarding the wetland study, which placed the road project on hold. ***Condition #4***
 - iv. Phase 3: Prepare a location on the west end of the property, involving portions of both parcels for Suncore to relocate operations from parcel #04-076-0001, in order to minimize impacts of the current operation immediately adjacent to 1000 West/SR 252. ***Condition #5***
 - v. Phase 4: Prepare for future development of the eastern portion of the subject parcels. ***Condition #6***

- b. Equipment:
 - i. Equipment stored and used on site include construction pickups, trailers, and related equipment as well as storage containers/jobsite offices, forklifts, and the like.
- c. Signage:
 - i. No permanent or temporary signage is being proposed as part of this CUP request.
- d. Waste:
 - i. Per the LOI, there minimal waste/garbage generated as part of the proposed facility. Any waste or garbage generated will be collected in a self-handled dumpster onsite and removed by the operator to one of their other locations for disposal. **Condition #7**
- e. Employees:
 - i. Per the LOI, there are no employees that remain on-site during operating hours. Rather employees will be coming and going throughout the day. Access to the site for Phase 1 will be through parcel 04-076-0001 to the east of the subject properties.
 - ii. Hours of Operation: The LOI states that the storage and warehouse facility/storage yard will operate between 7am-5pm, Monday through Friday.
- f. Temporary/Future Structures:
 - i. The LOI states that will be storage containers, some retrofitted as construction jobsite offices, that are moved on and off the site to various locations around the valley and region. **Condition #8**
 - ii. Structures proposed in Phases 3 & 4 will require approval of a CUP amendment, Zoning Clearances, and Building Permits. **Condition #9**
- 9. Land Disturbance Permit – Prior to construction, the applicant must obtain a Land Disturbance Permit. **See Condition #10**

B. Conditional Uses *See conclusion #1*

- 10. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
 - a. Compliance with law;
 - b. Health, safety, and welfare;
 - c. Adequate service provision;
 - d. Impacts and mitigation.

C. Compliance with law *See conclusion #1*

- 11. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
- 12. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as the Land Use Authority for a CUP. **See conclusion #2**
- 13. §17.07.030, Use Related Definitions defines this use as:
 - a. Use Type 3400 – Storage and Warehousing/Storage Yard

3400	STORAGE AND WAREHOUSING: A structure(s) containing storage space(s) of varying sizes that are affiliated with a commercial or industrial uses. Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business. Also includes the following specific uses:	
	1.	Storage Yard: The storage of large equipment and vehicles (either construction or transport); bulk construction materials (soil and rock products or building materials); and buildings or structures for uses such as offices or repair facilities.

14. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Industrial (I) Zone if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.

D. Health, safety, and welfare *See conclusion #1*

15. The County Land Use Ordinance stipulates that:

- a. Proposed CUP's must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.

16. The primary activities as identified within the Letter of Intent will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties so long as the conditions of approval are met.

E. Adequate service provision *See conclusion #1*

17. The County Land Use Ordinance stipulates that:

- a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.

18. Access: The primary access to the project is currently from 2200 North, a County Road, which connects directly to SR 252 (1000 West), a UDOT facility.

19. A basic review of the access to the subject property identifies the following:

- a. 2200 North:
 - i. Classified as a Major Local road.
 - ii. A portion has been paved and improved to provide access to the site, the remainder of the road is a gravel road the provides access to agricultural properties and structures.
 - iii. Paved road is in good condition and has a width of 24 feet.
 - iv. Gravel road is approximately 26 feet wide and in good condition. ***Condition #11, #12, #13***

Primary Access Road – 2200 North

Functional Classification	Major Local	Summer Maintenance	No
Speed Limit	No Posted	Winter Maintenance	No
Right-of-way	Dedicated	Municipal Boundary	No

Access Management –2200 North

Classification	Min. Spacing Standard (Feet)		
	Public/Private Roads	Commercial	Residential/Farm Access
Mountain	300	150	10 ¹

¹ Minimum spacing from an intersection shall be 80 feet.

Analysis of Existing Roadway – 2200 North

Roadway Element	Existing Width (ft)	Required Width (ft)	Comments or Findings
Travel Lanes	20	20	OK
Right-of-Way	Varies	66	OK
Paved Shoulder	2	2	OK
Gravel Shoulder	0	4	Substandard
Clear Zone (4:1)	0	14-18	Substandard
Material	Paved	Paved	OK
Structural			Visually OK

b. SR 252 (1000 West):

- i. Is a UDOT facility.
- ii. The developer will need to provide documentation from UDOT on change of access approval to SR-252 prior to any road realignments. Developer will be required to complete any requirements of UDOT's approval. **Condition #14**

F. Service Provisions:

- 20. Parking: §17.22 Off Street Parking Standards – Uses included under Use Index 3000, Sales and services, require 1 space for every 250 sq.ft. or a Parking Analysis to determine the required number of parking spaces needed. However, as there are no structures on the subject properties at this time and there are no permanent employees on site, the applicant must revise the site plan to show a parking area for personal vehicles of their employees, if applicable. **Condition #15**
- 21. §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns about the project. Further analysis from the Fire District will occur during the zoning clearance process.
- 22. §16.04.080 [F] Solid Waste Disposal – The shop will utilize the existing on-site dumpster that the owner/operator disposes of as needed. Dumpster cannot be located within the required setback areas. **Condition #7**

G. Impacts and mitigation See conclusion #1

- 23. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”

24. The County Land Use Ordinance stipulates that:

- a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
- b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.

25. Known or reasonably anticipated detrimental effects of the use are as follows:

- a. Lighting Nuisance: The proposed structure and any existing lighting on site may cause light pollution for surrounding properties but more importantly for the airport. Dark sky lighting should be utilized if the facility will have outdoor lighting. Site plan must be revised to show location of any existing or proposed lights. **Condition #16**
- b. Stormwater:
 - i. Applicant must provide proof of coverage under the State Industrial SWPPP. **Condition #17**
 - ii. A stormwater report prepared by a licensed engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a pre-development hydrologic condition, whichever is less, for Phase I. The report will need to be updated for future phases. **Condition #18**
- c. Sensitive Areas:
 - i. There are potential wetlands on the subject properties which have the potential to be negatively impacted by the proposed storage and warehousing/storage yard use.
 - ii. The applicant must continue to work with the U.S. Army Corps of Engineers to study the area and mitigate impacts per their determination. Phases 2-4 cannot move forward until the Army Corps has provided clearance. Applicant must provide a copy of the clearance to the Development Services Department. **Condition #19**

H. Public Notice and Comment—§17.02.040 Notice of Meetings

26. Public notice was posted online to the Utah Public Notice Website on 24 October 2025.
27. Notices were posted in three public places on 24 October 2025.
28. Notices were mailed to all property owners within 300 feet of the project area on 24 October 2025.
29. The meeting agenda was posted to the County website on 24 October 2025.
30. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

Conditions

These conditions are based on the Cache County Land Use Ordinance, Road Manual, and on the findings of fact as noted herein:

1. The applicant shall operate the facility in accordance with the Letter of Intent and the site plan. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. **See A.8**
2. Phases 2-4 will require additional reviews and approvals from Cache County before initiating those phases. **See A.8.a.i**
3. This approval with conditions is limited to parcel #'s 04-075-0002 & -0003. No part of the proposed facility is allowed on parcel #04-066-0023. **See A.8.4.ii**

4. Prior to initiating Phase 2 (road construction), roadway improvement plans prepared by a licensed Professional for 2200 North and 1200 West must be submitted and approved the County Engineer before any roadway construction is started. Prior to any expanded use (Phase 3 & 4), 2200 North must be constructed. Prior to Phase 4, 1200 West must be constructed. Encroachment permits issued by the County Public Works Department are required prior to any work done in a County right-of-way *See A.8.a.iii*
5. Prior to Phase 3, the applicant must obtain an amended CUP approval that provides more detail on the proposed maintenance shop, scale, and fuel island. *See A.8.a.iv*
6. Prior to Phase 4, the applicant must obtain an amended CUP approval that specifically address “the future development” on the eastern portions of the subject properties. *See A.8.a.v*
7. Prior to recording the permit, the applicant must update site plan to show location of the waste collection dumpster. The proposed location must be outside of the required setback for the Industrial (I) Zone per 17.10.040 Site Development Standards. *See A.8.d, F-22*
8. No structures, temporary or permanent, nor any storage of materials, etc., are allowed within the required setbacks for the Industrial (I) Zone per 17.10.040 Site Development Standards. *See A.8.fi*
9. Phases 3 & 4 require approval of a CUP Amendment, Zoning Clearances, and Building Permits, prior to being initiated. Phase 3 & 4 will also be required to submit site improvement plans prepared by a licensed Professional for the review and approval of the County Engineer. Plans shall include, but not limited to: site plan, site grading, site drainage, etc. *See A.8.f.ii*
10. A land disturbance permit is required prior to any work done on the subject properties. *See A.9*
11. Prior to initiating Phases 3 & 4, 2200 North must be constructed. *See E.19.a*
12. Prior to initiating Phase 4, 1200 West must be constructed. *See E.19.a*
13. Developer is required to dedicate and provide any rights-of-way and easements needed for roadway construction and/or stormwater structures. *See E.19.a*
14. Prior to the construction of 2200 North and/or 1200 West, the developer must provide documentation from UDOT on change of access approval to SR-252 prior to any road realignments. Developer must complete any requirements of UDOT per the approval. *See E.19.b*
15. Prior to recording the permit, the site plan shall be revised to show a parking area for employees’ personal vehicle parking, if applicable. Parking areas cannot be located within the required setback areas for the Industrial (I) Zone. *See F.20*
16. Prior to recording the permit, if any exterior lighting is proposed, the applicant must submit the specifications for the lighting to comply with Dark Sky minimum standards. Locations of any freestanding light fixture must be shown on the revised site plan. *See G.25.a*
17. Prior to recording the permit, the applicant must provide proof of coverage under the State Industrial SWPPP. *See G.25.b.i*
18. Prior to recording the permit, a stormwater report prepared by a licensed engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a pre-development hydrologic condition, whichever is less, for Phase I. The report must be submitted for the review and approval of the County Engineer. The report will need to be updated for future phases.
Any proposed long term stormwater system component such as, but not limited to: a pond, clarifier, infiltration area, must execute a maintenance agreement that operates as a deed restriction binding on the current property owner and all subsequent property owners. *See G-25-c*

19. The applicant must provide written clearance from the United States Army Corps of Engineers to the Development Services Department prior to proceeding with Phase 2.

Conclusions

Based on the findings of fact and conditions noted herein, the Edge Estates Parcels 2/3 CUPis hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and;
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request.

Attachment A
Edge Estates LLC
2005 N 600 W #C, Logan, UT 84321
(435) 753-0967 / (435) 753-0787 fax
justin@edgeexcavation.com

September 18, 2025

RE: Notice of Intent of Use of Property at 2200 N 1200 W, Logan, UT; Parcels 04-075-0002 & 04-075-0003

To Whom It May Concern:

Intent: Completion of Roads & Infrastructure to Support Development and Use of Parcels 04-075-0002 & 04-075-0003

Proposed Use: The applicant proposes to develop subject parcels in a phased approach, subject to clearance from its ongoing work with the United States Army Corps of Engineers (USACE) on the parcels.

Phase 1: Provide a location for placement, storage and processing of construction materials, both new and salvaged from construction demolition projects, construction & transport equipment including both wheeled vehicles/trailers and storage containers/jobsite offices, and related items.

Phase 2: Install 2200 North, with subject utilities, per attached plans that have been developed in conjunction with Cache County and City of Logan to meet specifications and alignment for both entities. This includes the intersection of 1200 West and 2200 North with corresponding underlying sitework for portions of 1200 West to property boundaries. Materials for the subject roads is already on site and was shovel ready to install previously, when activities were put on hold pending notification from the USACE.

Phase 3: Prepare a location on the west end of the property, involving portions of Parcels -0002 & -0003 for Suncore to relocate operations from Parcel 04-076-0001 in order to minimize impacts of the current operation being adjacent to 1000 West. This would include constructing a Maintenance Shop, scale and fuel island.

Phase 4: Prepare for future development of the eastern portion of Parcels -0002 & -0003.

Employees: There will be no permanently sited employees. There will be employees coming and going from the property throughout normal working hours and on the adjacent Parcel -04-076-0001.

Hours of operation: M-F 7am-5pm.

Traffic and Parking: There is typical pickup, semi- and dump truck traffic consistent with the operation. The traffic accesses 1000 West at 2200 North. There is ample room onsite to park employee vehicles and drop trailers as necessary.

Signage: No permanent signage.

Equipment: Construction pickups, trailers, and related equipment, including storage containers/jobsite offices, forklifts, etc.

Waste/Garbage: Minimal waste/garbage generated... we do maintain a self-handled dumpster that we take to our existing facilities to dump for any miscellaneous garbage.

Temporary Structures: There will be storage containers, some of which have been retrofitted for jobsite offices that are moved onto and off from the site to various jobsites around the valley and region as our construction projects may dictate. Future structures corresponding with Phases 3 and 4 will require subsequent CUP and/or Building Permits.

Additional Information: We have been delayed getting clearance on the adjacent parcels from the US Army Corps of Engineers. We have been working with a wetland professional to specifically clear and mitigate necessary areas of the property in regards to wetland delineation that had been previously indicated in the National Wetlands Inventory map signatures due to historic pasture irrigation and old-time stock wells, this includes finding pre-1935 stock/irrigation wells, proving water right use, etc. We have had the USACE and the EPA on site for multiple visits, have submitted a significant amount of information, and are still awaiting their response.

Attachment A

Edge Estates LLC

2005 N 600 W #C, Logan, UT 84321
(435) 753-0967 / (435) 753-0787 fax
justin@edgeexcavation.com

We have also previously submitted plans (attached herein) for the re-alignment and construction of 2200 North going west from 1000 West and 1200 West as it relates to the parcels. These plans have been previously coordinated with both Logan City and Cache County departments.

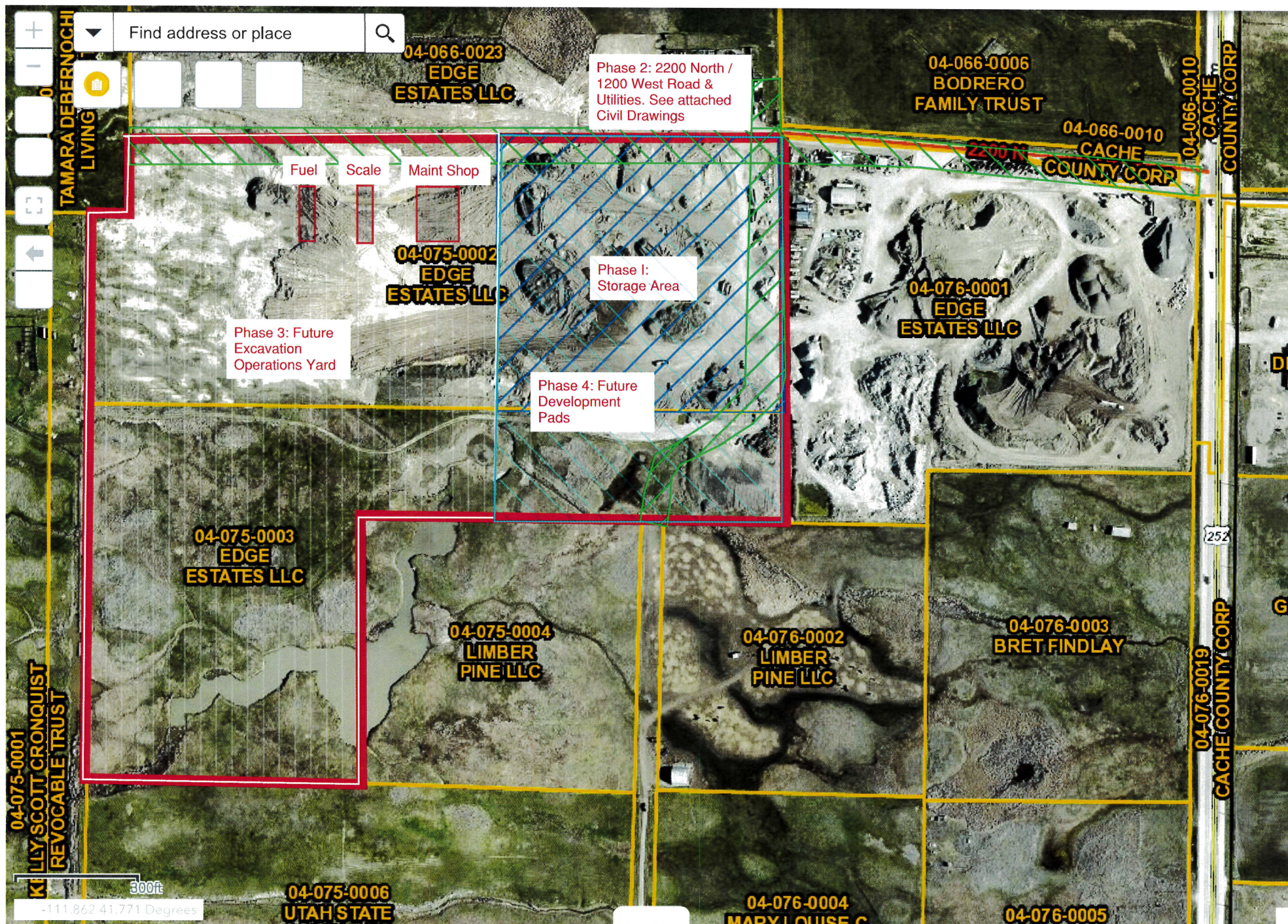
Please let me know if you have any questions or comments.

Thank you!



Justin Robinson, Agent

Edge Estates Parcel 2 and 3 Master Plan



Memorandum**6 November 2025****To:** Planning Commission**Subject:** Ordinance Amendment Request – Effecting §17.10.050

A request has been made by Mike Davey of BHD Architects to amend a section of Title 17 – Zoning Regulations to amend Cache County Code §17.10.050: SUPPLEMENTAL STANDARDS(A)(3).

The applicant's proposed code text amendments (Attachment A) are summarized as follows:

1. Allowing for the placement of septic systems in Source Water Protection Zones 2 and creating requirements to do so.

Background

Mr. Davey is involved in a project that involves the demolition of an existing church and then building a new church on the same property. However, this property is entirely located inside of a Source Water Protection Zone – Zone 2. This means that the new church would not be able to be constructed as no septic system is allowed inside of a Source Water Protection Zone – Zone 2 due to Cache County Code §17.10.050(A)(3). After meeting with staff, it was recommended that Mr. Davey submit an ordinance amendment application to amend §17.10.050(A)(3) to allow for alternative septic systems in a Source Water Protection Zone – Zone 2.

On October 1st, 2025, the Development Services Department received a draft code amendment that allows for the placement of a septic system in Source Water Protection Zone 2 and create requirements related to their placement. In addition to the ordinance amendment application, Mr. Davey provided correspondence from the Bear River Health Department and the Utah Division of Water Quality that support the amendment (Attachment B).

Analysis

The Utah Division of Water Quality provides two documents, *TECHNICAL GUIDANCE FOR THE ALLOWANCE OF ALTERNATIVE ONSITE WASTEWATER SYSTEMS WITHIN DRINKING WATER SOURCE PROTECTION ZONES* (Attachment C) and *PLANNING FOR ONSITE WASTEWATER DISPOSAL SYSTEMS IN NON-SEWERED AREAS OF THE STATE: TOOLS FOR PREVENTING CONTAMINATION OF PUBLIC DRINKING WATER SOURCES* (Attachment D).

The recommendations of *TECHNICAL GUIDANCE FOR THE ALLOWANCE OF ALTERNATIVE ONSITE WASTEWATER SYSTEMS WITHIN DRINKING WATER SOURCE PROTECTION ZONES* are:

1. Continue to prohibit the construction of onsite water systems (OWS) within a Drinking Water Source Protection (DWSP) zone one.
2. Prohibit the construction of conventional OWS within a DWSP zone two for sources developed in unprotected aquifers.
3. If connecting to sewer is not a feasible option, then an alternative OWS system capable of meeting less than 2.5 mg/L Nitrate-nitrogen at “end-of-the-pipe” may be permitted within a

DWSP zone two. This type of system will be considered “adequately controlled” through design standards.

4. Alternative OWS treatment technologies, including those implemented to control pollution in DWSP zone two must be approved by DEQ’s Division of Water Quality, and:
 - a. Demonstrate through density-like studies or modeling that design standards⁵ are sufficient to meet protection goals.
5. Alternative treatment systems should be operated under a permit or management plan which specifies performance standards and tracks pollutant loadings. Permits should include re-opener provisions enabling the inclusion of additional parameters as the need arises.

The recommendations of *PLANNING FOR ONSITE WASTEWATER DISPOSAL SYSTEMS IN NON-SEWERED AREAS OF THE STATE: TOOLS FOR PREVENTING CONTAMINATION OF PUBLIC DRINKING WATER SOURCES* are:

1. Establish a Source Protection Team to coordinate onsite wastewater management and to set groundwater protection goals, including the classification of drinking water aquifers in source protection zones and critical recharge areas.
 - a. Identify drinking water source protection zones and critical recharge areas on planning and web-based Geographic Information System (GIS) maps to ensure landowners and developers are aware of the locations of these sensitive areas.
 - b. Consult with DEQ’s Division of Water Quality on Permit-By-Rule decisions for areas of concern and aquifer classification.
 - c. In recharge and other sensitive areas with Class 1 and 2 drinking water LHD should use Method 1 to establish minimum lot size and to confirm density requirements for subdivisions over (presumed) Class 1 and Class 2 aquifers.
2. When new developments occur in groundwater protection zones and in critical recharge areas, consider the onsite wastewater management needs at the same time drinking water supplies are being established.
3. Identify the body politic responsible for ongoing oversight and implementation of the management strategies of this guidance.

Next Steps

The request for a code text amendment is a legislative action and the Planning Commission has options in how they wish to move forward on the applicant’s request, including the following:

1. Review the code text amendment as submitted by the applicant. Hold a public hearing. Make a recommendation to the County Council to approve or deny the request as written.
2. Review the code text amendment as submitted by the applicant. Hold a public hearing. Include changes or revisions suggested by the Planning Commission to the proposed code text amendment as part of a recommendation to the County Council.
3. Review the code text amendment as submitted by the applicant. Hold a public hearing. Continue the item for up to 90 days if it is determined that code text amendment should move forward but requires significant changes. The continuance would allow time for the applicant to work with County staff on addressing any concerns or issues raised by the Planning Commission and during the public hearing, to draft more comprehensive code text amendments for the proposed use type.

Current Ordinance:

17.10:050: SUPPLEMENTAL STANDARDS

A. Water and Sewage Requirements:

3. The following site development standards shall be complied with in all zoning districts:
 - a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
 - b. No proposed septic system shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.

Proposed Ordinance change:

17.07:040: GENERAL DEFINITIONS

ALTERNATIVE ONSITE WASTEWATER SYSTEM: An onsite wastewater system that is not a conventional onsite wastewater system.

ONSITE WASTEWATER SYSTEMS: An underground wastewater dispersal system that is designed for a capacity of 5,000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

CONVENTIONAL ONSITE WASTEWATER SYSTEM: An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.¹²

17.10:050: SUPPLEMENTAL STANDARDS

A. Water and Sewage Requirements:

3. The following site development standards shall be complied with in all zoning districts:
 - a. All proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
 - b. No proposed ~~septic system~~ onsite wastewater system shall be permitted within a Zone 1 ~~or Zone 2~~ as defined by the current drinking water source protection plan for any public culinary water system.
 - c. ~~No proposed conventional onsite wastewater system shall be permitted within Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.~~
 - d. ~~An alternative onsite wastewater system capable of meeting the Division of Water Quality requirements may be permitted within Zone 2, provided all the following is met:~~
 1. ~~The alternative onsite wastewater system technology proposed must be approved by the Division of Water Quality and the Bear River Health Department for use within a Zone 2 protection zone.~~
 2. ~~The proposed system must be under a renewable operating permit considered to be “adequately controlled” through design standards.~~
 3. ~~The operating permit must specify performance standards and track pollutant loadings discharged.~~
 4. ~~The proposed alternative onsite wastewater system must be approved by the owner(s) of the public water system(s) connected to the Zone 2 area where the wastewater system is proposed.~~³

¹ This section of the amendment was recommended by the Cache County Development Services staff.

² Definitions retrieved from Utah Administrative Code R317-4, Onsite Wastewater Systems

³ This section of the amendment was recommended by Richard Worley with the Bear River Health Department.

ATTACHMENT A



Application: Ordinance Amendment

Date Received:	By:	Receipt #:	Amount:	Check #:

1. Applications are accepted by appointment only. Call (435) 755-1640 to set an appointment.
2. The items indicated in the attached checklist must accompany this application.
3. Incomplete applications are not accepted.
4. Late applications are held for the next meeting's agenda.
5. The application fee is not refundable.
6. Any information submitted with this application becomes public record and is posted online.

Ordinance Information

Ordinance Section(s): 17.10.050 Supplemental Standards, A, 3. Water And Sewage Requirements.

Affected Zones: All.

Agent Contact Information

Agent Name: Mike Davey, BHD Architects Email: mike@bhdarchitects.com

Phone: 801-631-9722 Mailing Address: 65 Wadsworth Park Drive, Suite 205, Draper, Utah 84020

Review Process

- 1) Staff will review the application with the applicant to ensure that the information submitted is sufficient to completely review the request.
- 2) Complete applications are forwarded to the necessary county departments for review and comment. The application, site visits, and department reviews are used in the preparation of the staff report that is presented to the county land use authority and is available to all interested parties and is posted online at <http://www.cachecounty.org/pz/>.
- 3) Notices are posted on Utah Public Notice. Agendas are posted online at www.cachecounty.org and at <http://www.utah.gov/pmn/index.html>.
- 4) Projects requiring County Council approval are placed on the next available council agenda once the Planning Commission has made a recommendation. Staff forwards the staff report, the Planning Commission's recommendation, and any other pertinent information for County Council's review.

**Proposed Text Amendment to Cache County Ordinance 17.10.050
Supplemental Standards, A, 3. Water And Sewage Requirements**

Water And Sewage Requirements:

- a. All proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. No proposed ~~septic system~~ onsite wastewater system shall be permitted within Zone 1 as defined by the current drinking water source protection plan for any public culinary water system.
- c. No proposed conventional onsite wastewater system shall be permitted within Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.
- d. An alternative onsite wastewater system capable of meeting the Division of Water Quality requirements may be permitted within Zone 2, provided all the following is met:
 - 1) The alternative onsite wastewater system technology proposed must be approved by the Division of Water Quality and the Bear River Health Department for use within a Zone 2 protection zone.
 - 2) The proposed system must be under a renewable operating permit considered to be "adequately controlled" through design standards.
 - 3) The operating permit must specify performance standards and track pollutant loadings discharged.

ATTACHMENT B

Mike Davey

From: Richard Jex <richard@jexenvironmental.com>
Sent: Tuesday, September 30, 2025 1:06 PM
To: Mike Davey
Cc: Lafe Harris
Subject: Fwd: Language change for system in Zone 2

FYI: After we talked I forwarded the revised language to DWQ and quickly received a response that it is also acceptable to them. See below.

Begin forwarded message:

From: Robert Beers <rbeers@utah.gov>
Subject: Re: Language change for system in Zone 2
Date: September 30, 2025 at 12:57:07 PM MDT
To: Richard Jex <richard@jexenvironmental.com>
Cc: Richard Worley <rworley@brhd.org>, Mark Rees <mrees@brhd.org>, Grant Koford <gkoford@utah.gov>

Richard,

This revision is also acceptable to DWQ.

Regards,

Robert Beers, MBA, EHS

Onsite Program Manager | Engineering Section

Phone: (385) 501-9580 **Note NEW number**

Fax: (801) 536-4301

waterquality.utah.gov

On Tue, Sep 30, 2025 at 12:54 PM Richard Jex <richard@jexenvironmental.com> wrote:
Robert,

Thanks for getting back to me on this.

As FYI: I have received a slightly modified version based on input from Scott Clark, with the Water Group - Natural Resource Services at the church. I clarifies between Zone 1 and Zone 2 and strengthens a prohibition of a conventional system in Zone 2.

I'm assuming this would be ok with all of you and wanted to share it with you so that you all are aware of what they intent to request the language be changed to.

Water And Sewage Requirements:

- a. All proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. No proposed ~~septic system~~ ~~conventional~~ onsite wastewater system shall be permitted within ~~a Zone 1 or Zone 2~~ as defined by the current drinking water source protection plan for any public culinary water system.
- c. No proposed conventional onsite wastewater system shall be permitted within Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.
- d. An alternative onsite wastewater system capable of meeting the Division of Water Quality requirements ~~for Zone 2~~ may be permitted within Zone 2, provided all of the following is met:
 - 1) The alternative onsite wastewater system technology proposed must be approved by the Division of Water Quality and the Bear River Health Department for use within a Zone 2 protection zone.
 - 2) The proposed system must be under a renewable operating permit considered to be "adequately controlled" through design standards.
 - 3) The operating permit must specify performance standards and track pollutant loadings discharged.

On Sep 30, 2025, at 11:49 AM, Robert Beers <rbeers@utah.gov> wrote:

Richard,

The Utah Department of Environmental Quality, Division of Water Quality (Division) has reviewed the information you provided regarding a proposed revision to Cache County ordinances related to installation of alternative onsite wastewater systems within a drinking water source protection (DWSP) zone 2. The proposed revision you shared seems to be in conformance with the *TECHNICAL GUIDANCE FOR THE ALLOWANCE OF ALTERNATIVE ONSITE WASTEWATER SYSTEMS WITHIN DRINKING WATER SOURCE PROTECTION ZONES* document distributed by the Utah Department of Environmental Quality (DEQ; This document is available online at chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://lf-public.deq.utah.gov/WebLink/ElectronicFile.aspx?docid=5478&eqdocs=DDW-2022-027228 The proposed revision to the existing Cache County ordinance, as submitted to DWQ, is acceptable to the Division.

Regards,

Robert Beers, MBA, EHS

Onsite Program Manager | Engineering Section

Phone: (385) 501-9580 **Note NEW number**

Fax: (801) 536-4301

waterquality.utah.gov

On Fri, Sep 26, 2025 at 3:41 PM Richard Jex

<richard@jexenvironmental.com> wrote:

Robert,

I'm working with an engineer and architect that are working on a project for the LDS Church to remodel / upgrade the system for a property in Cove Utah. The existing septic system is located within a Zone 2 protection zone. It was existing several years before the water source was developed and the source protection zone was created.

They have been working with the county and the Bear River Health Department on the permitting for the upgrades planned and have learned that per county code, they can not proceed due to the Zone 2 protection code language that prohibits septic systems.

I've been working with all parties and came up with a possible language change to the county code that would allow them to proceed as long as they propose a system that meets the DWQ and DDW guidance document for alternative systems within Zone 2. See email string below.

The feedback I received from the Bear River Health Department was that they wanted DWQ to review and provide input as well.

Will you please review this and let me know what your comments are?

Let me know if you would also like to discuss on the phone our if you need more information to evaluate.

Richard

Jex Environmental Solutions, LLC
Richard Jex, P.E., LEHS
PO Box 3603
Logan, UT 84323
Office: (435) 753-2051
Cell: (435) 757-4905

Begin forwarded message:

From: Richard Jex <richard@jexenvironmental.com>
Subject: Language change for system in Zone 2
Date: September 11, 2025 at 12:34:58 PM MDT
To: Richard Worley <rworley@brhd.org>

Richard,

Will you review the proposed language change to the county ordinance that could be used to allow a system within the Zone 2 protection areas that would be in compliance with the DWQ guidance?

I'd like to get your input/support before forwarding this on to start the text amendment request at the county.

The language changes I've drafted are based on the DEQ guidance manual for systems in a DWSP (see attached).

Let me know what you think.

Richard

3. Water And Sewage Requirements:

- a. All proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. No proposed ~~septic system~~ conventional onsite wastewater system shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.
- c. An alternative onsite wastewater system capable of meeting the Division of Water Quality requirements for Zone 2 may be permitted, provided all of the following is met:
 1. The alternative onsite wastewater system technology proposed must be approved by the Division of Water Quality and the Bear River Health Department for use within a Zone 2 protection zone.
 2. The proposed system must be under a renewable operating permit considered to be "adequately controlled" through design standards.

3. The operating permit must specify performance standards and track pollutant loadings discharged.

Bear River Health Department Approval of Proposed Text Amendment

RW

From: Richard Worley rworley@brhdut.gov
Subject: Proposed ordinance change language
Date: September 29, 2025 at 5:29 PM
To: Richard Jex richard@jexenvironmental.com
Cc: Grant Koford gkoford@brhdut.gov, Mark Rees mrees@brhdut.gov

Richard,

Go ahead with the proposed ordinance change language as you have originally suggested. We are good with it.

Let me know if you have any questions.

Sincerely,

Richard Worley
Environmental Health Services Deputy Lead

Environmental Health Services
BRHD Main Line: (435) 792-6500
Office Phone: (435) 792-6571



<https://brhdut.gov>



ATTACHMENT C

TECHNICAL GUIDANCE FOR THE ALLOWANCE OF ALTERNATIVE ONSITE WASTEWATER SYSTEMS WITHIN DRINKING WATER SOURCE PROTECTION ZONES

June 15, 2022

Executive Summary

Across Utah, development pressures have placed groundwater protection and local development interests at odds, especially in non-sewered areas where onsite wastewater systems (OWS)¹, otherwise known as septic systems, are the preferred method for addressing wastewater. The Utah Department of Environmental Quality (DEQ) has prepared this document to assist local governments who have sought focused guidance on the use of alternative OWS design and operating standards to “adequately control” pollution within Drinking Water Source Protection (DWSP) zones. The most protective approach that local governments and public water systems can take to protect drinking water sources is to not allow new OWS in source protection zones one² and two³. While zones three and four⁴ also warrant protection, DEQ regulations do not prohibit placement of OWS in these zones.

The primary purpose of a source protection program and this technical guidance is to ensure drinking water sources are protected because wells and springs are vulnerable to contamination. This guidance focuses on the criteria permitting agencies can use to determine whether an alternative OWS may be tolerated on an existing, platted residential lot. Specific strategies employed when planning for future development are covered in the document titled *Planning for Onsite Wastewater Disposal Systems in Non-Sewered Areas of the State: Tools for Preventing Contamination of Public Drinking Water Sources*.

This guidance recommends the following:

1. Continue to prohibit the construction of OWS within a DWSP zone one.
2. Prohibit the construction of conventional OWS within a DWSP zone two for sources developed in *unprotected* aquifers.
3. If connecting to sewer is not a feasible option, then an alternative OWS system capable of meeting less than 2.5 mg/L Nitrate-nitrogen at “end-of-the-pipe” may be permitted within a DWSP zone two. This type of system will be considered “adequately controlled” through design standards.
4. Alternative OWS treatment technologies, including those implemented to control pollution in DWSP zone two must be approved by DEQ’s Division of Water Quality, and:
 - a. Demonstrate through density-like studies or modeling that design standards⁵ are sufficient to meet protection goals.
5. Alternative treatment systems should be operated under a permit or management plan which specifies performance standards and tracks pollutant loadings. Permits should include re-opener provisions enabling the inclusion of additional parameters as the need arises.

¹ The terms “onsite wastewater system” and “septic system” are used interchangeably in this document.

² 100-foot radius around a groundwater source.

³ 250-day groundwater time-of-travel. Time of travel means the time required for a particle of water to move in the producing aquifer from a specific point to a groundwater source.

⁴ 3-year and 15-year groundwater time-of-travel, respectively.

⁵ Design standards must be based on aquifer classification and related to the size of the pollutant load, i.e., the number of OWS in the protection zone(s), unless protection goals are met at the surface, as in Item 3.

Background

Authorities

DEQ regulates public drinking water and onsite wastewater systems. Specific rules include:

- **Drinking Water Source Protection for Ground-Water Sources, Rule R309-600**
Administered by the Division of Drinking Water, outlines the responsibility of public water systems to protect wells and springs and provides a uniform, statewide framework for fulfillment of this responsibility.
- **Ground Water Quality Protection, Rule R317-6**
Administered by the Division of Water Quality, outlines requirements for a groundwater discharge permit for any facility which discharges or is likely to discharge to groundwater. Onsite wastewater systems are a listed activity under permit-by-rule (R317-6-6.2) and are not required to obtain a permit from the Division of Water Quality.
- **Onsite Wastewater Systems, Rule R317-4**
Administered by the Division of Water Quality, delegates the authority for regulating systems with flows less than 5,000 gallons per day to the LHD. The Division of Water Quality is responsible for the permitting of Large Underground Wastewater Disposal Systems.

Public Water Systems under DEQ's Source Protection Rule (R309-600), are responsible for the protection of wells, springs, and tunnels from existing and future sources of contamination. Water systems are required to file a Source Protection Plan with the Division of Drinking Water which designates the following source protection zones:

- Zone One (radius of 100-feet around a groundwater source)
- Zone Two (typically a 250-day groundwater time of travel)
- Zone Three (3-year groundwater time of travel)
- Zone Four (15-year groundwater time of travel)

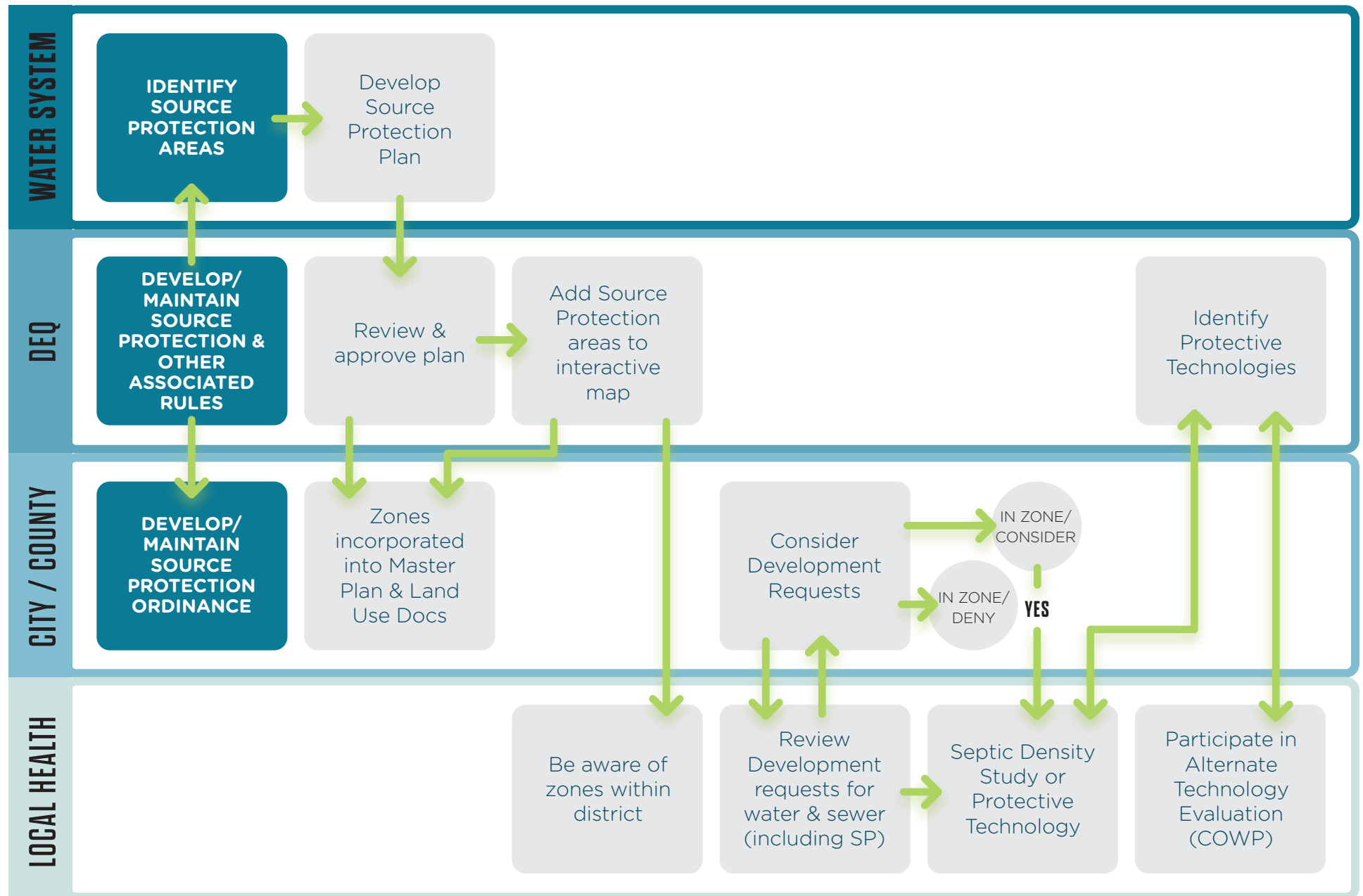
Most Public Water Systems lack the authority to prohibit or control pollution of groundwater, particularly beneath land they do not own, and often rely on local governments who can pass ordinances to control land uses.

Local governments have land use authority under Section 10-9a-5 of the Utah Code for cities and 17-27a-5 for counties. Under Section 19-4-113 of the Utah Code, counties of the first and second class were required to adopt drinking water source protection ordinances by May 3, 2010 to protect groundwater sources. Municipalities and towns have also been given statutory authority under Section 10-8-15 of the Utah Code to enact ordinances to protect their sources of drinking water. Seventeen (17) out of Utah's twenty-nine (29) counties and approximately 100 municipalities have adopted such ordinances. These ordinances prevent onsite wastewater system construction within a source protection zone one; most also restrict construction within zone two.

Local Health Departments may, under State Rule R317-4, issue operating permits for onsite wastewater systems and large underground wastewater disposal systems, take necessary steps to protect groundwater quality (based on a groundwater study or planning/zoning ordinances), require onsite systems to be placed under a responsible management entity, and enact more stringent requirements than R317-4. Rule R317-4-4.2 requires additional considerations for the evaluation of subdivisions using onsite wastewater systems. It provides an opportunity for planners to examine collective loads to groundwater where pollutant mass loadings may warrant more careful consideration of allowable lot sizes to protect sensitive groundwaters.

Figure 1, on the following page, is a graphical representation of the interplay between these authorities.

SOURCE PROTECTION SWIM LANES



While this extensive body of regulation supports water systems in managing septic systems in their DWSP zones, intricacies of DEQ rules and their interplay with source protection ordinances has occasionally made it difficult for LHD to administer their OWS programs. Some landowners are unaware ordinances exist that limit the use of their land and only discover so when their request for a septic permit is denied. DEQ recommends local governments add DWSP zones to planning/zoning maps with clear information on potential impact to landowners. If local governments lack the resources to provide DWSP zone data to the public, they should direct prospective and current landowners to the DEQ Interactive Map⁶. While broadened release of this information may reduce future conflict, LHD still require guidance on the allowance of alternative OWS.

Contaminants of Concern

There are seventy-eight (78) chemicals regulated by DEQ rules and regulations, many of which have a reasonable potential to be present in septic tank effluent. There are several other contaminants for which health goals have been established, and others without goals or guidance, but for which concerns have been raised such as emerging pollutants of concern.

While a wide range of contaminants may be discharged to groundwater by septic systems, the most analyzed is nitrate because of its prevalence in OWS discharges and its recognized adverse health effects. Nitrate is a good indicator of OWS pollution because it is highly mobile through the soil and relatively conservative (i.e., remains in dissolved form and does not precipitate or adsorb). As such, nitrate is the most important pollutant to consider when establishing protection goals for OWS. The need to consider additional pollutants arises if they are present or become present in the groundwater background and if there are significant industrial discharges.

The Source Protection Rule and Permitting of Septic Systems

The foundation of this guidance is the Source Protection Rule⁷, which addresses the protection of public supply groundwater sources. While this rule addresses protection of drinking water from all potential sources of contamination, further discussion will be limited to OWS pollution. Several, critical nuances of the Source Protection Rule will be discussed in subsequent sections.

Existing versus New Groundwater Sources

Important distinctions exist in the Source Protection Rule between an “existing groundwater source”⁸ of drinking water and a “new groundwater source”⁹. “New groundwater sources” have additional requirements. Simply stated, these additional requirements include the need for land use agreements or protection under a zoning ordinance, sewer line offset and special construction requirements, and prohibitions on certain types of potential contamination sources, including septic systems. For “new” sources, OWS are restricted within zone one, and sometimes also in zone two. The Division of Drinking Water can enforce these restrictions because they have regulatory authority to approve the construction and siting (locating) of a new groundwater source.

The Division of Drinking Water does not have regulatory authority to limit activities in protection zones for “existing” sources that were in place and planned before the Source Protection Rule was enacted.

⁶ <https://enviro.deq.utah.gov/>

⁷ R309-600

⁸ A groundwater source for which plans and specifications are submitted on or before July 26, 1993.

⁹ A groundwater source of drinking water for which plans and specifications are submitted after July 26, 1993.

Therefore, construction of new conventional, or alternative OWS within DWSP zones for an “existing” groundwater source does not violate the Source Protection Rule; however, public water systems are required to inventory new OWS and plan land management strategies to mitigate risk from OWS pollution. This is typically handled through public education programs.

Local land use ordinances typically prohibit OWS construction within DWSP zones one and two, regardless of a source’s designation as “new” or “existing” under the Source Protection Rule. While this difference may cause confusion, many water systems rely on ordinances to protect sources from future OWS pollution, especially for “existing” sources which may lack land use agreements. The clarification is provided because it is an area of the Source Protection Rule commonly misinterpreted by LHD, water systems, and landowners alike.

Protected versus Unprotected Aquifer Designations

While the Division of Drinking Water has no regulatory authority to control pollution sources, the Source Protection Rule prohibits the construction of a “new” groundwater source where OWS exist within DWSP zone one, for a source developed in a protected aquifer. To verify protected aquifer conditions, the PWS must demonstrate there is at least thirty (30) feet of clay covering the drinking water aquifer throughout DWSP zone two and that a surface seal has been installed to at least 100 feet below land surface and through the clay layer. A spring cannot be classified as producing from a protected aquifer.

As indicated in Rule¹⁰, a public water system choosing to verify protected aquifer conditions must employ the services of a licensed geologist or licensed engineer. The licensed professional must state that the aquifer meets the definition of a protected aquifer and provide documentation to support the claim. The source then receives a classification from the Division of Drinking Water based on a critical review of the information provided. If there is insufficient data to support protected aquifer status, the well is classified as producing from an “unprotected aquifer”¹¹.

If a “new” well has been determined to be producing from a protected aquifer, pollution sources, including conventional OWS, are tolerated within a DWSP zone two. Conversely, if a public water system cannot verify protected aquifer status, construction of a new groundwater source would not be approved where OWS exist within DWSP zones one or two. All county land use ordinances prohibit OWS construction within DWSP zone one. Most ordinances prohibit construction of OWS within DWSP zone two regardless of aquifer type (unless controlled through design standards).

While local land use authorities are welcome to enact regulations more stringent than DEQ rules, if better alignment with the Source Protection Rule is deemed worthwhile, ordinances could be modified to make allowances for protected and unprotected aquifer classifications. DEQ tracks which groundwater sources produce from protected aquifers and can provide this information to local governments and LHD for assistance in enforcement of their ordinances.

¹⁰ R309-600-9(4)

¹¹ As of September 2021, approximately twenty-two (22) percent of wells have been classified as producing from a “protected aquifer”. All other wells have been classified as producing from an “unprotected aquifer” (48%) or insufficient information is available (30%).

While differences exist between the Source Protection Rule and local zoning laws, the underlying goal remains the same – to protect groundwater quality. In keeping with this goal, DEQ recommends local governments:

- Continue to prohibit the construction of OWS within a DWSP zone one.
- Prohibit the construction of new conventional OWS within a DWSP zone two for sources developed in *unprotected* aquifers.

Adequately Controlled Alternative Systems

According to the Source Protection Rule¹², “adequately controlled” and “uncontrolled” pollution and potential contamination sources are terms used in the context of determining where new groundwater sources of drinking water may or may not be constructed, and to determine if OWS should be prohibited. Septic systems are defined as uncontrolled pollution sources; however, they can be controlled by using “design standards” according to the Source Protection Rule. The term “design standards” is not defined but it has been interpreted to mean any planned mechanism, method, or program designed to achieve a specified quality objective, e.g., groundwater protection goals.

The planned mechanisms, methods, and programs implemented for groundwater protection are “controls”, and the specific quality objectives these controls are intended to affect are the “design standards.” While design standards may be protection goals based on aquifer classifications, septic tank density studies, or establishment of minimum lot sizes, they are generally not easily applied on an individual lot basis. Therefore, the design standards outlined in this guidance relate to “end-of-the-pipe” effluent limits as a treatment control.

Alternative OWS systems are designed to overcome site limitations that prevent use of conventional OWS. Packed bed media systems are the most treatment intensive and are the only alternative OWS for which treatment performance standards are defined in Rule¹³ for biological oxygen demand (BOD) or chemical oxygen demand (COD), total suspended solids (TSS), and at times escherichia coli (*E. coli*) bacteria. Approved packed bed media systems can provide good treatment of these waste constituents.

Some packed bed media systems are reported to partially remove nitrogen (through denitrification) thus reducing nitrate loadings into the groundwater. Nitrogen removal, along with BOD, TSS and pathogen removal, are essential components in the protection of groundwater resources from OWS discharges. DEQ’s rules provide neither prescriptive, nor performance-based design standards for using alternative systems to control pollution of aquifers from nitrate contamination or otherwise. No alternative OWS have been approved by DEQ for this purpose.

The idea of using alternative OWS to adequately control pollution has merit and potential. DEQ urges caution in expecting any alternative OWS not specifically designed for total nitrogen removal to achieve this level of treatment consistently. Proposed technology must be critically reviewed by DEQ’s qualified experts.

There are a few alternative OWS vendors who can deliver wastewater treatment that consistently meets groundwater protection goals, e.g., less than 2.5 mg/L Nitrate-nitrogen. With this level of treatment, groundwater protection goals are met without the need for further assessment, mass loading, or density

¹² R309-600

¹³ R317-4-13

consideration. Thus, implementing 2.5 mg/L Nitrate-nitrogen (at “end-of-the-pipe”) as the design standard would be protective. Therefore:

- An alternative OWS system capable of meeting less than 2.5 mg/L Nitrate-nitrogen at “end-of-the-pipe” may be permitted within a DWSP zone two. This type of system will be considered “adequately controlled” through design standards.

The problems with these types of systems is the cost, the need for a homeowner to operate a sophisticated wastewater treatment plant, and the challenges of verifying system performance. DEQ recognizes these challenges may be too difficult to overcome for the average landowner. Regardless, this type of engineered OWS is considered protective and will negate the necessity for more detailed analyses. As these technologies advance, costs decline, and/or a competitive market develops, they will become accepted as the “design standard” for ordinances.

In situations where treatment to 2.5 mg/L Nitrate-nitrogen “end-of-the-pipe” cannot be implemented, DEQ recommends:

- Any other alternative OWS treatment technology implemented to control pollution in DWSP zone two be approved by DWQ, and;
- Demonstrate through density-like studies or modeling that design standards are sufficient to meet protection goals. Design standards must be based on the aquifer classification and related to the size of the pollutant load, i.e., the number of OWS in the protection zone(s).

When treatment will not be provided at the surface, establishment of controls for protecting drinking water sources should have a foundation in the protection levels for the aquifer. Aquifer classification analyses, coupled with density-like studies are necessary to develop an understanding of the potential impacts from OWS on an aquifer. An understanding of the potential impacts is needed to establish design standards and effective controls. Assessment and implementation of suitable controls will provide a high level of certainty and sufficient demonstration of adequate control to the LHD issuing OWS construction and operating permits.

Establishing groundwater protection goals and applying a mass balance approach is fundamental to evaluating alternatives that will result in adequate control of OWS in protection areas. Pollutant fate and transport modeling is often necessary to make accurate mass balance calculations that account for groundwater conditions, and the effects of soil on pollutant movement. Site-specific studies can demonstrate that an aquifer will be protected, and that the addition of septic systems meets the septic tank density study or mass balance loading analysis for the entire aquifer. For a detailed discussion on these methodologies, refer to the document titled *Planning for Onsite Wastewater Disposal Systems in Non-Sewered Areas of the State: Tools for Preventing Contamination of Public Drinking Water Sources*.

Permit Requirements for Adequately Controlled Alternative Systems

The alternative OWS Rule¹⁴ establishes minimum standards for administration by LHD of an alternative OWS system program. The rule includes requirements for oversight, inspections, recordkeeping, and annual programmatic reporting to DEQ. The rule does not require that administrators issue operating

¹⁴ R317-4-1.5

permits. Local administrators may adopt stricter standards, issue operating permits, and take necessary steps to protect ground water¹⁵.

When alternative OWS are part of a DWSP strategy to prevent pollution of groundwater, they should be managed under an operating permit and management plan that specifies the design standards needed to consistently accomplish groundwater quality goals. Permits should include routine inspection requirements, and periodic review of performance records to verify required levels of treatment are being met and to monitor pollutant loads into the groundwater. Permits should also include re-opener provisions enabling the inclusion of additional parameters as the need arises.

In summary, DEQ recommends:

- Alternative treatment systems should be operated under a permit or management plan that specifies performance standards and tracks pollutant loadings. Permits should include re-opener provisions enabling the inclusion of additional parameters as the need arises.

Conclusions

Onsite wastewater systems are the single largest potential source of contamination threatening groundwater sources of public drinking water in Utah. Among the State's highest priorities is the protection of drinking water aquifers, recognizing that clean water is essential for a healthy and prosperous Utah. Responsibility for the protection of source water areas occurs at the local level and with public water systems under the Source Protection Rule. Without the support of cities, counties, and LHD, most PWS have limited authority to fully accomplish adequate control, even though they maintain full liability for contamination of their groundwater sources.

The Department of Environmental Quality is committed to its environmental health partners, and together accomplishing better groundwater safeguards and protection. This guidance was primarily prepared for local planners, counties, and LHDs. It provides DEQ's recommendations for protecting drinking water sources from OWS discharges within designated DWSP zones while acknowledging the need for appropriate alternatives.

DEQ understands implementing change within any organization requires education, hard work, and financial resources. DEQ is motivated to support local governments in the administration of OWS programs and can bring specialized expertise to your process. Some of the roles we see DEQ performing include assistance with defining aquifer protection goals and classification, development of design standards, technology reviews, review of groundwater modeling and density-based analyses, and septic management programming.

¹⁵ R317-4-1.4.B

ATTACHMENT D

*PLANNING FOR ONSITE WASTEWATER DISPOSAL SYSTEMS
IN NON-SEWERED AREAS OF THE STATE:
TOOLS FOR PREVENTING CONTAMINATION OF PUBLIC
DRINKING WATER SOURCES*

June 15, 2022

Executive Summary

Across Utah, development pressures have placed groundwater protection and local development interests at odds with one another, especially in non-sewered areas where onsite wastewater systems¹, otherwise known as septic tanks, are the preferred method for addressing wastewater. Protecting groundwater quality is critical because wells and springs are vulnerable to contamination. Without focused attention, the State's growth trajectory may outstrip the capabilities of public water systems to protect sensitive drinking water sources.

The Utah Department of Environmental Quality (DEQ) has prepared this guidance to assist local health departments (LHD), local governments, and Public Water Systems (PWS) with identifying processes that will safeguard public drinking water sources while alleviating some of the difficulties associated with permitting decisions. This document is intended to be complementary to the report titled *Technical Guidance for the Allowance of Alternative Onsite Wastewater Systems within Drinking Water Source Protection Zones*.

This guidance recommends the following:

1. Establish a Source Protection Team to coordinate onsite wastewater management and to set groundwater protection goals, including the classification of drinking water aquifers in source protection zones and critical recharge areas.
 - a. Identify drinking water source protection zones and critical recharge areas on planning and web-based Geographic Information System (GIS) maps to ensure landowners and developers are aware of the locations of these sensitive areas.
 - b. Consult with DEQ's Division of Water Quality on Permit-By-Rule decisions for areas of concern and aquifer classification.
 - c. In recharge and other sensitive areas with Class 1 and 2 drinking water LHD should use Method 1 to establish minimum lot size and to confirm density requirements for subdivisions over (presumed) Class 1 and Class 2 aquifers.
2. When new developments occur in groundwater protection zones and in critical recharge areas, consider the onsite wastewater management needs at the same time drinking water supplies are being established.
3. Identify the body politic responsible for ongoing oversight and implementation of the management strategies of this guidance.

¹ The terms "onsite wastewater system" and "septic system" are used interchangeably in this document.

Background

Authorities

DEQ regulates public drinking water and onsite wastewater systems. Specific rules include:

- **Drinking Water Source Protection for Ground-Water Sources, Rule R309-600**
Administered by the Division of Drinking Water, outlines the responsibility of public water systems to protect wells and springs and provides a uniform, statewide framework for fulfillment of this responsibility.
- **Ground Water Quality Protection, Rule R317-6**
Administered by the Division of Water Quality, outlines requirements for a groundwater discharge permit for any facility which discharges or is likely to discharge to groundwater. Onsite wastewater systems are a listed activity under permit-by-rule (R317-6-6.2) and are not required to obtain a permit from the Division of Water Quality.
- **Onsite Wastewater Systems, Rule R317-4**
Administered by the Division of Water Quality, delegates the authority for regulating systems with flows less than 5,000 gallons per day to the LHD. The Division of Water Quality is responsible for the permitting of Large Underground Wastewater Disposal Systems.

Public Water Systems under DEQ's Source Protection Rule (R309-600), are responsible for the protection of wells, springs, and tunnels from existing and future sources of contamination. Water systems are required to file a Source Protection Plan with the Division of Drinking Water which designates the following source protection zones:

- Zone One (radius of 100-feet around a groundwater source)
- Zone Two (typically a 250-day groundwater time of travel)
- Zone Three (3-year groundwater time of travel)
- Zone Four (15-year groundwater time of travel)

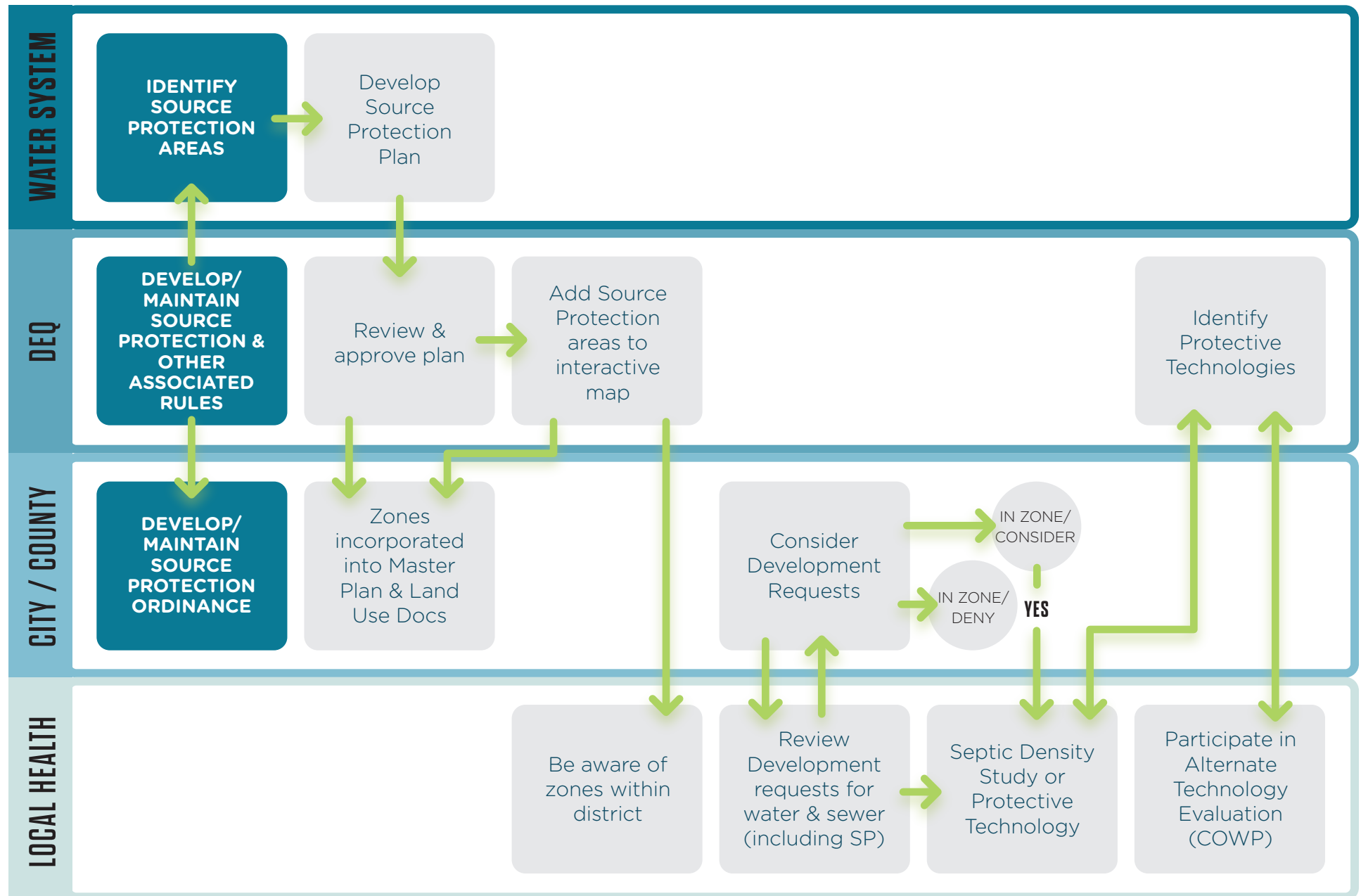
Most Public Water Systems lack the authority to prohibit or control pollution of groundwater, particularly beneath land they do not own, and often rely on local governments who can pass ordinances to control land uses.

Local governments have land use authority under Section 10-9a-5 of the Utah Code for cities and 17-27a-5 for counties. Under Section 19-4-113 of the Utah Code, counties of the first and second class were required to adopt drinking water source protection ordinances by May 3, 2010 to protect groundwater sources. Municipalities and towns have also been given statutory authority under Section 10-8-15 of the Utah Code to enact ordinances to protect their sources of drinking water. Seventeen (17) out of Utah's twenty-nine (29) counties and approximately 100 municipalities have adopted such ordinances. These ordinances prevent onsite wastewater system construction within a source protection zone one; most also restrict construction within zone two.

Local Health Departments may, under State Rule R317-4, issue operating permits for onsite wastewater systems and large underground wastewater disposal systems, take necessary steps to protect groundwater quality (based on a groundwater study or planning/zoning ordinances), require onsite systems to be placed under a responsible management entity, and enact more stringent requirements than R317-4. Rule R317-4-4.2 requires additional considerations for the evaluation of subdivisions using onsite wastewater systems. It provides an opportunity for planners to examine collective loads to groundwater where pollutant mass loadings may warrant more careful consideration of allowable lot sizes to protect sensitive groundwaters.

Figure 1, on the following page, is a graphical representation of the interplay between these authorities.

SOURCE PROTECTION SWIM LANES



Primary Contaminant of Concern

Many of the chemicals regulated by DEQ's water programs have a reasonable potential to be present in effluent and may be discharged to groundwater by septic systems. The most analyzed is nitrate because of its prevalence in wastewater discharges and its recognized adverse health effects. It is, therefore, the most important pollutant to consider when establishing protection goals. Nitrate is a good indicator of pollution from onsite wastewater systems because it is highly mobile through the soil and relatively conservative (i.e., remains in dissolved form and does not precipitate or adsorb).

The need to consider additional pollutants may arise if they are or become present in the groundwater background and if there are significant industrial discharges.

Source Protection Framework

A framework for managing pollution in source protection zones exists for nearly every public drinking water well and spring in Utah. Public Water Systems draw from a suite of regulatory and non-regulatory controls and best practices available in guidance² to craft a management strategy that is consistent with their authority, jurisdiction, and assigned priority. By necessity, its scope is broad to encompass the myriad of pollution sources and potential contamination sources that the Public Water System must assess, inventory, track, and somehow manage. We believe that onsite wastewater systems, as the single largest contributor of waste discharges into the ground, require more specific guidance.

The Drinking Water Source Protection Team

DEQ recommends a formal Drinking Water Source Protection Team be created for each health department, county, or regional planning area. The purpose of the Team is to establish leadership, define and coordinate responsibilities, and strengthen commitment to the process of protecting public groundwater sources of drinking water. The goal of the team should be to assist planners, public water systems, and LHDs in developing and carrying out workable management strategies to sustainably protect public drinking water and public health.

Core membership on the Team should be from the Public Water System(s), the LHD, and local government planners. The extended Team should include technical experts, DEQ staff, planning, zoning and building officials, public communications personnel, and legal and financial staff. Other important stakeholders to involve may include city and county leadership, real estate and development interests, agricultural partners, and the affected public.

Most of the responsibility for implementing source protection plans falls to Public Water System(s) but their ability to control land use are frequently limited. The growing need to implement broader protections and more sophisticated controls warrants closer coordination and communication among groups represented on the Team. The right leadership for each Team is important. The Team makeup will vary by area and its level of activity, effort, and development intensity as well as the weighed risk posed to public water supplies. The sufficiency of existing protections through source protection plans, state rules, and local ordinances will inform the work required of the Team and the level of support required of the member organizations.

² Utah Department of Environmental Quality Division of Drinking Water, Source Protection User's Guide for Ground-Water Sources, [Microsoft Word - DDW-2020-001458 \(utah.gov\)](#), October 2020

Setting Groundwater Protection Goals Using Aquifer Classifications

Every control, strategy, or plan considered for the protection of drinking water should be designed to meet water quality objectives or protection goals. To define protection goals, we recommend that the Team use groundwater class protection levels defined in Rule R317-6-4. Protection levels are based on an allowable increase in pollutant concentration relative to the background concentration. Protection goals could be incorporated into plans, though not required by the Source Protection Rule.

Groundwater class protection levels are good goals for all regulated pollutants. Protection levels can be between 10-50% of drinking water and groundwater quality standards³. Where background levels are high, protection levels can be as high but not higher than the MCLs. It is important to understand that protection levels should apply to all pollutants covered in these standards.

Many aquifers in Utah have not been classified, which takes detailed characterization of the aquifer and action by the Water Quality Board.⁴ For goal setting purposes, a groundwater class can be determined from its total dissolved solids (TDS) concentration and classified by the Division of Water Quality⁵ on a site-specific basis. Teams should work to classify all source waters associated with protection zones.

DEQ will provide technical assistance to teams that are interested in establishing protection levels and groundwater classifications. At the project level, DEQ uses information obtained through site specific analyses to understand the likely groundwater class and protection levels. The Utah Geological Survey (UGS) supports many communities and regions with investigations of groundwater availability, protection from septic system discharges, and classification. It may take several years to complete the formal classification of an aquifer.

Once aquifers have been classified, DEQ recommends that they be identified on planning maps and web-based GIS maps. DEQ also recommends local governments add source protection zones to planning/zoning maps with clear information on their potential impact to landowners. If local governments lack the resources to provide source protection zone data to the public, they should direct prospective and current landowners to the DEQ Interactive Map⁶.

In summary, DEQ recommends the following:

- Establish a Source Protection Team to coordinate onsite wastewater management and set groundwater protection goals, including the classification of drinking water aquifers in source protection zones and critical recharge areas.
- Identify source protection zones and critical recharge areas on planning and web-based GIS maps to ensure landowners and developers are aware of the locations of these sensitive areas.

³ i.e., Maximum Contaminant Levels (MCLs), defined in R309-200 and R317-6-2, respectively, depending on groundwater class and background levels.

⁴ The time required to accomplish an aquifer classification can be considerable, e.g., 2 to 3 years.

⁵ per R317-6-5.2.H

⁶ <https://enviro.deq.utah.gov/>

Methods for Assessing Adequate Control

In State Rule⁷, “adequately controlled” and “uncontrolled” pollution sources and potential contamination sources are terms used in the context of determining where new groundwater sources of drinking water may or may not be installed, and to determine if wastewater systems should be prohibited, restricted, or otherwise controlled within protection zones. Septic systems are defined as uncontrolled pollution sources; however, they can be controlled by using “design standards”⁸ according to Drinking Water Source Protection Rule and Guidance. For our purposes, the planned mechanisms, methods, and programs assessed for groundwater protection are “controls” and the specific quality objectives that these controls are intended to affect are the “design standards.” Design standards may be protection goals based on aquifer classifications, septic tank density studies, or establishment of minimum lot sizes. Design standards may also be “end-of-the-pipe” effluent limits as a treatment control.⁹

The identification and assessment of hazards is the responsibility of Public Water Systems as part of their source protection plans. Controls for protecting drinking water aquifers should have a foundation in the protection levels for the aquifer, building back to the surface through design standards, and ultimately providing (1) an understanding of the potential impacts of onsite wastewater system on the aquifer, and (2) a proper assessment, identification, and implementation of appropriate controls. Hazard assessments and verifications can be challenging to undertake, particularly for water systems without technical expertise or resources. The source protection plan should include a high level of certainty and sufficient demonstration of adequate control to the LHD issuing onsite wastewater system permits. It is important, however, for the LHD to recognize the potential limitations of the plan.

Further discussion will focus on the methodologies that can be employed to demonstrate adequate control of planned onsite wastewater systems.

Site Specific Analysis

In many permitting and land planning situations, supplemental site-specific analysis is needed to better understand the potential impacts of septic system discharges on groundwater quality and to verify that the necessary management and controls are in place. The following tools are available to decision makers for conducting site specific analyses. While these may be applied at the individual lot level, they are more easily applied to subdivision and regional planning.

Permit-By-Rule

Onsite wastewater systems, as a listed activity under the groundwater permit-by-rule¹⁰ are not required to obtain a groundwater discharge permit from the Division of Water Quality. The septic systems may not cause groundwater standards or Class protection level TDS limits to be exceeded.

⁷ Drinking Water Source Protection for Ground-Water Sources, Rule R309-600

⁸ The term “design standards” is not defined but it has been interpreted in a broad sense to mean any planned mechanism, method, or program designed to achieve a specified quality objective, e.g., groundwater protection goals.

⁹ For further discussion on “end-of-the-pipe” treatment controls and alternative onsite wastewater systems, please refer to the document titled *Technical Guidance for the Allowance of Alternative Onsite Wastewater Systems Within Drinking Water Source Protection Zones*.

¹⁰ Rule R317-6-6.2

Groundwater is divided into different classes¹¹ based on overall quality, i.e., TDS and specific contaminants (nitrate or arsenic) and actual or potential beneficial uses such as drinking water or as groundwater important to the continued existence of wildlife habitat. Different levels of protection are described for each class¹² and the regulated contaminants are listed. The contaminants are, except for arsenic, identical to the federal drinking water standards mandated under the Safe Drinking Water Act. For example, pristine, Class 1 groundwater with drinking water as its current and primary beneficial use¹³ would require a protection level to be 25% of the applicable drinking water standard for nitrate or 2.5 mg/L. Class 2 waters are also protected for use as drinking water.

The second condition of permit by rule is that onsite wastewater systems are approved by local health departments. If the LHD determines a septic system installation causes or has potential to cause exceedances of protection levels or goals, the Division of Water Quality can require applicants to submit a groundwater permit application. The Division regularly uses this approach in conjunction with large underground waste disposal system applications in support of onsite wastewater system performance determinations needed to accomplish “adequate control.”

Establishment of Minimum Lot Size

Method 1¹⁴ is available to LHD for assessing site specific requirements for septic systems in lot size determination. This tool enables LHD to make site specific determinations of lot size based on supporting site specific data furnished by the applicant, scientific methods, training, and support from the Division of Water Quality. This method has been applied in several Utah cases, mostly in establishing controls for large underground waste disposal systems, but also in establishing lot density standards at county, watershed, and ground water protection zone scales.

Method 1 provides regulatory officials the opportunity to apply scientific knowledge and technology in establishing lot sizes. It requires better definition of ground water conditions, more detailed analysis, sometimes modeling, etc.; all of which require more specialized skills, financial resources, and time.

The technical rigor of Method 1 makes it difficult to employ on an individual lot basis. Nonetheless, Method 1 gives LHDs and planners the ability to better assess site specific needs and build protective requirements for development on difficult sites. This tool should be used in lot size and population density determinations when planning non-sewered development in designated source protection and critical aquifer recharge areas.

¹¹ Rule R317-6-3

¹² See R317-6

¹³ See R317-6-3

¹⁴ (R317-4-4.1.C.1)

In summary, DEQ recommends the following:

- Consult with DWQ on Permit-By-Rule decisions for areas of concern and aquifer classification.
- In recharge and other sensitive areas with Class 1 and 2 drinking water, LHD should use Method 1 to establish minimum lot size and to confirm density requirements for subdivisions over (presumed) Class 1 and Class 2 aquifers.

Mass Balance Approach to Assessing Controls

In assessing controls or evaluating the effectiveness of existing controls, consider this simplified example.

For every 1,000 gallons per minute (gpm) of source water production, roughly 100 homes within the four (4) source protection zones would increase the groundwater nitrate concentration by 1 mg/L. Excluding zone 1, those 100 homes could be built in zones 2 through 4 and achieve the 1 mg/L increase as a protection goal. If protection goals accommodate a 2 mg/L increase, those 100 homes can become 200. Other pollution sources adding nitrate to the groundwater must be considered in the mass balance equation, which would have the effect of reducing the number of homes in the source protection area. Pollutants other than nitrate should also be considered.

Establishing groundwater protection goals and applying a mass balance approach, as in the above example, is fundamental to evaluating alternatives that will result in adequate control of onsite wastewater systems in protection areas. Pollutant fate and transport modeling are often necessary to make accurate mass balance calculations that account for groundwater conditions and the effects of soil on pollutant movement.

Density Control

Density control measures can be implemented by ordinance or land use agreements. As outlined above, density restrictions are determined from a mass balance of onsite wastewater system pollutants that could be imposed on an aquifer by a population. The impact of these pollutant loads is compared with water quality goals to determine the maximum density of development that will not exceed the water quality goals. Fairly simple analyses have been used in making determinations at the source protection zone scale. Intensive pollutant fate and transport modeling is more common, as in Wasatch and Washington counties.

Density control has been used as a bonus strategy in some areas wherein some systems connect with sewer, or new septic systems are built to a higher design standard, so that room is made for future planned units.

Ordinances and Zoning Restrictions

Only legislative bodies, including cities and counties, have land use authority¹⁵ enabling them to regulate land use by ordinance. These types of ordinances and zoning restrictions can be the strongest tools for controlling pollution from onsite wastewater systems. Land use regulations are particularly important to public water systems needing to implement land management strategies for protection of groundwater

¹⁵ UCA 10-9a-5 and 17-27a-5, respectively,

supplies where they do not have land use authority. These Water Systems depend on the umbrella of city and county land use ordinances.

In Utah, most city and county source protection ordinances include land use restrictions that prohibit septic systems in source protection zone one; most also restrict onsite wastewater systems in zone two. Very few are based on achieving defined groundwater protection goals. Incorporating design standard requirements in these ordinances will be more effective when they are rooted in protection goals, i.e., the size of the pollutant load and the number of systems that will occur in the protection zones.

Subdivision Ordinances

Subdivision ordinances are another tool used by local government. One example is where the number of residential units in a proposed subdivision is multiplied by 150 to 300 feet. Within the resulting distance, subdivisions are required to connect with sewer. Allowances for feasibility waivers are usually included.

Additional considerations are required¹⁶ for the evaluation of subdivisions using septic systems for wastewater disposal. The State Rule provides an opportunity for planners to examine collective loads to groundwater where pollutant mass loadings may warrant careful consideration of allowable lot sizes to protect sensitive ground waters.

Management Areas and Districts

Management Areas and Districts are usually organized to serve larger areas, such as towns or watershed basins. For example, Washington County uses two pre-existing districts to manage unincorporated county septic systems in accordance with their septic density ordinance.

There are several management models identified by the Environmental Protection Agency¹⁷ that can be used for area-wide management of septic systems. These range from providing public education about onsite wastewater systems and the importance of good maintenance to owning and operating septic systems for property owners. In between there are models where the manager takes more responsibility for the long-term performance of the community's onsite wastewater system.

Higher levels of management come at a cost, which will require collection of service fees through means such as a sewer bill. These fees can be difficult to implement, especially for existing non-sewered properties. At least as challenging is to implement a management system that requires inspections and gaining access to private property without an easement or land use agreement. For these reasons, higher levels of management are usually employed for new development.

In terms of this guidance, emphasis should be placed on applying higher levels of management to onsite wastewater systems within critical source protection areas, using the Operating Permit Model¹⁷ at a minimum.

In planning developments, particularly in groundwater protection zones, consideration should be given to the septic system management needs while drinking water supplies are being established. Important

¹⁶ Rule R317-4-4.2

¹⁷ United States Environmental Protection Agency, Handbook for Managing Onsite and Clustered (Decentralized) wastewater Treatment Systems, <https://nepis.epa.gov/Exe/ZyPDF.cgi/00001PFM.PDF?Dockey=00001PFM.PDF>, December 2005

considerations should include identifying the body politic utility that will be responsible for oversight, easement requirements needed for inspections and service, as well as the management strategies of this guidance.

As such, DEQ recommends the following:

- In planning developments, particularly in groundwater protection zones and critical recharge areas, consider the septic system management needs at the same time the drinking water supplies are being established.
- Identify the body politic utility who will be responsible for ongoing onsite wastewater oversight and implementation of the management strategies of this guidance.

When considering higher levels of management, legal authority is necessary to carry out effective management programs¹⁷. Each regional Team will need to decide the best route to the legal authority needed to attain their source protection goals.

Conclusions

Among the State's highest priorities is the protection of drinking water aquifers, recognizing that clean water is essential for a healthy and prosperous Utah. Responsibility for the protection of source water areas occur at the local level and with public water systems under the Source Protection Rule¹⁸. Without the support of cities, counties, and LHD, most public water systems have limited authority to fully accomplish adequate control, even though they maintain full liability for contamination of their groundwater sources.

The Department of Environmental Quality is committed to its environmental health partners, and together accomplishing better groundwater safeguards and protection. This guidance was primarily prepared for local planners, counties, and LHDs. It provides DEQ's recommendations for protecting drinking water sources from onsite wastewater or septic discharges within designated drinking water source zones while acknowledging the need for appropriate alternatives.

DEQ understands implementing change within any organization requires education, hard work, and financial resources. DEQ is motivated to support local governments and can bring specialized expertise to your process. Some of the roles we see DEQ performing include assistance with defining aquifer protection goals and classification, development of design standards, technology reviews, review of groundwater modeling and density-based analyses, and septic management programming.

¹⁸ R309-600

Memorandum**6 November 2025****To:** Planning Commission**Subject:** Ordinance Amendment Request – Effecting §17.10.040

A request has been made by Planning Commissioner Daug's to amend a section of Title 17 – Zoning Regulations to amend Cache County Code §17.10.040: SITE DEVELOPMENT STANDARDS.

The proposed code text amendment is summarized as follows:

1. Increasing the total lot coverage in the Commercial (C) Zone from 50% to 80%.

Background

On September 4th, 2025, Planning Commissioner Daug's requested that Development Services staff prepare a draft code amendment to allow for discussion related to increasing the total lot coverage permitted in the Commercial (C) Zone. At the October 2nd, 2025 meeting, the Planning Commission requested that staff research what other counties in Utah are doing in regards to commercial lot coverage. In response, staff has prepared a memo that covers the findings of that research and a draft proposal for consideration.

Cache County Code

In Cache County Code §17.07.040: GENERAL DEFINITIONS, lot coverage is defined as:

“LOT/PARCEL COVERAGE: The percentage of the area of a lot/parcel which is occupied by all buildings, other impervious surfaces, or other covered structures.”

Cache County Code §17.10.040: SITE DEVELOPMENT STANDARDS, Table 17.10.040 identifies the maximum lot coverage for each zone as:

	Base Zoning Districts					
	RU2	RU5	A10	FR40	C	I
Maximum lot coverage	60%	60%	60%	25%	50%	80%

Comparison to Other Counties

In other municipalities the maximum lot coverage allowed can range from 60% to 100%.

- Box Elder County
 - Does not have a stated maximum limit in the commercial zone.
 - Defines lot coverage as “Coverage, Lot: The percent of the lot area covered by the main and accessory buildings.”
- Rich County
 - Does not have a limit in the commercial zone.
 - Does not have a definition for lot coverage.

- Weber County
 - The maximum allowed lot coverage ranges from 60% to 100% with the C-1/CV-1 and C-2/CV-2 zones having a maximum of 60% while the C-3 zone has a maximum of 100%.
 - C-1/CV-1 zones are meant to serve local neighborhoods.
 - C-2/CV-2 zones are meant to serve the whole community.
 - C-3 zone is meant to serve the whole region.
 - In terms of uses allowed, the C-1/CV-1 and C-2/CV-2 zones are more in line, in terms of uses allowed, with the Commercial (C) Zone. However, in terms of uses allowed, the C-3 Zone has a mix of what would fall under the County's Commercial (C) Zone and Industrial (I) Zone.
 - Examples of uses that would fall under the Industrial (I) Zone includes uses that are analogous to General Manufacturing (2100), Storage and Warehousing (3400), and Transport Services (3500).
 - Defines lot coverage as "Lot coverage. The term 'lot coverage' means the percentage of the lot area which is occupied by all building, and other structures and impervious surfaces."
- Morgan County
 - Does not have a stated maximum limit in the commercial zone.
 - Does not have a definition for lot coverage.
- Washington County
 - The maximum allowed lot coverage ranges from 50% to 60% with the C-1 and C-2 having a maximum coverage of 60% and the C-3 zone having a maximum coverage of 50%.
 - C-1 zone is meant to serve local neighborhoods.
 - C-2 zone is meant to provide commercial services to the travelling public.
 - C-3 zone serves as a commercial zone that provides for a broader range of uses.
 - Does not have a definition for lot coverage.
- Tooele County
 - The maximum allowed lot coverage ranges from 30% to 50% with the C-N, C-S, and C-H zone having a maximum of 30% and the C-G zone having a maximum of 50%.
 - The C-N zone is meant to serve local neighborhoods.
 - The C-S zone is meant to provide areas for a combination of businesses, commercial, and entertainment related activities with an emphasis on promoting and supporting the development of shopping centers.
 - The C-H zone is meant to provide commercial services to the travelling public.
 - The C-G zone is meant to provide areas for a combination of businesses, commercial, and entertainment related activities. It serves as an area for essential commercial uses that may be more intensive/disruptive in other areas.
 - Does not have a definition for lot coverage.

Analysis

- County Selection
 - Counties were selected based on geographic proximity or a similar population. Counties chosen for their proximity to Cache include Box Elder, Rich, Weber, and

Morgan. Those selected for their comparable population levels include Washington and Toole.

- Use Types
 - Most counties typically have a wider range of use types than Cache. However, in most cases, even though the range of use types is wider these uses would still fall under what could be expected in Cache's Commercial (C) Zone. However, the county with the biggest difference would be Weber as some of the use types in the C-3 Zone would fall under Cache's Industrial (I) Zone.
- Variety of Commercial Zones
 - Most counties typically have multiple commercial zones that focus on specific use types. By splitting the commercial zone into more specific commercial zones, it serves as a way to regulate permitted use types and, to some degree, intensity of use/allowed lot coverage.
- Caveats for Box Elder and Rich Counties
 - Box Elder
 - Box Elder does not have a stated maximum lot coverage in the commercial zone. However, this seems to be more of an oversight as, during a discussion with their Planning and Zoning Department, they seemed surprised that they didn't have anything related to maximum lot coverage in their code and that they would likely look into updating their code to create a limit.
 - Rich County
 - Rich outright does not have a limit on their lot coverage in the commercial zone. It should be noted though that during a discussion with their Planning and Zoning Department it seemed like commercial zones were relatively rare.

Next Steps

The request for a code text amendment is a legislative action and the Planning Commission has options in how they wish to move forward on the applicant's request, including the following:

1. Review the code text amendment as submitted by the applicant. Hold a public hearing. Make a recommendation to the County Council to approve or deny the request as written.
2. Review the code text amendment as submitted by the applicant. Hold a public hearing. Include changes or revisions suggested by the Planning Commission to the proposed code text amendment as part of a recommendation to the County Council.
3. Review the code text amendment as submitted by the applicant. Hold a public hearing. Continue the item for up to 90 days if it is determined that code text amendment should move forward but requires significant changes. The continuance would allow time for the applicant to work with County staff on addressing any concerns or issues raised by the Planning Commission and during the public hearing, to draft more comprehensive code text amendments for the proposed use type.

Current Ordinance:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	½ acre		½ acre		½ acre		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

Proposed Ordinance Change:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	½ acre		½ acre		½ acre		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		80%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023



Memorandum

6 November 2025

To: Planning Commission

Subject: Ordinance Amendment – Effecting §17.10.040 – Irrigation Canal Setback Distance

At the request of Planning Commissioner Nate Daug's during the September 4, 2025, Planning Commission meeting, staff has reviewed the required setback from the top of the bank of a recognized irrigation canal and is proposing the following change to the current development standards.

The origins of the existing required 16.5 foot setback could not be discerned, but in discussion removing the required setback all together and leaving the decision to individual canal companies and property owners, the Public Works Director/County Engineer referred staff to [Chapter 8.28.050: Access to Property and Setbacks](#).

A setback free and clear of structures and fences is required per Code from an irrigation canal in order to allow the Public Works Vegetation Department access for maintenance and noxious weed control. The proposed change to the setback requirement will make it consistent with Chapter 8.28 of the County Code.

During a discussion of the proposed change at the October 2nd Planning Commission meeting, there was some support to add an exemption if an irrigation/conservation/canal board approved a reduced setback. Language has been drafted to address this possible exemption if the Planning Commission wants to include it as part of the proposed ordinance change.

Current Ordinance:

TABLE 17.10.040 SITE DEVELOPMENT STANDARDS

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts										
	RU2		RU5		A10		FR40		C		I
Use setback distances:											
Front yard	30'		30'		30'		50'		30'		30'
Multi-street frontage	30'		30'		30'		50'		30'		30'
Side yard	12'	5'	12'	5'	12'	5'	20'	5'	30 ¹		30 ¹
Rear yard	30'	5'	30'	5'	30'	5'	30'	5'	30 ¹		30 ¹
Structure on same lot	10'		10'		10'		10'		10'		10'
From the top of a recognized irrigation canal bank to any structure or fence	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'
Other standards:											
Maximum structure height ²	35'		35'		35'		35'		40'	35'	40' 35'
Minimum lot size	1/2 acre		1/2 acre		1/2 acre		1 acre		1/2 acre		1 acre
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a
Maximum lot coverage	60%		60%		60%		25%		50%		80%
Minimum lot frontage	90'		90'		90'		150'		150'		150'

Proposed Ordinance Changes

TABLE 17.10.040 SITE DEVELOPMENT STANDARDS

	Base Zoning Districts					
	RU2	RU5	A10	FR40	C	I
From the top of a recognized irrigation canal bank to any structure or fence (See §8.28.050)	16.5' 10'	16.5' 10'	16.5' 10'	16.5' 10'	16.5' 10'	16.5' 10'

Footnote: An exemption to the setback may be allowed if: 1) the board, or other entity, governing the recognized irrigation canal agrees to the reduced setback; 2) provides their own treatment of noxious weeds along their irrigation canal; 3) provides a written approval of #1 that includes a statement regarding #2; and is 4) confirmed by the Vegetation Division of the Public Works Department during the Zoning Clearance review process. The applicant is responsible for requesting the exemption from the board, or other entity, governing the recognized irrigation canal and providing the written approval with the treatment of noxious weeds statement to the Department of Development Services as part of the Zoning Clearance application.



Memorandum

6 November 2025

To: Planning Commission

Subject: Ordinance Amendment – Effecting §17.02.030, 17.07.040, 17.10.040 – Frontage & Access

This proposed amendment to the Code is to clarify the intent of the Code as it applies to frontage requirements for properties in all zones as well as where access should come from to enter a subject property.

Staff has been encountering more frequent issues with determining frontage and access as property owners have been proposing building locations located further and further away from public or private roads.

An additional issue regarding frontage and access is specific to the Forest Recreation (FR40) Zone where many legal parcels do not have actual frontage on a public or private road nor clear legal access through adjacent properties (e.g., recorded access easements).

The proposed ordinance amendments should help to clarify the intent and what is required for future developments.

Current Ordinance:

17.02.030: ESTABLISHING LAND USE AUTHORITY DUTIES

E. Authority For Land Use Actions:

1. The Land Use Authority is responsible for the land use actions as noted in the table below:

TABLE 17.02.030

AUTHORITY FOR LAND USE ACTIONS

Land Use Authority	Land Use Action
Director	Zoning clearance
	Flood Permit
	Final Subdivision Plat
	Variance for maximum structure height or minimum setback distances

17.07.040: General Definitions

LOT/PARCEL FRONTAGE: That portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage.

PROPERTY FRONTAGE: The length of the property line abutting the road, street, or highway right-of-way or a line drawn parallel to the road, street, or highway right-of-way line and located at the front yard setback.

TABLE 17.10.040 SITE DEVELOPMENT STANDARDS

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	5'	12'	5'	12'	5'	20'	5'	30 ¹		30 ¹	
Rear yard	30'	5'	30'	5'	30'	5'	30'	5'	30 ¹		30 ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure or fence	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	35'	40'	35'
Minimum lot size	1/2 acre		1/2 acre		1/2 acre		1 acre		1/2 acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Proposed Ordinance Changes

17.02.030: ESTABLISHING LAND USE AUTHORITY DUTIES

E. Authority For Land Use Actions:

1. The Land Use Authority is responsible for the land use actions as noted in the table below:

TABLE 17.02.030

AUTHORITY FOR LAND USE ACTIONS

Director	Zoning clearance
	Flood Permit
	Final Subdivision Plat
	Variance for maximum structure height or minimum setback distances
	Variance for access from required frontage
County Engineer	Floodplain Development Permit

OPTION #1

17.07.040: General Definitions

LOT/PARCEL FRONTAGE: That portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage. ~~Primary access to a parcel/lot shall be from the required frontage abutting the road, street, or highway right-of-way, unless a variance request is granted by the Land Use Authority. See "Property Frontage". See Table 17.10.040 – Site Development Standards for frontage requirements on a lot/parcel located in the Forest Recreation (FR40) Zone.~~

PROPERTY FRONTAGE: The length of the property line abutting the road, street, or highway right-of-way ~~and for any portion of the property not abutting the road, street, or highway right-of-way, or a line drawn parallel to the road, street, or highway right-of-way line and located at the front yard setback. See "Lot/Parcel Frontage". See Table 17.10.040 – Site Development Standards for frontage requirements on a lot/parcel located in the Forest Recreation (FR40) Zone.~~

OPTION #2

LOT/PARCEL FRONTAGE: That portion of a development site that abuts a public or private roadway, ~~street, or highway right-of-way and for any portion of the property not abutting a public or private roadway, street, or highway right-of-way, a line drawn parallel to the public or private roadway, street, or highway right-of-way and located at the front yard setback.~~ For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage. ~~Primary access to a parcel/lot shall be from the required frontage abutting the road, street, or highway right-of-way, unless a variance request is granted by the Land Use Authority. See Table 17.10.040 – Site Development Standards for frontage requirements on a lot/parcel located in the Forest Recreation (FR40) Zone.~~

~~PROPERTY FRONTAGE: The length of the property line abutting the road, street, or highway right-of-way or a line drawn parallel to the road, street, or highway right-of-way line and located at the front yard setback.~~

TABLE 17.10.040 SITE DEVELOPMENT STANDARDS

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	5'	12'	5'	12'	5'	20'	5'	30' ¹		30' ¹	
Rear yard	30'	5'	30'	5'	30'	5'	30'	5'	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure or fence	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	35'	40'	35'
Minimum lot size	1/2 acre		1/2 acre		1/2 acre		1 acre		1/2 acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Add:

	Base Zoning Districts					
	RU2	RU5	A10	FR40	C	I
Minimum lot frontage	90'	90'	90'	150' ⁷	150'	150'
Minimum lot frontage depth	30'	30'	30'	50' ⁷	30'	30'

Footnote 7 - Required frontage in FR40 Zone on a public or private road is required for new subdivision lots and for legal parcels/lot subject to a boundary adjustment. Property owners of existing legal parcels/lots in the FR40 Zone without frontage on a public or private road bear the burden of proving legal access to their property.

Memorandum

6 November 2025

To: Planning Commission

Subject: Ordinance Amendment Request – Effecting §17.10.040

A request has been made by the Planning Commission to amend a section of Title 17 – Zoning Regulations - Cache County Code §17.10.040: SITE DEVELOPMENT STANDARDS.

The proposed code text amendment is summarized as follows:

1. Increasing the minimum lot size in the Rural 2 (RU2), Rural 5 (RU5), and Agricultural (A10) Zones.

Background

On October 2nd, 2025, the Planning Commission directed staff to prepare a draft code amendment to allow for discussion related to increasing the minimum lot size in the Rural 2 (RU2), Rural 5 (RU5), and Agricultural (A10) Zones.

Cache County Code

Cache County Code §17.10.040: SITE DEVELOPMENT STANDARDS, Table 17.10.040 identifies the minimum lot size for each zone as:

	Base Zoning Districts					
	RU2	RU5	A10	FR40	C	I
Minimum lot size	½ acre	½ acre	½ acre	1 acre	½ acre	1 acre

Comparison to Other Counties

In other municipalities the minimum lot size in for residential lots can range from 8,000 square feet to 40 acres. The equivalent acreage for each square footage value is shown in parentheses.

Box Elder County

	Base Zoning Districts					
	R-1-8	RR-20	RR-1	RR-2	RR-5	RR-10
Minimum lot size	8,000 sq.ft. (0.18)	20,000 sq.ft. (0.45)	1 acre	2 acres	5 acres	10 acres

Rich County

	Base Zoning Districts					
	A10	A20	AR-1	AR-2	AR-5	R
Minimum lot size	10 acres	20 acres	1 acre	2 acres	5 acres	1 acre ¹

¹ In the R zone the minimum lot size is 1 acre in areas without central sewage collection systems and 10,000 square feet in areas that are served by central sewage collection systems.

Weber County

	Base Zoning Districts					
	A-1	A-2	A-3	AV-3	FR-1	FR-3
Minimum lot size	40,000 sq.ft. (0.91)	40,000 sq.ft. (0.91)	2 acres	3 acres	1 acre	20,000 sq. ft. ² (0.45)

	Base Zoning Districts					
	FV-3	RE-15	RE-20	R-1	R-2	R-3
Minimum lot size	3 acres	15,000 sq.ft. (0.34)	20,000 sq.ft. (0.45)	See R-1 table	2,500 sq.ft. (0.05)	N/A ³

	R-1 Zoning Districts			
	R1-15	R1-12	R1-10	R1-5
Minimum lot size	6,000 sq.ft. (0.13)	5,000 sq.ft. (0.11)	4,000 sq.ft. (0.09)	2,500 sq.ft. (0.05)

Morgan County

	Base Zoning Districts					
	A-20	RR-10	RR-5	RR-1	R1-20	R1-12
Minimum lot size	20 acres	10 acres	5 acres	1 acres	20,000 sq.ft. (0.45)	12,000 sq.ft. (0.28)

	Base Zoning Districts		
	R1-8	RM-7	RM-15
Minimum lot size	8,000 sq.ft. (0.18)	7,000 sq.ft. (0.16)	8,000 sq.ft. (0.18)

Washington County

	Base Zoning Districts					
	A-5	A-10	A-20	A-40	FR-13.5	FR-0.5
Minimum lot size	5 acres	10 acres	20 acres	40 acres	13,500 sq.ft. (0.31)	21,780 sq.ft. (0.50)

	Base Zoning Districts					
	FR-1	FR-5	FR-10	RA-1	RA-2.5	RA-5
Minimum lot size	1 acre	5 acres	10 acres	1 acre	2.5 acres	5 acres

	Base Zoning Districts						
	RA-10	RE-20	RE-40	RE-2.5	RE-5	R-1-10	R-1-12
Minimum lot size	10 acres	20,000 sq.ft. (0.45)	40,000 sq.ft. (0.91)	2.5 acres	5 acres	10,000 sq.ft. (0.22)	12,000 sq.ft. (0.28)

² In the FR-3 zone the minimum lot size is 20,000 square feet for in areas without central sewage collection systems, 6,000 square feet in areas that are served by central sewage collection systems.

³ There is no minimum lot size in the R-3 zone.

Tooele County

	Base Zoning Districts					
	A-20	A-40	RR-1	RR-5	RR-10	R-1-8
Minimum lot size	20 acres	40 acres	1 acre	5 acres	10 acres	8,000 sq.ft. (0.18)

	Base Zoning Districts					
	R-1-10	R-1-12	R-1-21	RM-7	RM-15	RM-30
Minimum lot size	10,000 sq.ft. (0.22)	12,000 sq.ft. (0.28)	21,780 sq.ft. (0.50)	7,000 sq.ft. ⁴ (0.16)	8,000 sq.ft. ⁵ (0.18)	8,000 sq.ft. ⁶ (0.18)

Analysis

- Septic vs Sewer
 - Weber and Rich have specific differences in lot size for areas that have access to sewer services and areas that will have to rely on septic systems.
 - In Weber, the difference between parcels/lots that have access to sewer services and those that will have to rely on septic is 14,000 square feet. Parcels/lots that have access to sewer services have a minimum lot size of 6,000 square feet while parcels/lots that will have to rely on septic systems have a minimum lot size of 20,000 square feet.
 - In Rich, the difference between parcels/lots that have access to sewer services and those that will rely on septic is 33,560 square feet. Parcels/lots that have access to sewer services have a minimum lot size of 10,000 square feet while parcels/lots that will have to rely on septic systems have a minimum lot size of one acre.
- Size in Agricultural/Rural Zones
 - The majority of zones that are listed above that could be characterized as agricultural or rural typically start at around one acre with Weber County having the smallest at 40,000 square feet (3,560 square feet less than an acre). It's really only in dedicated residential areas that you start seeing values that are under 20,000 square feet.
- Taxes
 - After a brief discussion with the County Assessor Brett Robinson, the average price of a half-acre parcel in the county is around \$125,000 and for every half acre added the value can increase by \$25,000 to \$50,000. As parcel size increases, its overall value tends to rise, which in turn leads to higher property taxes. This increase will be significant to the average property owner.

⁴ Although the minimum lot size is 7,000 square feet, there is a maximum of 7 dwelling units per acre.

⁵ Although the minimum lot size is 8,000 square feet, there is a maximum of 15 dwelling units per acre.

⁶ Although the minimum lot size is 8,000 square feet, there is a maximum of 30 dwelling units per acre.

Next Steps

The request for a code text amendment is a legislative action and the Planning Commission has options in how they wish to move forward on the applicant's request, including the following:

1. Review the code text amendment as submitted by the applicant. Hold a public hearing. Make a recommendation to the County Council to approve or deny the request as written.
2. Review the code text amendment as submitted by the applicant. Hold a public hearing. Include changes or revisions suggested by the Planning Commission to the proposed code text amendment as part of a recommendation to the County Council.
3. Review the code text amendment as submitted by the applicant. Hold a public hearing. Continue the item for up to 90 days if it is determined that code text amendment should move forward but requires significant changes. The continuance would allow time for the applicant to work with County staff on addressing any concerns or issues raised by the Planning Commission and during the public hearing, to draft more comprehensive code text amendments for the proposed use type.

Current Ordinance:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: Primary Accessory Both

	Base Zoning Districts									
	RU2		RU5		A10		FR40		C	I
Use setback distances:										
Front yard	30'		30'		30'		50'		30'	30'
Multi-street frontage	30'		30'		30'		50'		30'	30'
Side yard	12'	5'	12'	5'	12'	5'	20'	5'	30' ¹	30' ¹
Rear yard	30'	5''	30'	5'	30'	5'	30'	5'	30' ¹	30' ¹
Structure on same lot	10'		10'		10'		10'		10'	10'
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'	16.5'
Other standards:										
Maximum structure height ²	35'		35'		35'		35'		40'	35'
Minimum lot size	½ acre		½ acre		½ acre		1 acre		½ acre	1 acre
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A	n/a
Maximum lot coverage	60%		60%		60%		25%		50%	80%
Minimum lot frontage	90'		90'		90'		150'		150'	150'

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (C) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

Proposed Ordinance Change – Option 1:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	1 acre		1 acre		1 acre		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

Proposed Ordinance Change – Option 2:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	1 ½ acre		1 ½ acre		1 ½ acre		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

Proposed Ordinance Change – Option 3:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	1 ¾ acre		1 ¾ acre		1 ¾ acre		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

Proposed Ordinance Change – Option 4:

17.10.040: SITE DEVELOPMENT STANDARDS

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are “base” standards, not entitlements. Other regulations of the land use ordinance, the subdivision ordinance, other applicable County ordinances and policies, requirements imposed as conditions of permitting or requirements from other local, State, and Federal agencies may impose other development standards.

TABLE 17.10.040

SITE DEVELOPMENT STANDARDS

Use Type: **Primary** Accessory Both

	Base Zoning Districts											
	RU2		RU5		A10		FR40		C		I	
Use setback distances:												
Front yard	30'		30'		30'		50'		30'		30'	
Multi-street frontage	30'		30'		30'		50'		30'		30'	
Side yard	12'	<u>5'</u>	12'	<u>5'</u>	12'	<u>5'</u>	20'	<u>5'</u>	30' ¹		30' ¹	
Rear yard	30'	<u>5''</u>	30'	<u>5'</u>	30'	<u>5'</u>	30'	<u>5'</u>	30' ¹		30' ¹	
Structure on same lot	10'		10'		10'		10'		10'		10'	
From the top of a recognized irrigation canal bank to any structure	16.5'		16.5'		16.5'		16.5'		16.5'		16.5'	
Other standards:												
Maximum structure height ²	35'		35'		35'		35'		40'	<u>35'</u>	40'	<u>35'</u>
Minimum lot size	2 acres		2 acres		2 acres		1 acre		½ acre		1 acre	
Maximum density ³	1U/2A		1U/5A		1U/10A		1U/40A		2U/A		n/a	
Maximum lot coverage	60%		60%		60%		25%		50%		80%	
Minimum lot frontage	90'		90'		90'		150'		150'		150'	

Notes:

¹ Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.

² Maximum height for agricultural structures is 45 feet. Also see definition of "building height, maximum", at section 17.07.040, "General Definitions", of this title.

³ The Land Use Authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).

⁴ Maximum height for agricultural processing facilities, specific to the production of food, in Industrial (I) Zoning Districts to be 150 feet. Structures may be greater in height from the established setback lines with an increase of 1.5 feet of setback for every ten feet (10') of additional building height. This standard shall apply to reduced setbacks with a CUP. Example: an agricultural processing facility that is 100 ft tall will need to be setback 39 ft from the front property line.

⁵ The side or rear setback for Industrial (I) or Commercial (CI) is 0 ft when adjacent to an active railway.

⁶ Above ground conveyance of manufactured products or goods (through piping or other means) is allowed between adjoining parcels zoned as commercial or industrial at a maximum height of 25 feet; cross-access agreements are required between parcels.

(Ord. 2018-09, 8-14-2018, eff. 8-28-2018)

History

Amended by Ord. 2023-26 on 8/10/2023

2026 Meeting Dates and Application Deadlines

2026 Meeting Dates and Application Deadlines				
Planning Commission (1 st Thursday of each month*)		County Council (2nd & 4th Tuesday*)	Land Use Hearing Officer (variances & appeals)	
Application Deadline 3:00 PM	Meeting Date 5:30 PM	Meeting Date 5:00 PM		
3 Dec 25	8 Jan*		Public meetings will be scheduled on an as needed basis.	
7 Jan	5 Feb			
4 Feb	5 Mar			
4 Mar	2 Apr			
1 Apr	7 May			
6 May	4 Jun		All public meetings will be fully noticed per State and County Codes.	
3 Jun	9 Jul*			
1 Jul	6 Aug			
5 Aug	3 Sep			
2 Sep	1 Oct			
30 Sep	5 Nov			
4 Nov	3 Dec			

Article 1 - Objectives

- 1-1.** This commission, established in conformance with the motion adopted by the Cache County Commission on the 20th day of December, 1950, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of State Code Ann. §17-27a Part 3.
- 1-2.** The official title of this Commission shall be the "Cache County Planning Commission".

Article 2 - Members

- 2-1.** The Cache County Planning Commission shall consist of (7) voting members. A member of the County Council shall be appointed as an ex-officio member of the Planning Commission and shall be a non-voting member. The Director of Development Services shall serve as an ex-officio member of the Planning Commission and shall be a non-voting member.
- 2-2.** The term of the member from the County Council shall be a one-year term or as otherwise designated. As the term of the members first appointed to this Commission, or their replacements, expire, their successors shall be appointed for terms of three (3) years or to fulfill the previously designated term. Each member shall be recommended by the County Executive and evaluated and confirmed by the County Council prior to their appointment or reappointment to the Planning Commission.
- 2-3.** The Council may provide for the payment of expenses and a reasonable compensation for members of the Commission who are not County employees.

Article 3 - Officers and Their Selection

- 3-1.** The officers of the Planning Commission shall consist of a Chair, a Vice-Chair, and a Secretary. If no Secretary is elected from among the serving Planning Commissioners, the Director of Development Services, or their designee, will serve as Secretary of the Commission.
- 3-2.** Nomination of officers shall be made by the general membership of the Planning Commission at the regularly scheduled December meeting of the Commission each year. The election of officers shall follow immediately.
- 3-3.** A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. He/She shall take office January 1st, the following year and serve for one (1) year or until their successor shall take office.

Article 4 - Duties of Officers

- 4-1.** The Chair shall be an appointed member of the Commission and shall:
- 4-1-1.** Preside at all meetings.
 - 4-1-2.** Appoint committees, special and/or standing and liaisons.
 - 4-1-3.** Rule on all procedural questions (subject to a reversal by a majority vote of the members present).
 - 4-1-4.** Be informed immediately of any official communication and report same at the next regular meeting.

- 4-1-5.** Represent the Commission before the County Council and other public bodies except when this responsibility has been delegated to an appropriate official or Commission member.
- 4-1-6.** Carry out other duties as assigned by the Commission.
- 4-1-7.** Fill any vacancies in the offices of Vice-Chair or Secretary by appointment lasting through January 1st of the following year.
- 4-2.** The Vice-Chair shall be an appointed member of the Commission and shall:
 - 4-2-1.** Act in the absence or inability of the Chair to act.
 - 4-2-2.** Have the powers to function in the same capacity as the Chair in cases of the Chair's inability to act.
 - 4-2-3.** Fill immediately any vacancy in the office of Chair through January 1st of the following year.
 - 4-2-4.** Be responsible for the orientation of new members of the Commission.
- 4-3.** The Secretary shall:
 - 4-3-1.** Keep a written record of all business transacted by the Commission.
 - 4-3-2.** Keep a file of all official records and reports of the Commission.
 - 4-3-3.** Certify all minutes of the Commission.
 - 4-3-4.** Give notice of all hearings and public meetings.
 - 4-3-5.** Attend to the correspondence of the Commission.
 - 4-3-6.** Keep a set of minutes.
 - 4-3-7.** Prepare and be responsible for the publishing of all advertisements relating to public hearings.
 - 4-3-8.** If the Secretary is an appointed member of the Commission, the Secretary may, with the consent of the Commission, delegate any of the above responsibilities of the Secretary to the Director of Development Services (or similar official), except that the certification of minutes of the Commission may not be delegated.

Article 5 - Standing and Special Committees

- 5-1.** Any standing committees may be appointed by the Chair.
- 5-2.** Any special committees may be appointed by the Chair and shall function for a duration as set by the Chair. The duties and responsibilities of any special committee shall be clearly defined and outlined at a regularly scheduled Planning Commission meeting.
- 5-3.** Each standing and special committee shall prepare a written report of meetings held to become a part of the permanent records of the Commission.

Article 6 - Meetings

- 6-1.** Regular meetings of the Commission shall be held on the first Thursday of each month, commencing at 5:30pm and ending at 8:00pm. Meetings may be extended beyond 8:00 p.m. With the approval of a majority of the members present. When a meeting date falls on a legal holiday, the meeting shall be held on the week following unless otherwise designated by the Commission.
 - 6-1-1.** Commission public hearings shall be held during the regular meeting on the first Thursday of each month.
- 6-2.** Special meetings shall be called at the request of the Chair or at the request of any three members of the Commission. Written notice which states the time and purpose of the special meeting shall be given to each member at least five (5) days prior to such meetings. Noticing of special meetings shall be made in compliance with State Code Ann. §17-27a Part 2 and §17-53 Part 4.

6-3. A majority of the membership of the Commission shall constitute a quorum. When a quorum is present, a majority vote of the members present is sufficient for the adoption of any motion. Voting may be a roll call, in which case a record shall be kept as part of the minutes. Any member shall have the right to demand a roll call vote.

6-4. Meetings shall be open to the public except when deemed necessary, in which case the Commission may go into Executive (closed) Session, when the provisions of the Utah Open and Public Meetings Act, State Code Ann §17-53 Part 4, shall be in effect.

6-5. The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the Planning Commission in all cases to which they are applicable and in which they are not inconsistent with the Bylaws, any special rules of order the Planning Commission may adopt, and County or State code that regulates the Planning Commission or its meetings.

6-6. Electronic Meetings

6-6-1. A Commission meeting may be convened and conducted by means of telephonic, telecommunications, or computer conference by satisfying the requirements of Utah Code Ann. § 52-4-207.

6-6-2. The primary purpose for holding electronic meetings is to enable members of the Commission to participate in the meeting electronically. Provision may be made for a member of the public to monitor an open meeting of the Commission through electronic means, provided that the County will not be required to acquire any equipment, facilities or expertise which the County does not already possess in order to accommodate the request. Notwithstanding anything to the contrary in this Policy, with the exception of a public hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an electronic meeting.

6-6-3. Not less than 24 hour advance public notice, including the agenda, date, time, location, and a description of how the Commission Members will be connected to the electronic meeting, will be given for each electronic meeting of the Commission by posting a written notice at the principal office of the County, or at the building where the meeting is to be held, and providing written or electronic notice to at least one newspaper of general circulation in the County, and by posting the notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701. In addition, the notice must be provided to all Commission Members at least 24 hours before the meeting. These notice requirements are minimum requirements and are not to be construed as precluding such additional postings and notifications as may be directed by the Commission.

6-6-4. The Chair, or the Vice-Chair in the Chair's absence, may determine, based upon budget or logistical considerations, that it is not in the best interest of the County to hold an electronic meeting, in which event the meeting will not be held as an electronic meeting. The Chair, or the Vice-Chair in the Chair's absence, may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. The request from a member of the public to participate in a meeting electronically may be denied by the Chair, or Vice-Chair in the Chair's absence, based on budget, public policy, or logistical considerations deemed sufficient by the Chair or Vice-Chair.

6-6-5. No action may be taken and no business may be conducted at a meeting of the Commission unless a quorum, consisting of a simple majority of the members of the Commission, is present. A Commission Member who is not physically present may nevertheless participate in the meeting through electronic means and be counted toward

the required quorum in accordance with Utah Code Ann. § 52-4-207. Any Commission Member participating via electronic means may make, second, and vote on all motions and participate in the discussion as though present.

Article 7 - Order of Business

7-1. The order of business for a Regular Meeting shall be:

7-1-1. Call to Order by the Chair

7-1-2. Roll call by the Secretary

7-1-2-1. Determination of a quorum

7-1-3. Approval of agenda

7-1-4. Approval of minutes

7-1-5. Report of the Secretary

7-1-6. Consent Agenda

7-1-9. Agenda Items

7-1-9-1. Public Comment

7-1-9-2. Public Hearings

7-1-10. Report of Special Committees

7-1-11. Liaison Reports

7-1-12. Zoning Administrator's Report

7-1-13. Adjournment

7-2. The Zoning Administrator is authorized to prepare for each meeting a consent agenda for consideration by the Commission. The consent agenda may include any item believed by the Zoning Administrator to meet all required ordinances, be routine, and not controversial in nature.

7-2-1. A single motion and vote in favor thereof shall approve all items on the consent agenda.

7-2-2. Any member of the Commission may request to have any item removed from the consent agenda. Such request need not be seconded. Such item shall then be taken up for discussion by the Commission as a regular agenda item.

7-3. Public Comment portion of the meeting will be limited to 30 minutes for each agenda item unless otherwise specified by the Chair.

7-3-1. The agent for the agenda item will be limited to a 5-minute period of open discussion, with additional time allowed to respond to questions of the Planning Commission.

7-3-2. Individual speakers from the public will be limited to 3 minutes each unless prior approval is obtained from the Chair.

Article 8 – Communication and Correspondence

8-1. To ensure that the decision-making process is fair and impartial, the Planning Commission is to abide by certain standards regarding "ex parte" communication on cases under review.

8-1-1. Ex parte communication is defined as "oral or written, off-the record communication made to or by commissioners or commission decision-making personnel, without notice to parties, that is directed to the merits or outcome of an on-the-record proceeding."

8-1-2. If prohibited ex parte communication is attempted, the Commissioner involved should first attempt to stop the party from engaging in prohibited behavior, then document the attempt and notify the Secretary. The Secretary will then enter a statement into the public file and make copies of the statement available to other parties in the case.

8-2. If the Planning Commission and/or a Commissioner determines that there is a conflict of interest on an agenda item, that Planning Commissioner shall not participate in the discussion or action on that agenda item. In such event, the Planning Commissioner shall seat themselves in the audience or leave the room. For purposes of determining the existence of a quorum, that Commissioner shall not be counted.

8-3. It shall be the duty of the Secretary to communicate by telephone or other means when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

8-4. All official papers and plans involving the authority of the Commission shall bear the signature of the Chair or Vice-Chair.

Article 9 - Amendments

9-1. These by-laws may be changed by a recorded two-thirds (2/3) vote of the entire Planning Commission and approval by the County Council.