****AMENDED** AGENDA**
EASTERN SUMMIT COUNTY PLANNING COMMISSION
Thursday, August 3, 2023

NOTICE is hereby given that the Eastern Summit County Planning Commission
will meet in regular session
on Thursday, August 3, 2023
at the anchor location of
Summit County Services Building-Auditorium
110 N Main Street
Kamas, UT 84036

You may attend in person or Join Zoom webinar:
https://summitcountyut.zoom.us/j/99249026124 OR
To listen by phone only:
Dial 1-301-715-8592, or 1-253-215-8782,
Webinar ID: 992 4902 6124
Agenda items may or may not be discussed in the order listed.

6:00 P.M. Regular Session

1. Public input for items not on the agenda or pending applications.
2. ******Update from the Communication Team. **** moved to a later date.**
3. Approval of Minutes: July 20, 2023.
   ESCPC Draft Minutes 7.20.23.pdf

Work Session

1. Work session to get input on proposed engineering code amendments to titles 7, 9, 10, 11,12 to establish a clear, unified set of technical standards.
   Steve Dennis, Summit County Engineering.
   Eastern Staff Report_Engineering Code_8-3-2023.pdf

Commission Items
Director Items
Adjourn

To view staff reports available at the end of the Friday before the meeting please visit www.summitcounty.org

Individuals needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Vicki Geary, Summit County Community Development Department at (435) 336-3123.

Posted: July 28, 2023, AMENDED – July 25, 2023
Published: July 26, 2023 – *Summit County News*

Staff Report

EASTERN SUMMIT COUNTY PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	August 3, 2023
SUBMITTED BY:	Vicki Geary, Planning
ITEM TYPE:	Comment
AGENDA SECTION:	6:00 P.M. Regular Session
SUBJECT:	1. Public input for items not on the agenda or pending applications.
SUGGESTED ACTION:	
ESTIMATED TIME:	20 min
INTRODUCTION:	
BACKGROUND:	
CONCLUSION:	
ATTACHMENTS:	

Staff Report

EASTERN SUMMIT COUNTY PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	August 3, 2023
SUBMITTED BY:	Vicki Geary, Planning
ITEM TYPE:	Comment
AGENDA SECTION:	6:00 P.M. Regular Session
SUBJECT:	2. **Update from the Communication Team.** **moved to a later date.**
SUGGESTED ACTION:	
ESTIMATED TIME:	20 min
INTRODUCTION:	
BACKGROUND:	
CONCLUSION:	
ATTACHMENTS:	

Staff Report

EASTERN SUMMIT COUNTY PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	August 3, 2023
SUBMITTED BY:	Vicki Geary, Planning
ITEM TYPE:	Approval
AGENDA SECTION:	6:00 P.M. Regular Session
SUBJECT:	3. Approval of Minutes: July 20, 2023.
SUGGESTED ACTION:	
ESTIMATED TIME:	20 min

INTRODUCTION:

BACKGROUND:

CONCLUSION:

ATTACHMENTS:
ESCPC Draft Minutes 7.20.23.pdf

MINUTES

SUMMIT COUNTY
Eastern Summit County Planning Commission
SUMMIT COUNTY COURTHOUSE
60 N MAIN ST, COALVILLE, UT, 84017
THURSDAY, JULY 20, 2023

Meeting also conducted via Zoom.

Welcome/Attendance

Rich Sonntag
Clinton Benson
Alex Peterson
Don Sargent
Marion Wheaton
Pat Putt
Peter Barnes
Jennifer Strader
Ray Milliner
Jessika O'Brien
Ron Boyer
Brian Craven

Regular Session (6:01 P.M.)

Public input for items not on the agenda or pending applications.

Chair Sonntag opened the meeting for public input. (6:01 P.M.)
No public input was offered.
Chair Sonntag closed the meeting for public input. (6:01 P.M.)

Public Hearing and recommendation regarding amendments to the Moderate-Income Housing Element of the Eastern Summit County General Plan. *Jennifer Strader, Senior County Planner* (6:01 P.M.)

Jennifer Strader, Senior Planner, provided information regarding the amendments to the Moderate-Income Housing Element of the Eastern Summit County General Plan.
Commissioners asked questions. Ms. Strader responded.

Chair Sonntag opened the meeting for public input. (6:06 P.M.)
No public input was given.
Chair Sonntag closed the meeting for public input. (6:06 P.M.)

Alex Peterson made a motion to forward a positive recommendation to the Summit County Council regarding the amendments to the Moderate-Income Housing Element of the Eastern Summit County General Plan according to the findings of fact and conclusions of law listed within the Staff Report. Rich Sonntag seconded, and all voted in favor, (5-0).

Attachment: 7.20.23 ESCPC PH Staff Report.pdf

Public hearing and action regarding amendments to Chapter 11-6 General Regulations, 11-3-16 Chart of Allowed and Permitted Uses and Appendix A: Definitions of the Eastern Summit County Development Code relating to Off-Site Parking Lots for Guest Ranch Uses. *Ray Milliner, Principal Planner* (6:07 P.M.)

Ray Milliner, Principal Planner, reviewed the language amendments to the Eastern Summit County Development Code relating to Off-Site Parking Lots for Guest Ranch Uses.
Commissioners asked clarifying questions. Mr. Milliner responded.

Chair Sonntag opened the meeting for public input. (6:12 P.M.)

Bob Sherry commented. (6:13 P.M.)

Chair Sonntag closed the meeting for public input. (6:13 P.M.)

Commissioners provided comments and asked questions. Mr. Milliner clarified.

Don Sargent made a motion to forward a positive recommendation to the Summit County Council regarding the amendments to Chapter 11-6 General Regulations, 11-3-16 Chart of Allowed and Permitted Uses and Appendix A: Definitions of the Eastern Summit County Development Code relating to Off-Site Parking Lots for Guest Ranch Uses according to the findings of fact and conclusions of law listed within the Staff Report including the additional amendment discussed. Alex Peterson seconded, and all voted in favor, (5-0).

Attachment: Public Hearing Report July 20, 2023 Parking Lots.pdf

Public hearing and action regarding amendments to Chapter 11-6 General Regulations, 11-3-16 Chart of Allowed and Permitted Uses and Appendix A: Definitions of the Eastern Summit County Development Code relating to Contractor's Yards. *Ray Milliner, Principal Planner* (6:15 P.M.)

Ray Milliner, Principal Planner, reviewed the language amendments to the Eastern Summit County Development Code relating to Contractor's Yards.

Commissioners provided feedback and asked questions. Mr. Milliner responded.

Chair Sonntag opened the meeting for public input. (6:21 P.M.)

Steve Luczak commented. (6:21 P.M.)
Mr. Milliner responded to the questions.

Chair Sonntag closed the meeting for public input. (6:27 P.M.)

Commissioners asked questions and discussed the language amendments. Mr. Milliner responded to the questions.

Rich Sonntag made a motion to forward a positive recommendation to the Summit County Council regarding the amendments to Chapter 11-6 General Regulations, 11-3-16 Chart of Allowed and Permitted Uses and Appendix A: Definitions of the Eastern Summit County Development Code relating to Contractor's Yards according to the findings of fact and conclusions of law listed within the Staff Report including the additional amendments discussed. Marion Wheaton seconded, and all voted in favor, (5-0).

Attachment: Staff Report July 20, 2023 Contractor Yards.pdf

Approval of Minutes: June 15, 2023 (6:32 P.M.)

Alex Peterson made a motion to approve Minutes dated June 15, 2023. Rich Sonntag seconded, and all voted in favor, (5-0).

Attachment: ESCPC Draft Minutes 6.15.23.pdf

Director Items (6:32 PM.)

Pat Putt, Community Development Director, provided a preview of upcoming meetings and agenda items.

Commission Items (6:35 P.M.)

No Commission items were given.

Adjourn (6:35 P.M.)

Alex Peterson made a motion to adjourn. Rich Sonntag seconded, and all voted in favor, (5-0).

Staff Report

EASTERN SUMMIT COUNTY PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	August 3, 2023
SUBMITTED BY:	Vicki Geary, Planning
ITEM TYPE:	Comment
AGENDA SECTION:	Work Session
SUBJECT:	1. Work session to get input on proposed engineering code amendments to titles 7, 9, 10, 11,12 to establish a clear, unified set of technical standards. *Steve Dennis, Summit County Engineering.*
SUGGESTED ACTION:	
ESTIMATED TIME:	20 min

INTRODUCTION:

BACKGROUND:

CONCLUSION:

ATTACHMENTS:

Eastern Staff Report_Engineering Code_8-3-2023.pdf

County Engineer

Michael L. Kendell, P.E.

STAFF REPORT

To: Eastern Summit County Planning Commission
From: Steve Dennis, Engineer
Date of Report: July 19, 2023
Date of Meeting: August 3, 2023
Subject: Work Session - Engineering Code Amendment

Background

In 2018, the current engineering code was adopted and continues to govern today. Over the past year, Staff has prepared a comprehensive amendment to clarify the technical requirements and create alignment with other service provider standards (e.g. fire district standards and applicable codes). Additionally, the proposed amendment will establish a unified set of technical standards for Summit County and improve equity in the engineering review process.

Discission

Staff recognizes this is the first time that draft language has been presented to the Planning Commission and would like to invite the Commission to ask questions and provide comments on the language before Staff comes back for a recommendation to Council.

I appreciate the Planning Commission's time and look forward to hearing any concerns with the draft language so they can be considered in the proposed amendment.

Attachments

Attachment A: Draft Language (with track changes)
Attachment B: Draft Language (clean)

60 North Main, P.O.Box 128, Coalville, UT 84017
Coalville (435) 336-3250 · Kamas (435) 783-4351 ext. 3250 · Park City (435) 615-3250
Fax (435) 336-3043

Attachment A

TITLE 7
PUBLIC WAYS AND PROPERTY

CHAPTER 2
EXCAVATION, GRADING AND FILLING ON PRIVATE PROPERTY

SECTION:

7-2-1: ~~PERMIT REQUIRED:~~ADOPTED ENGINEERING STANDARDS:

The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

~~A. It shall be unlawful for any person, firm, public utility or corporation to place, make, enlarge or change any excavation, regrade existing contours or place fill on private property without complying with the provisions of this chapter and obtaining a permit as provided for herein.~~

~~B. It shall be unlawful, and punishable as provided for herein, to make any excavation or to place any fill on private property not described in the approved permit application or which exceeds in size the dimensions or which does not conform to the conditions described in said application.~~

~~C. Whenever the county engineer determines that any existing excavation, embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the county engineer, shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this chapter. (Ord. 315-C, 5-27-2009)~~

~~7-2-2: EMERGENCY CONDITIONS:~~

~~Emergency excavations, grading or placement of fill may be made without prior permit approval if the reason for the excavation or grading or placement fill is to prevent loss of life or damage to property which appears to be imminent, if the action is delayed by waiting to secure said permits. In such emergency situations, those making the excavation, grading or placement of fill must~~

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~~contact the county engineer's office at the earliest possible time, but in no case later than the first working day following the emergency work in order to secure a formal permit. None of the provisions of these specifications are waived for emergency situations except for the prior permit requirement. (Ord. 315-C, 5-27-2009)~~

~~7-2-3: APPLICATIONS:~~
~~Applications shall be made by the owner of the property, their agents or assigns, on which the work is being done. Applications for all permits shall be made to the county engineer's office on forms provided and shall describe the:~~

- ~~A. Excavation, grading, or placement of fill.~~
- ~~B. Site plan of the intended excavation, fill and/or grading.~~
- ~~C. Site plan containing pertinent dimensions thereof.~~
- ~~D. Purpose thereof.~~

~~List the person, firm, public utility, or corporation doing the actual work and the name of the person, firm, public utility, or corporation for whom or by which the work is being done.~~

~~The application shall contain an agreement that the applicant will comply with all ordinances and laws of Summit County and the state of Utah relating to the work to be done. The application shall also provide for an agreement that the applicant shall indemnify the county for any loss, liability, or damage that may result from or because of the making, placement, existence or manner of guarding or constructing any such excavation, grading, or placement of fill.~~

~~No application shall be accepted when the intended work is for, or includes the excavation or construction of a footing or foundation for a structure regulated by the Summit County building department, or for underground utilities requiring a low impact permit from the Summit County community development department. (Ord. 315-C, 5-27-2009)~~

~~7-2-4: PERMITS:~~
~~All permits issued pursuant to this chapter shall be valid for a period of one hundred eighty (180) days. A copy of the permit issued shall be posted on the property in a location that is visible from the adjacent street and be available at all times when work is under way. (Ord. 315-C, 5-27-2009)~~

~~7-2-5: EXEMPTIONS:~~
~~The following activities are exempt from obtaining a permit and from the requirements of this chapter:~~

- ~~A. Actions by a public agency or utility, the county, or other governmental agency, to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic.~~
- ~~B. Action by any person when the county determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic.~~
- ~~C. Bona fide agricultural and farming operations which constitute the principal use of any parcel or tract of land located in the county and which meet the requirements of the~~

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zoning for that portion of the county in which the operation is located. (Ord. 315-C, 5-27-2009)

7-2-6: FEES:
A review fee, in the current amount as set by resolution of the county council, shall accompany each application for a permit. Fees must accompany the application. (Ord. 315-C, 5-27-2009)

7-2-7: COMPLETION BOND:
Applicants shall file a completion bond with the county engineer in the amount as set by resolution of the county council at the time the permit is approved. This may be cash, a letter of credit from an FDIC insured financial institution, or a corporate surety bond. The bond shall be valid until all work shown in the permit is completed to guarantee that the conditions of any permit, together with any restoration work, is completed properly. The bond will be released upon recommendation of the county engineer. (Ord. 315-C, 5-27-2009)

7-2-8: SUPERVISION AND INSPECTION:
The county engineer shall from time to time inspect all work done pursuant to permits to ensure the enforcement of the provisions of this chapter. Notification shall be given to the county engineer at least twenty four (24) hours prior to the commencement of any work. The completion bond shall not be released without an inspection made to determine satisfaction of all applicable provisions of this chapter. (Ord. 315-C, 5-27-2009)

7-2-9: APPEALS:
An applicant whose application has been denied or approved with conditions, may appeal the denied or imposed conditions to the county council. A notice of appeal must be filed with the county engineer's office within ten (10) days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;
B. A statement describing the basis for the appeal; and
C. The relief sought by the applicant.

The appeal shall be scheduled on the next available council meeting. (Ord. 315-C, 5-27-2009)

7-2-10: FAILURE TO COMPLY:
In the event of failure on the part of any person, firm, public utility or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

A. Initiate criminal action by citation or information under section 7-2-11 of this chapter and/or proceed to forfeit bond; or
B. Remove such installation from the right of way or require such person, firm or corporation to remove the same; or
C. Give written notice to such person, firm, public utility or corporation to restore the property to its original condition. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the restoration work is not implemented or restored within ten (10) days after the notice is

Attachment A

complete, said authorities may implement the restoration at the expense of the person, firm or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the property is not restored after notice was complete, in an action for that purpose; or

D. If such person, firm, public utility or corporation refuses to restore the property, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after notice was given for its implementation in the manner provided in subsection C of this section 1 . (Ord. 315-C, 5-27-2009)

Notes

1 1. UCA 27-12-135.

7-2-11: PENALTY:

A. Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00) per day, or a jail term of up to ninety (90) days, or by both such fine and jail term.

B. Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah or the federal government.

C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this chapter, the county shall have the right to issue a stop work order on the entire construction site, and/or take measures to restore the property to its original condition and to implement any measures necessary to bring the property into compliance with all local, state or federal requirements required by this chapter. The county shall have the right to have such work completed and/or maintained by county personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such violation. The county may assess said expenses against the bond posted by the permittee or to lien the property for such expenses.

D. It is unlawful for any person, firm, public utility, public agency, or corporation to continue any further work on the construction site after a stop work order has been issued. A violation of a stop work order is punishable as a class C misdemeanor.

E. The county may also pursue civil remedies for a violation of this chapter. (Ord. 315-C, 5-27-2009)

7-2-12: SPECIFIC REQUIREMENTS:

Specific standards and requirements for the enforcement of this chapter, attached to the ordinance codified herein and on file in the county office as appendix A, are made a part of this chapter by reference. (Ord. 315-C, 5-27-2009)

CHAPTER 6
EXCAVATIONS, DRIVEWAYS, ENCROACHMENTS, AND STRUCTURES

SECTION:
7-6-1: Permits RequiredAdopted Engineering Standards

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~~7-6-2: Emergency Conditions~~
~~7-6-3: Winter Season~~
~~7-6-4: Applications~~
~~7-6-5: Permits~~
~~7-6-6: Fees~~
~~7-6-7: Completion Bond~~
~~7-6-8: Supervision And Inspection~~
~~7-6-9: Failure To Comply~~
~~7-6-10: Penalty~~
~~7-6-11: Specific Requirements~~

7-6-1: ~~PERMITS REQUIRED:~~ADOPTED ENGINEERING STANDARDS:
The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

~~A. It shall be unlawful for any person, firm, public utility or corporation to place, make, enlarge or change any excavation, driveway, encroachment or structure within the right of way for any county road without complying with the provisions of this chapter and obtaining a permit as provided for herein.~~

~~B. It shall be unlawful, and punishable as provided for herein, to make any excavation or to place any encroachment or structure in any county right of way not described in the approved permit application or which exceeds in size the dimensions or which does not conform to the conditions described in said application.~~

~~C. A permit shall not be required for the replacement of existing structures provided a similar structure is placed in the same location. (Ord. 181-D, 5-8-2000)~~

~~7-6-2: EMERGENCY CONDITIONS:~~
~~Emergency excavations and encroachments may be made without prior permit if the reason for the excavation or encroachment is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those making the excavation or encroachment must contact the county engineer's office at the earliest possible time, but in no case later than the first working day following the emergency work in order to secure a formal permit. None of the provisions of these specifications are waived for emergency situations except for the prior permit requirement. (Ord. 181-D, 5-8-2000)~~

~~7-6-3: WINTER SEASON:~~
~~No permits for road excavations or other excavations within five feet (5') of the edge of a county road shall be issued during the winter season except in emergency situations. For the purposes of this section, "winter season" begins October 15 each year and ends May 1 of the succeeding year. (Ord. 181-D, 5-8-2000)~~

~~7-6-4: APPLICATIONS:~~
~~Applications shall be made by the person, firm, public utility or corporation actually doing the work. Applications for all permits shall be made to the county engineer's office as provided and~~

Attachment A

~~shall describe the excavation or encroachment and shall have a drawing of the location of the intended excavation, encroachment or structure, the pertinent dimensions thereof, the purpose therefor, the person, firm, public utility, or corporation doing the actual work and the name of the person, firm, public utility, or corporation for whom or by which the work is being done and shall contain an agreement that the applicant will comply with all ordinances and laws of Summit County and the state of Utah relating to the work to be done. A traffic control plan, conforming to the "Manual Of Uniform Traffic Control Devices" (MUTCD) shall be submitted with all applications which involve excavations within the county road right of way. The application shall also provide for an agreement that the applicant shall indemnify the county for any loss, liability, or damage that may result from or because of the making, placement, existence, or manner of guarding or constructing any such excavation, encroachment or structure. (Ord. 181-D, 5-8-2000)~~

~~7-6-5: PERMITS:~~
~~All permits issued pursuant to this chapter shall be valid for a period of sixty (60) days except that no permit shall extend into the winter season as outlined in section 7-6-3 of this chapter. A copy of the permit issued shall be available at all times when work is under way. (Ord. 181-D, 5-8-2000)~~

~~7-6-6: FEES:~~
~~A review fee, in the current amount as set by resolution of the board of county commissioners, shall accompany each application for a permit. Fees must accompany the application unless other fee payment arrangements have been approved by the county engineer. (Ord. 181-D, 5-8-2000)~~

~~7-6-7: COMPLETION BOND:~~
~~Applicants shall file a completion bond with the county engineer in the amount as set by resolution of the board of county commissioners at the time the permit is approved. This may be cash, a letter of credit from an FDIC insured financial institution, or a corporate surety bond. The bond shall be valid for a period of two (2) years from the date of the construction inspection to guarantee that the conditions of any permit together with any restorative work is completed properly. The bond will be released upon recommendation of the county engineer and/or the county road inspector.~~

~~Applicants for permits may request permission from the board of county commissioners to secure a continual annual bond in lieu of separate bonds for each excavation. Applications for continual bonds shall be made before December 31 of each year and shall be valid for the next calendar year or as determined by the board of county commissioners.~~

~~Those public entities which are regulated by the state of Utah public service commission, the mountain regional water district and the Snyderville Basin sewer improvement district are exempt from the bonding requirements of this chapter, but shall still be required to obtain a road excavation permit prior to making excavation. (Ord. 181-D, 5-8-2000)~~

~~7-6-8: SUPERVISION AND INSPECTION:~~
~~The county engineer or road inspector shall from time to time inspect or cause to be inspected, all work done pursuant to permits to ensure the enforcement of the provisions of this chapter.~~

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~~Notification shall be given to the county engineer or road inspector at least twenty four (24) hours prior to the commencement of any work. The completion bond shall not be released without an inspection made to determine satisfaction of all applicable provisions of this chapter. Driveway encroachments require the following inspections to ensure compliance with the standards set out in this chapter:~~

- ~~A. Staking Inspection: A stake or marker shall be placed at each corner of the encroachment as it intersects the road or street, and at each intersection of the driveway as it crosses the right of way or easement line. The front property corners shall also be set and marked with stakes. This inspection is required prior to the encroachment permit being approved. The county engineer's office must receive at least twenty four (24) hours' notice prior to requested inspections.~~
- ~~B. Rough Grade Inspection: An inspection of the rough grade driveway is required prior to receiving a footing inspection by the building department. The driveway must be graded to a point that the inspector can determine compliance with this chapter and the development code. The footing elevation/garage floor elevation must be established prior to requesting an inspection. The county engineer's office must receive at least twenty four (24) hours' notice prior to requested inspections.~~
- ~~C. Presurfacing Inspection: An inspection of the driveway is required prior to surfacing (soft or hard) the driveway to determine compliance with this chapter and the development code. In no case can a certificate of occupancy be issued without the presurfacing inspection, and the driveway being in compliance with this chapter and the development code. (Ord. 181-D, 5-8-2000)~~

~~7-6-9: FAILURE TO COMPLY:~~

~~In the event of failure on the part of any person, firm, public utility, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:~~

- ~~A. Initiate action by citation or information under section 7-6-10 of this chapter and/or proceed to forfeit bond; or~~
- ~~B. Remove such installation from the right of way or require such person, firm, or corporation to remove the same; or~~
- ~~C. Give written notice to such person, firm, public utility, or corporation to remove such installation from the right of way. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, or corporation by registered mail and posting a copy thereof on such installation for a period of ten (10) days. If such installation is not removed within ten (10) days after the notice is complete, said authorities may remove the same at the expense of the person, firm, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the same remained within the right of way after notice was complete, in an action for that purpose; or~~
- ~~D. If such person, firm, public utility, or corporation disputes or denies the existence of such installation, or refuses to remove or permit its removal, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the costs of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained~~

Attachment A

~~within the right of way after notice was given for its removal in the manner provided in subsection C of this section 1 . (Ord. 181-D, 5-8-2000)~~

~~Notes~~

~~1 1. UCA 27-12-135.~~

~~7-6-10: PENALTY:~~

~~Any person who violates the provisions of this chapter is guilty of a class C misdemeanor. Each day a continuing violation occurs shall be deemed a separate offense. (Ord. 181-D, 5-8-2000)~~

~~7-6-11: SPECIFIC REQUIREMENTS:~~

~~Specific engineering standards and requirements for the enforcement of this chapter, attached to the ordinance codified herein and on file in the county office as appendices A, B, C, and D, are made a part of this chapter by reference. (Ord. 181-D, 5-8-2000)~~

CHAPTER 7

CONSTRUCTION ~~IMPACT~~ MITIGATION FOR ALL~~DEVELOPMENT~~ PROJECTS

SECTION:

7-7-1: ~~Requirements For Preparing A Construction Mitigation Plan~~Adopted Engineering Standards

~~7-7-2: Emergency Conditions~~

~~7-7-3: Applications~~

~~7-7-4: Construction Mitigation Plans~~

~~7-7-5: Exemptions~~

~~7-7-6: Fees~~

~~7-7-7: Supervision And Inspection~~

~~7-7-8: Appeals~~

~~7-7-9: Failure To Comply~~

~~7-7-10: Penalty~~

~~7-7-11: Specific Requirements~~

7-7-1: ~~REQUIREMENTS FOR PREPARING A CONSTRUCTION MITIGATION PLAN:~~ADOPTED ENGINEERING STANDARDS:

The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

~~It shall be unlawful and punishable as a class C misdemeanor for any person, firm, public utility, public agency, corporation, or other type of entity, to engage in any construction activity without complying with the provisions of this chapter and preparing for approval by the county, a construction mitigation plan, hereinafter referred to as "CMP". It shall also be unlawful for any person hiring or directing another person, firm, entity, or corporation to perform the work without complying with the provisions of this chapter. (Ord. 714, 6-10-2009)~~

~~7-7-2: EMERGENCY CONDITIONS:~~

Attachment A

~~Emergency construction activity may be started without obtaining an approved CMP from the county if the reason for the construction activity is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to receive approval of a CMP. In such emergency situations, those performing the work must contact the county engineer's office at the earliest possible time, but in no case later than the first working day following the emergency work. None of the provisions of this chapter are waived for emergency situations except for the requirement of obtaining an approved CMP in advance. (Ord. 714, 6-10-2009)~~

~~7-7-3: APPLICATIONS:~~
~~The CMP shall be executed by the owner or agents or assigns of the owner of the property on which the work is being done. In the case of work within a public right of way, the CMP shall be executed by an authorized officer of the firm, public utility, public agency or corporation actually doing the work. In the case of work within a private road or private road right of way, the CMP shall be executed by an authorized officer of the association responsible for the maintenance of the road. (Ord. 714, 6-10-2009)~~

~~7-7-4: CONSTRUCTION MITIGATION PLANS:~~
~~All CMPs approved pursuant to this chapter shall be valid for a period not to exceed the permit issued in conjunction with the CMP. A copy of the CMP shall be available on site at all times when work is under way. (Ord. 714, 6-10-2009)~~

~~7-7-5: EXEMPTIONS:~~
~~The following activities are exempt from the requirements of this chapter:~~

- ~~A. Actions by a public agency or utility, the county or other governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;~~
- ~~B. Actions by any person when the county determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic; and~~
- ~~C. Bona fide agricultural and farming operations which constitute the principal use of any parcel or tract of ground located in the county. (Ord. 714, 6-10-2009)~~

~~7-7-6: FEES:~~
~~A review fee and inspection fee, in the current amount as set by resolution of the county council, shall accompany each CMP for approval. Fees must accompany the initial draft of the CMP. (Ord. 714, 6-10-2009)~~

~~7-7-7: SUPERVISION AND INSPECTION:~~
~~The county engineer or the community development director shall from time to time inspect or cause to be inspected, all work done pursuant to permits to ensure the enforcement of the provisions of this chapter. The applicant shall implement all recommendations of the inspector, to correct any construction impact not being mitigated per the approved CMP, or any impact not addressed or contemplated in the approved CMP. (Ord. 714, 6-10-2009)~~

~~7-7-8: APPEALS:~~

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An applicant submitting a CMP, whose application has been denied or approved with conditions, may appeal the denied or imposed conditions to the county council. A notice of appeal must be filed with the office of the county engineer or community development department within ten (10) days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;
B. A statement describing the basis for the appeal; and
C. The relief sought by the applicant.

The appeal shall be scheduled on the next available county council meeting. (Ord. 714, 6-10-2009)

7-7-9: FAILURE TO COMPLY:

In the event of failure on the part of any person, firm, public utility, entity, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

A. Initiate criminal action by citation or information under section 7-7-10 of this chapter and/or proceed to forfeit bond; or
B. Proceed to forfeit bond; or
C. Give written notice to such person, firm, public utility, entity, or corporation to restore the CMP. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, entity, or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the CMP is not implemented or restored within ten (10) days after the notice is complete, said authorities may implement the CMP at the expense of the person, firm, entity, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the CMP was not in effective operation after notice was complete, in an action for that purpose; or
D. If such person, firm, public utility, entity, or corporation refuses to implement a CMP, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after written notice prescribed in subsection C of this section. (Ord. 714, 6-10-2009)

7-7-10: PENALTY:

A. Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00) per day, or a jail term of up to ninety (90) days, or by both such fine and jail term.
B. Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah, or the federal government.
C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this chapter, Summit County shall have the right to issue a stop work order on the entire construction site, and/or install or maintain appropriate CMP measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this chapter.

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Summit County shall have the right to have such measures installed and maintained by county personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The county may assess said expenses against the bond posted by the permittee.

D. It is unlawful for any person, firm, public utility, public agency, entity, or corporation to continue any further work on the construction site after a stop work order has been issued. A violation of a stop work order is punishable as a class C misdemeanor.

E. Summit County may also pursue civil remedies for violations of this chapter. (Ord. 714, 6-10-2009)

7-7-11: SPECIFIC REQUIREMENTS:

Specific standards and requirements for the enforcement of this chapter are as follows:

A. General:

1. Purpose: The purpose of this section is to provide a construction mitigation plan (CMP) instruction manual. The manual is designed to provide a consistent policy under which certain physical aspects of construction mitigation will be implemented to minimize project impacts to the public. The elements contained in this document are related to the development process, however, it is intended that they apply to both public and private work designated herein.

These standards cannot anticipate all situations. They are intended to assist, but not be a substitute for competent work by design and construction professionals. All construction management practices must be consistent with all development project and construction "permit" approvals. It is not the intent to limit any innovative or creative efforts that could result in better quality, greater cost savings, or both. Any proposed departure from the manual will be judged on the likelihood that such variance will produce a comparable result, adequate for the user and county resident over the duration of the improvement/project.

If the project changes ownership or contracting services change, the county engineer and community development department must be notified and an amended CMP submitted and signed by the new owner/contractor. Any other departures from the approved CMP must be submitted in writing and approved by the county engineer and community development department. The approved CMP must be kept on site.

2. Applicability: This chapter applies to all development projects and construction projects requiring a development, construction or building permit from the county and which is within the limits specified in table 1 of this subsection. All such projects must submit a construction management plan in accordance with these instructions prior to project approval or permit issuance.

TABLE 1

Category Of Work	Parcels Less Than 1/2 Acre	Parcels Between 1/2 And 1 Acre	Parcels Greater Than 1 Acre
On site excavation	500 cu. yds.	750 cu. yds.	1,000 cu. yds.
Imported fill	100 cu. yds.	250 cu. yds.	500 cu. yds.

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Area of disturbance	Up to 0.5 acre	Up to 1 acre	Over 1 acre
Size of commercial and residential additions and/or renovations	Over 1,000 sq. ft.	Over 1,500 sq. ft.	Over 2,000 sq. ft.
New commercial and multi-family construction	All	All	All
New residential construction	All	All	All

3. Definitions And Terms:

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.

CODE ENFORCEMENT OFFICER: Enforces this code and his/her duties include assisting with the CMP implementation and may include building and public works inspectors.

COMMERCIAL: An enterprise or use that is carried on for profit by the owner, lessee or licensee.

CONSTRUCTION MITIGATION OFFICER: A designated employee of the county whose charge is to ensure that all aspects of a CMP are followed, and to further ensure that the impacts associated with construction activities within the county are effectively managed and impacts associated with those projects are the least necessary to accomplish the project.

CONSTRUCTION MITIGATION PLAN ("CMP"): A combination of diagrams, documents, drawings, and specifications that clearly define the steps that will be taken to demonstrate how the construction impacts to the community and the environment will be minimized and managed.

COUNTY: Summit County, a political subdivision of the state of Utah.

DISTURBANCE AREA: A portion of land where vegetation, topsoil or other native soils have been removed for purposes of construction or development.

FINAL STABILIZATION: Uniform vegetative cover that has been established with a density of at least seventy percent (70%) of predisturbed levels.

MULTI-FAMILY RESIDENTIAL: Building or structure intended as a dwelling for three (3) or more units.

RESIDENTIAL: Building or structure intended as a dwelling for less than three (3) units.

SITE PLAN: A drawing that depicts the existing and future condition of the parcel or property, including, but not limited to, topography, drainage, floodplains, wetlands, waterways, roads or accesses, and structures.

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4. References: (Found on the Summit County website http://www.co.summit.ut.us/, or as otherwise shown.)
    a. Summit County code.
    b. Eastern Summit County development code.
    c. Snyderville Basin development code.
    d. Summit County ordinance 181-D (county right of way, excavation and encroachments).
    e. Summit County code title 7, chapter 2 (grading on private property).
    f. Summit County code title 5, chapter 3 (noise).
    g. Summit County code title 9, chapter 3 (stormwater management).
    h. Summit County code title 4, chapter 5 (illicit discharge).
    i. "Manual On Uniform Traffic Control Devices For Streets And Highways", current edition (http://mutcd.fhwa.dot.gov/kno_2003.htm).

B. Project Description:

1. Description: The CMP shall include a brief overview of the construction project including background information, proposed development type, and general project information. The CMP shall also describe any possible adverse effects to the public, such as interruptions to utilities, traffic impacts or impacts to the general environment.
2. Project Location: A project vicinity map shall be included in the CMP. The map should accurately depict general project location. The approved project site plan shall be considered a part of the CMP. The relevant parts of the CMP shall be included on the site plan.
3. Disturbance Area: The project site plan shall graphically describe the limits of disturbance and include a summary of the project disturbance area (shown by construction phase). Soil disturbance shall be kept to a minimum. Construction staging and phasing shall occur, where applicable, to minimize soil disturbance time. All disturbed areas shall be revegetated as soon as possible, see title 9, chapter 3 of this code for requirements.

C. Project Documentation:

1. Permits: The contractor shall maintain all applicable local, state and federal licenses and permits that apply to the construction project. Applicant shall provide a list of all related permits both applied for and received.
2. Public Notification: For all nonresidential projects exceeding the limits set forth in table 1 of this section, the contractor shall develop a neighborhood notification plan. Public notification shall be sent to or delivered to all property owners within one thousand feet (1,000') of the proposed project. The notice shall address project phasing, schedule, traffic and/or pedestrian concerns, and hauling/staging operations. Neighborhood notifications shall take place periodically, throughout the duration of the project, in the event that there are any changes to the CMP, or as may be required by the county. The neighborhood notification shall contain the following information:
    a. Project name and address.

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b. Name, address and phone number of the project supervisor/manager responsible for the project. Include name and phone number of the party to call in case of an emergency if different than project supervisor/manager.
c. Project description (a brief summary).
d. Anticipated schedule, including beginning and completion dates.
e. Project phasing, if applicable.
f. Traffic/pedestrian and staging impacts.

For all nonresidential projects that require a CMP, or if otherwise requested by the county, a preconstruction meeting shall occur. The purpose of the meeting is to discuss the project CMP. The developer, project engineer, contractor and applicable subcontractors shall be required to attend the meeting.

3. Project Information Sign: For all nonresidential projects exceeding the limits set forth in table 1 of this section, and if the anticipated project duration will be greater than thirty (30) days, a project sign shall be constructed and posted on the project site and include:
   a. Project name and address.
   b. Building permit number or development permit number.
   c. Name, address and phone number of the general contractor.
   d. Name, address and phone number of the project supervisor/manager responsible for the project.
   e. Name and phone number of the party to call in case of an emergency.

   The sign shall be posted on the subject property, in a location outside the street right of way, where the sign is readable from the street. The proposed sign location shall be shown on the project site plan. The sign shall not exceed twenty (20) square feet in size and six feet (6') in total height. The sign must be legible from the street, however, the lettering shall not exceed six inches (6") in height.

4. Contact Designation: The plan shall have a contact list with associated phone numbers located at the front of the document. The list will include, but not be limited to: the owner, contractor, designated overall site supervisor, a safety supervisor, a traffic control supervisor, and an erosion control supervisor. Other information shall include applicable county phone numbers, fire department, sheriff's department, Park City transit (if project affects bus stops or routes), school district, Blue Stake Center, and all applicable utility company contact information. The contact list should also include hospital contact information and the emergency 911 reminder.

D. Project Implementation:
1. Dates Of Construction: An anticipated project schedule, including dates, shall be specified in the CMP and include all project phasing, with itemized project details and specific item completion dates.

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2. Hours Of Construction: Construction hours shall be limited to seven o'clock (7:00) A.M. to nine o'clock (9:00) P.M. Monday through Saturday and nine o'clock (9:00) A.M. to nine o'clock (9:00) P.M. on Sundays.

3. Adjoining Properties: No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations.

Any work being performed within the county right of way shall comply with this code.

4. Project Fencing: To the extent that a building or development envelope is designated on a recorded subdivision plat, the building or development envelope shall be staked on the ground prior to any construction activity. The corners of the building or development envelope shall be staked with a four foot (4') steel fence post. Appropriate construction fencing shall be installed around the perimeter of the building or development envelope. Fencing shall remain in place until the certificate of occupancy is issued, and/or the site is fully revegetated or otherwise permanently stabilized.

Road construction or reconstruction projects shall not be required to install construction fencing around the perimeter of the project, however appropriate sediment control measures shall be installed and all areas of disturbance shall be revegetated as soon as possible. Any staging area established during the course of a road construction project shall be appropriately fenced as described above.

5. Natural Environment: Project construction shall be designed to minimize impacts to the natural environment. All riparian and wetland areas shall be identified on the site plan which is part of the CMP, and the CMP shall identify the measures proposed to be taken to protect such riparian and wetland areas. All required protection measures shall be in place prior to the commencement of any construction or demolition activities.

The proposed CMP shall be consistent with all land use approvals and the desired character of existing land use in the surrounding area, including, but not limited to, land form, slope, plant materials and berming.

E. Parking Management:

1. Emergency Vehicle Access: The contractor shall maintain continuous emergency vehicle access, on and around the project site, including, but not limited to, police, fire, ambulance and snowplow services.

2. Construction Parking Details: Except where on street parking is specifically approved by a development agreement and is so designated on an approved site plan or subdivision plat, there is no parking allowed on county roads or within the county right of way from November 15 through April 15. From April 16 through November 14, vehicles shall not be parked in such a manner as to obstruct the

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flow of traffic. Two-way traffic shall be maintained at all times unless an approved lane/road closure permit is obtained from the county engineer. If a lane/road closure is anticipated for any phase of construction, a traffic control plan shall be submitted in the CMP. These parking requirements shall be noted in the CMP.

Realistic and sufficient on site parking locations shall be designated and made continually available for all craftsmen, laborers, subcontractors, and contractors involved in the construction process. The county encourages use of public transportation, vanpooling and careful staging of subcontractors as a means to eliminate impacts of the project construction upon the public and private streets.

3. Staging Areas: The CMP shall specify construction staging area locations. All staging must occur within the approved development envelope(s). On site staging areas shall be shown on the project site plan. The CMP shall address delivery and construction vehicle staging for the duration of the project. The staging plan shall estimate the number of truckloads, number of heavy equipment deliveries, etc., expected and their timing and duration for each stage of the project. Deliveries and heavy equipment that may negatively impact public or private streets shall be subject to timing management and traffic directing personnel.

   County personnel may limit project staging locations, number of trucks, and duration of operations depending on project location, site surroundings and negative impact upon the community.

   The CMP shall include the staging location of any cranes, concrete pump trucks or other equipment. All applicable county right of way permits for the staging of cranes, concrete pump trucks or other equipment in the right of way, however temporary they might be, shall be obtained from the county engineer's office prior to arriving on the project site.

4. Construction Trailer, Materials Storage, And Waste Management: Construction trailers, job materials storage, portable/temporary restrooms, concrete wash-out area(s), and waste management and recycling container locations shall be clearly designated on the project site plan. All construction related equipment must remain within any designated building envelope.

   All nonresidential construction sites are required to have a recycling plan and shall have recycling receptacles for cans, bottles, and also for cardboard and other recyclable materials per the approved recycling plan. All construction sites are required to have a separate dumpster/receptacle for all "municipal garbage" and nonrecyclable items intended for the landfill. All construction waste and recycling containers shall be adequately covered at all times until transferred to the landfill or recycling center. The applicant shall prevent any accumulated debris, litter, or trash on any construction site or to allow the same to blow or scatter onto

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adjoining properties. The CMP shall specify a minimum interval for general site cleanup.

Recycle Utah has a recycling bin lease program that may be utilized for construction projects. For details, contact Recycle Utah, or visit http://www.recycleutah.org/lend-a-bin_program.html.

F. Traffic Control:

1. General: All traffic control operations shall be governed by the most current edition of the "Manual On Uniform Traffic Control Devices For Streets And Highways" (MUTCD) and managed by the designated traffic control supervisor. Traffic control personnel shall wear clothing designating them as traffic control, per the MUTCD, and shall be able to successfully converse with the public.

2. Haul Routes: The CMP shall specify all public or private streets which may pose a potential challenge to the delivery of materials and/or equipment and which would have an impact on normal traffic flow. The CMP shall identify how these challenges will be mitigated.

3. Vehicle Limitations: Maximum vehicle weights and sizes shall be specified in the CMP and be in compliance with Utah state law (may reference the Utah motor carriers website at http://www.utahmc.com/trucking_guide/) and as may be otherwise restricted by this code.

4. Delivery Requirements: The CMP shall address the maximum number of delivery vehicles on site at any one time, along with the hours the deliveries will occur, staging locations, and any exceptions to the delivery schedule. The CMP shall address any traffic management challenges related to building material deliveries, such as multiple deliveries of concrete, earth, aggregate, lumber, etc.

5. Traffic Control Plan: When applicable, or when required by the county engineer, a complete traffic control plan (TCP) shall be submitted as part of the CMP. The TCP shall be completed by a certified traffic control supervisor and must conform to the most current edition of the "Manual On Uniform Traffic Control Devices For Streets And Highways" (MUTCD).

G. Pedestrian Protection:

1. General: The CMP shall address pedestrian safety utilizing the MUTCD (chapter 6D), the Americans with disabilities act, and IBC chapter 33. If the proposed development is affecting open space and/or public trails, the appropriate agencies shall be notified and all required signage shall be installed.

H. Sediment And Erosion Control:

1. Sediment And Erosion Control Plan: A stormwater pollution prevention plan (SWP3) and erosion control plan (ECP) must be submitted with all projects involving the disturbance of existing soils or vegetation. The SWP3 and/or ECP

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must be maintained until revegetation surface coverage is at least seventy percent (70%) of predisturbance levels, or until permanent physical erosion reduction methods have been employed. If the area of disturbance is equal to or greater than one acre a Utah state stormwater permit (SWMP) is required.

I. Sanitary Facilities:

1. Sanitary Facility Plan: Portable toilets shall be provided during construction. The toilets will be located outside the adjacent road right of way in a manner that will prevent tipping. The toilets will comply with OSHA standards and regulations for the construction usage demand for the site. A licensed sanitary contractor will provide regular servicing of the portable toilets. All spills will be cleaned up and removed from the site by a licensed sanitary contractor. Portable toilets will be available on site until there is no longer a construction demand for them.

J. Fugitive Dust Control:

1. Fugitive Dust Control Plan: If the project has the potential to degrade air quality or to create a nuisance for adjacent properties or roadways as a result of blowing dust, a dust control plan shall be included in the CMP. In addition, certain activities are regulated by the Utah division of air quality, and may be subject to a permit from the state of Utah. Contact the Utah division of air quality for details and requirements.

K. Noise:

1. Noise Control Plan: All construction activity shall comply with title 5, chapter 3 of this code. All construction equipment shall be adequately muffled and maintained to minimize project noise. Any noise above sixty five (65) decibels violates this code, as well as any excessive or unusually loud noise that is plainly audible beyond the property line or outside the hours of operation.

   The county engineer or the building official may authorize extended hours, upon written request, for construction operations or procedures which, by their nature require continuous operations. Such operations or procedures should be contemplated and addressed in the CMP.

L. Temporary Lighting:

1. Temporary Lighting Plan: If the project anticipates working during nighttime hours and temporary lighting is required to facilitate safe construction activity, a temporary lighting plan shall be submitted. The plan shall propose the minimum amount of light necessary for safe operations. All lighting shall be directed away from existing residential areas and from any public or private street to the maximum extent practicable.

M. Snow Storage:

1. Snow Storage Plan: Adequate area(s) for the snow storage (i.e., snow that accumulates on the property and which needs to be removed to facilitate winter construction) shall be identified and used on the property within any designated

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~~building or development envelope(s). Snow may not be removed to the public or private street right of way.~~

~~N. Enforcement:~~

~~1. Construction Mitigation Officer: A construction mitigation officer shall complete random site visits to determine if the project is following the approved CMP and requirements.~~

~~2. County Code Enforcement: The community development director, his/her appointee, the county building official, his/her appointee or the county engineer, his/her appointee, shall complete random site inspections to determine if a project is meeting its conditions of approval. These inspections are not intended to substitute for standard building code or other county code compliance inspections.~~

~~3. Inspection Reports: The construction mitigation officer and/or other county enforcement personnel shall complete construction inspection reports. All reports are available for public review and will be located in the community development department. (Ord. 714, 6-10-2009)~~

TITLE 9
BUILDING CODES AND CONSTRUCTION

CHAPTER 3
STORMWATER POLLUTION PREVENTION AND EROSION CONTROL

SECTION:
9-3-1: Requirements For Stormwater Pollution Prevention Plan and Erosion Control Plan Permit
9-3-2: Emergency Conditions
9-3-3: Application For Permit
9-3-4: Permits
9-3-5: Exemptions
9-3-6: Fees
9-3-7: ~~Completion Bond~~Not Used
9-3-8: Supervision And Inspection
9-3-9: Appeals
9-3-10: Failure To Comply
9-3-11: ~~Specific Requirements to~~Adopted Engineering Standards for Storm Drain Design
9-3-12: Penalty

9-3-1: REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLAN PERMIT AND EROSION CONTROL PLAN PERMIT:

A. It shall be unlawful and punishable as a class C misdemeanor provided for any person, firm, public utility, public agency, or corporation, to make, enlarge or change any excavation, regrade existing contours, place fill or strip vegetation without complying with the provisions of this chapter and obtaining a Stormwater Pollution Prevention Plan (SWPPP) and Erosion Control Plan (ECP) permit as provided for herein. It shall also be

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unlawful for any person hiring or directing another person, firm, or corporation to perform the work without obtaining an SWPPP and ECP permit.

B. It shall be unlawful and punishable as provided to change or expand the excavation, regrading of existing contours, placement of fill or stripping of vegetation without first requesting a modification of the SWPPP and ECP permit issued for the work.

C. An SWPPP and ECP permit shall be required for any project which requires a permit under any current State of Utah stormwater general permits, county ordinances, or Building Permit issued by Summit County.

D. A SWPPP Permit shall be required for construction sites which are subject to the current State of Utah stormwater general permits requirements, and includes sites having disturbed areas of one acre or more, or where the site is part of a larger common plan of development which collectively disturbs an area equal to or greater than one acre, other county ordinances, or Building Permit, and which are found to be discharging sediment off site, into a waterway, or tracking onto a road or street.

E. An ECP Permit shall be required for any project less than one acre which disturbs existing vegetation or soils and requires a permit under any county ordinance or Building Permit.

9-3-2: EMERGENCY CONDITIONS:
Emergency excavations, grading, or placement of fill may be made without a permit if the reason for the excavation or grading or placement of fill is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those making the excavation, grading or placement of fill must contact the Stormwater Division~~county engineer's office~~ at the earliest possible time, but in no case later than the first working day following the emergency work in order to secure a formal permit. None of the provisions of this chapter are waived for emergency situations except for the prior permit requirement. (Ord. 710, 12-17-2008, eff. 1-1-2009)

9-3-3: APPLICATION FOR PERMIT:
Applications shall be made by the owner or operator of the property on which the work is being done. In the case of work within a public right of way, by the firm, public utility, public agency or corporation actually doing the work, or in the case of work within a private road or private road right of way, by the owner of the road or association responsible for the maintenance of the road. Applications for all permits shall be made to the Public Works Stormwater Division as provided, and state the purpose therefor, the person, firm, public utility, or corporation doing the actual work and the name of the person, firm, public utility, or corporation for whom or by which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws of Summit County, the state of Utah, and the federal government relating to the work to be done. The application shall also provide for an agreement that the applicant shall indemnify the county for any loss, liability, or damage that may result from or because of the making, placement, existence, or manner of guarding or constructing any such excavation. The

application shall be accompanied by a stormwater pollution prevention plan and erosion control plan (SWPPP or ECP). Said plan shall have a drawing of the location of the intended excavation, grading, filling or stripping of vegetation, and the pertinent dimensions thereof. The SWPPP shall include all requirements set forth in the most current State of Utah general permits for stormwater. The SWPPP and ECP shall employ best management practices (BMPs) and shall contain the layout, typical sections and details of the erosion control and sediment control measures to be used. Options of various BMP's can be found, but not limited to, in the Construction BMP guidance section on the Summit County Stormwater Website (https://www.summitcounty.org/755/Storm-WaterMS4).

9-3-4: PERMITS:

A. All permits issued pursuant to this chapter shall be valid for a period not to exceed the development permit, or any other permit issued by Summit County in conjunction with the SWPPP or ECP permit. A copy of the permit issued shall be available on site at all times when work is under way.

B. Excavations, grading, or filling of sites which are one acre or more, or are part of a larger common plan of development or sale which collectively disturbs equal or greater than on acre are required by state and federal regulations to file a "notice of intent" with the Utah division of water quality, stormwater permits section (http://waterquality.utah.gov/updes/stormwater.htm). A copy of the notice of intent shall be submitted with the application as provided herein.

9-3-5: EXEMPTIONS:

The following activities are exempt from the requirements of this chapter:

A. Actions by a public agency or utility, the county or other governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic; or

B. Actions by any person when the county determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic.

C. Landscape maintenance activities on fully developed property.

D. Bona fide agricultural and farming operations which constitute the principal use of any parcel or tract of ground located in the county and which meet the requirements of the zoning for that portion of the county in which the operation is located.

9-3-6: FEES:

A review fee, applicable long term fee, and inspection fee, in the current amount as set by resolution of the county council, shall accompany each application for a permit. Fees must accompany the application.

9-3-7: ~~COMPLETION BOND:~~NOT USED

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~~Applicants shall file a completion bond with the County Engineer in an amount set by the County Engineer at the time the permit is approved. This may be cash, a letter of credit from an FDIC insured financial institution, or a corporate surety bond. The bond shall be valid until one year after all work shown in the permit is completed to guarantee that the conditions of the permit together with any restorative work is completed properly. The bond will be released by the County Engineer.~~

9-3-8: SUPERVISION AND INSPECTION:

A. The Stormwater Division shall perform required inspections, or cause to be inspected, all work done pursuant to permits to ensure the enforcement of the provisions of this chapter. Notification shall be given to the Stormwater Division at least twenty-four (24) hours prior to the commencement of any work and within twenty four (24) hours after implementing the SWPPP and ECP. The completion bond shall not be released without an inspection made to determine satisfaction of all applicable provisions of this chapter.

B. For construction sites who have filed a NOI with the State of Utah, the applicant shall retain qualified personnel to inspect the sediment control measures: 1) at least once each two (2) weeks and after a storm event which precipitated 0.5 inch of water or more within twenty four (24) hours. The inspector shall prepare written reports of each inspection and make recommendations for correcting any sediment control measure (BMP) found not performing as intended. A copy of each inspection shall be kept on site until such time as the disturbed area has been permanently stabilized. A copy of the report shall also be submitted to the office of the Stormwater Division, when requested.

C. The applicant shall implement all recommendations of the inspector, or the Stormwater Division, to correct any sediment control measure (BMP) found not performing as intended.

9-3-9: APPEALS:

An applicant for an SWPPP and ECP, whose application has been denied or approved with conditions, may appeal the denied or imposed conditions to the board of adjustment. A notice of appeal must be filed with the Stormwater Division~~office of the county engineer~~ within ten (10) days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;

B. A statement describing the basis for the appeal; and

C. The relief sought by the applicant.

The appeal shall be scheduled on the next available board of adjustment meeting.

9-3-10: FAILURE TO COMPLY:

In the event of failure on the part of any person, firm, public utility, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

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A. Initiate criminal action by citation or information under section 9-3-12 of this chapter ~~and/or proceed to forfeit bond~~; or

~~B. Proceed to forfeit bond; or~~

~~C.~~B. Install or repair such erosion control and sediment control measures as required to restore the SWPPP and ECP; or

~~D.~~C. Give written notice to such person, firm, public utility, or corporation to restore such BMPs as required to restore or implement the SWPPP and ECP. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the SWPPP and ECP is not implemented or restored within ten (10) days after the notice is complete, said authorities may implement the SWPPP and ECP at the expense of the person, firm, public utility, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the SWPPP and ECP were not in effective operation after notice was complete, in an action for that purpose; or

~~E.~~D. If such person, firm, public utility, or corporation refuses to implement an SWPPP and ECP, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after notice was given for its implementation in the manner provided in subsection ~~D~~C of this section .

9-3-11: ~~SPECIFIC REQUIREMENTS TO~~ADOPTED ENGINEERING STANDRADS FOR STORM DRAIN DESIGN:

The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-3-6 of the Summit county Code.

~~**A. Purpose**~~

~~1. The purpose of this section is to minimize long-term changes in stormwater runoff quantity and quality associated with development. Land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and can increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition. Other potential hydrologic alterations include reduced infiltration rates and lower in-stream base flow levels. These hydrologic changes adversely affect local fishery resources and aquatic habitat and are often accompanied by increased pollutant loading. This section is intended to minimize these adverse effects by requiring development to incorporate permanent, post-construction Best Management Practices (BMPs) that treat stormwater runoff quantity and quality and maximize on-site infiltration of runoff to promote groundwater recharge. These regulations apply to the following types of development or redevelopment:~~

~~a) Any new commercial development.~~

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b) Any development where the area of disturbance is over 1 acre.
c) Any development that is part of a common plan of development that collectively disturbs 1 acre or more.
d) Any development that is located within 40 feet of waters of the state and wetlands, as defined in Utah Code or federal regulations.

2. This section describes methods for calculating pre- and post- development runoff volumes and peak discharge rates. These calculations should be performed in order to help select, size, and design stormwater BMPs to meet the peak flow rate, water quality, and groundwater recharge criteria described in Title 9, Chapter 3: Stormwater Pollution Prevention and Erosion Control and associated ordinances. This section provides steps for performing these calculations using the rational method, which is only applicable for sites fifty (50) acres or less in size. For larger sites, areas with significant flood storage effects/features, highly complicated sites, or for BMP designs that require complete design hydrographs, calculations should be performed using the NRCS TR-55 method.

B. Detention Structures; Calculation Methodologies

1. Detention Structures.
a) Underground stormwater conveyance systems (e.g. catch basin, manholes, and connection pipe sections) shall be sized using the 10-year frequency storm event.
b) Surface stormwater conveyance systems (e.g. canals/channels/ditches/swales, curb and gutter, and culverts) shall be sized using the 100-year frequency storm event.
c) Retention structures shall be sized using the Granato Method.
d) Detention structures shall be sized to ensure the post development runoff rate does not exceed the pre-development runoff rate for both the 10-year and 100-year frequency storm events.
e) A stormwater maintenance/management plan shall be required for all stormwater storage facilities.
f) BMP selection must address pollutants known to be discharging or have potential to be discharged from the development site and utilize the Summit County LID guidance SOPs or the most current State of Utah's Guide to Low Impact Development within Utah to ensure stormwater controls or management practices will minimize impacts to water quality.

2. Alternative Methods. Hydrologic methods for determining runoff rate and volume other than the rational method or TR-55 may be acceptable, but the applicant must obtain prior approval from Summit County before beginning hydrologic studies and calculations using alternative methods. Curve numbers shall be obtained from the Natural Resources Conservation Service (NRCS) manual title "Urban Hydrology for Small Watersheds" technical release 55, June 1986. This document is located at this link: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

3. Calculation Methodologies.
a) Calculating Peak Runoff
(i) Use the rational formula:
$Q_p = CiA$
Q_p = peak discharge (cfs)

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C = dimensionless runoff coefficient
I = rainfall intensity (in./hr) for a duration equal to the time of concentration and for the recurrence interval chosen for design
A = site area (acres)
Calculate site area (A). This can be determined from USGS topographic maps, site surveys, and other available information.

(ii) Determine the runoff coefficient. This value is obtained from the tables below and is based on land use type (s) for developed areas, and soil hydrologic group/ slope characteristics for undeveloped areas. The different land use types are defined in Chapter 2 of the NRCS National Engineering Handbook. For areas with mixed land uses, the area should be divided into subareas with similar characteristics (A_1, A_2, etc.), and a weighted coefficient should be determined using the following formula:
$C = [(A_1 * C_1) + (A_2 * C_2) \ldots + (C_n * A_n)]/A$
a. Where C_1, C_2, etc. are the runoff coefficients for each individual subarea. Information on slope and land use can be obtained from USGS topographic maps, site surveys, air photos, and other available data.
b. Soil hydrologic group information can be obtained by selecting the "generate reports – water features" function at the Natural Resources Conservation Service United States Department of Agriculture website. The different soil hydrologic groups are defined as follows (definitions taken from USDA Technical Release 55 "Urban Hydrology for Small Watersheds, 1986):
Group A: These soils have low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to excessively drained sand or gravel and have a high rate of water transmission (greater than 0.30 in/hr).
Group B: These soils have moderate infiltration rates when thoroughly wetted and consist chiefly of moderately deep to deep, moderately well to well drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission (0.15-0.30 in/hr).
Group C: These soils have low infiltration rates when thoroughly wetted and consist chiefly of soils with a layer that impedes downward movement of water and soils with moderately fine to fine texture. These soils have a low rate of water transmission (0.05-0.15 in/hr).
Group D: These soils have high runoff potential. They have very low infiltration rates when thoroughly wetted and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a claypan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (0-0.05 in/hr).

Table 1. Recommended Rational Method "C" Coefficients for Developed Areas.

Land Use Category	Runoff Coefficient "C"
Business	
Central business areas	0.70-0.95
Neighborhood areas	0.50-0.70
Residential	
Single-Family	0.35-0.45
Multi-family, detached	0.40-0.60

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Multi-family, attached	0.60-0.75
Low Density – 0.5 acre lots or larger	0.25-0.40
Industrial and Commercial	
Light areas	0.50-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.20-0.35
Railroad yard areas	0.20-0.40
Roofs	0.90-0.95
Streets, Drives, Walks (asphalt or concrete)	0.90-0.95
Streets, Drives, Walks (brick, gravel, or disconnected pavers)	0.70-0.85

Table 2. Recommended Rational Method "C" Coefficients for Undeveloped/Pervious Areas.

	Runoff Coefficient "C" [a]			
Slope	A soils	B soils	C soils	D soils
Flat (0-2%)	0.04-0.09	0.07-0.12	0.11-0.16	0.15-0.20
Average (2-6%)	0.09-0.14	0.12-0.17	0.16-0.21	0.20-0.25
Steep (>6%)	0.13-0.18	0.18-0.24	0.23-0.31	0.28-0.38

values should be selected from the high or low end of the given ranges based on the condition of ground cover/vegetation.

(iii) Calculate the time of concentration (T) to use in determining the appropriate rainfall duration and intensity to use in the rational formula. T is the time required for water to travel the longest watercourse within the drainage area (i.e., the time for water to travel from the hydrologically most remote point of the basin to the location being analyzed). T can be determined graphically or calculated using the FAA formula below:

$T = 1.8*(1.1 - C) D^{0.5} / S^{1/3}$

T = time of concentration (minutes)
C = dimensionless runoff coefficient (same as used in rational formula)
D = length (in feet) of longest watercourse
S = % slope of longest watercourse

a. The variables D and S can be determined from USGS topographic maps, site surveys, and other available information. Care shall be taken to field-verify flow path information to ensure that any existing graded swales, ditches, gutters, or other constructed drainage systems that intercept the natural contours are accounted for when determining slope and flow length for the purposes of these calculations.

b. For small and/or highly impervious areas with very short times of concentration, the default minimum T value to be used in the rational method is 10 minutes. The default minimum T value to be used in the TR-55 method is 6 minutes.

c. Determine the average rainfall intensity (I). This value shall be obtained for the recurrence interval of interest and a duration equal to the time of concentration T calculated in (iii) above using Table 6 or Table 7.

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Table 3. NOAA Atlas 14 Precipitation Intensity Estimates for Station "Park City Radio, Utah" (Station #42-6648).Values are in inches per hour.

	PDS-based precipitation frequency estimates (in inches/hour)								
duration	2 yr	5 yr	10 yr	25 yr	50 yr	100 yr	200 yr	500 yr	1000 yr
5 min	1.90	2.62	3.26	4.36	5.36	6.56	8.00	10.31	12.44
10 min	1.45	1.99	2.48	3.32	4.09	5.00	6.09	7.84	9.47
15 min	1.19	1.64	2.05	2.74	3.38	4.13	5.03	6.48	7.83
30 min	0.80	1.11	1.38	1.85	2.27	2.78	3.39	4.36	5.27
60 min	0.50	0.69	0.85	1.14	1.41	1.72	2.10	2.70	3.26
120 min	0.31	0.41	0.50	0.65	0.78	0.95	1.15	1.46	1.75
3 hr	0.24	0.30	0.36	0.45	0.54	0.64	0.77	0.98	1.18
6 hr	0.16	0.19	0.22	0.27	0.31	0.36	0.41	0.50	0.60
12 hr	0.10	0.12	0.14	0.17	0.19	0.21	0.24	0.28	0.31
24hr	0.07	0.08	0.09	0.10	0.11	0.13	0.14	0.15	0.17
48 hr	0.04	0.05	0.05	0.06	0.07	0.08	0.08	0.09	0.10
4 day	0.02	0.03	0.03	0.04	0.04	0.05	0.05	0.06	0.06
7 day	0.02	0.02	0.02	0.03	0.03	0.03	0.04	0.04	0.04
10 day	0.01	0.02	0.02	0.02	0.02	0.02	0.03	0.03	0.03
20 day	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.02	0.02
30 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
45 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
60 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01

Table 4. NOAA Atlas 14 Precipitation Depth Estimates for Station "Park City Radio, Utah" (Station #42-6648). Values are in inches.

	PDS-based precipitation frequency estimates (in inches)								
duration	2 yr	5 yr	10 yr	25 yr	50 yr	100 yr	200 yr	500 yr	1000 yr
5 min	0.162	0.222	0.277	0.367	0.451	0.549	0.665	0.854	1.03
10 min	0.247	0.338	0.422	0.558	0.687	0.836	1.01	1.30	1.56
15 min	0.306	0.419	0.524	0.692	0.851	1.04	1.25	1.61	1.94
30 min	0.412	0.565	0.705	0.932	1.15	1.40	1.69	2.17	2.61
60 min	0.510	0.699	0.873	1.15	1.42	1.73	2.09	2.69	3.23
120 min	0.641	0.839	1.02	1.33	1.61	1.95	2.34	2.99	3.59
3 hr	0.737	0.933	1.12	1.41	1.67	1.99	2.36	3.02	3.62
6 hr	0.975	1.19	1.39	1.68	1.92	2.19	2.51	3.09	3.65
12 hr	1.24	1.50	1.73	2.07	2.35	2.65	2.98	3.47	3.89
24hr	1.60	1.92	2.18	2.55	2.84	3.13	.44	3.84	4.16
48 hr	1.92	2.30	2.62	3.05	3.38	3.73	4.08	4.55	4.91

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4 day	2.36	2.84	3.25	3.80	4.24	4.69	5.15	5.78	6.27
7 day	2.86	3.43	3.91	4.57	5.08	5.60	6.13	6.84	7.39
10 day	3.26	3.90	4.41	5.09	5.60	6.11	6.61	7.27	7.76
20 day	4.27	5.06	5.67	6.46	7.03	7.59	8.13	8.79	9.27
30 day	5.15	6.08	6.80	7.72	8.39	9.04	9.66	10.4	11.0
45 day	6.32	7.44	8.31	9.43	10.2	11.0	11.8	12.7	13.3
60 day	7.52	8.83	9.84	11.1	12.0	12.9	13.7	14.7	15.4

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(iv) Calculate the peak discharge (Qp).

a. The runoff coefficient shall be adjusted by the factor C_f because infiltration and other abstractions have a proportionally smaller effect on runoff as the storm event gets larger. Values for C_f are provided in Table 8. Once the C_f is determined, peak discharge is calculated using the following formula:

$Q_P = I * (C_f) * (I) * (A)$

Q_P shall be calculated for both pre- and post-development land use conditions. In order to meet the peak flow rate criteria outlined in Title 9 Chapter 3: Stormwater Pollution Prevention and Erosion Control and associated ordinances, non-structural and structural BMPs shall be designed to control the post-development rate Qp to the pre-development rate. Non-structural methods that reduce the post-development runoff coefficient and lengthen the time of concentration (e.g., preservation of natural areas with type A or B soils, minimizing impervious areas, using vegetated swales instead of storm sewers, etc.) will be the most effective techniques to meet the peak flow rate criteria.

Table 5. Runoff Coefficient Adjustment Factors for Rational Method.

Recurrence Interval (years)	Adjustment Factor C_f
10	1.00
100	1.25

(v) Calculate Volume to Control Peak Discharge

$Vol = \Delta Q_P * T$

ΔQ_P = Post development peak discharge - Predevelopment peak discharge (cfs)

T = Time of concentration (See). This is the assumed storm duration when using the rational method.

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C. Low Impact Development Standards

1. All stormwater LID site designs, practices, and treatments shall control the peak flow rates of stormwater discharge associated with identified design storms.

a. Designs shall reduce the post-construction stormwater runoff volumes to preconstruction levels, or lower as required by the County.

b. Practices shall seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from hard surface areas (e.g. driveways, sidewalks, rooftops, parking lots, etc.) and landscaped areas to the maximum extent practical.

c. Treatment shall be provided for the appropriate flow to adequately treat the water prior to discharge.

d. Treatment options shall follow the Summit County LID guidance SOPs or the most current State of Utah Guide to Low Impact Development.

2. Stormwater LID sites are designed to focus on the following:

a. Runoff volume control: The pre-development volume is maintained by minimizing the site disturbance and providing distributed retention areas for the design storm event.

b. Peak runoff rate control: Stormwater LID is designed to maintain the pre-development peak runoff discharge rate for the selected design storm events.

c. Flow frequency/duration control: The flow frequency and duration for the post-development conditions shall be almost identical to those for the pre-development conditions.

d. Water quality control: Stormwater LID is designed to provide water quality treatment using retention and filtration practices.

e. The storage required for water quality control is compared to the storage required to control the increased runoff volume.

3. Acceptable stormwater LID types for development in Summit County follow the Summit County LID guidance SOPs or the most current State of Utah Guide to Low Impact Development within Utah.

a. A monitoring and maintenance agreement shall be required for all stormwater LID sites.

D. Water Quality Volume Treatment Using Stormwater LID

1. Determine rainfall depth to be retained on site using stormwater LID.

a) To meet the water quality and groundwater recharge criteria, the runoff volume associated with the 80th percentile storm event shall be retained and infiltrated on site using stormwater LID techniques. The 80th percentile storm event for Summit County is **0.48 inches**.

2. Calculate Impervious Area

a) Determine the project's volume retention goal by measuring the imperviousness within the disturbance limits of the project. If the project requires multiple BMP's, the drainage area will need to be calculated for each individual BMP. The imperviousness of the BMP drainage area will include any off-site impervious areas that are part of the BMP's drainage area.

b) Project imperviousness = Post-development impervious area / Project's disturbance limits

c) BMP Imperviousness = Post-development impervious area within BMP drainage area / BMP drainage area

3. Determine Volumetric Runoff Coefficient (Rv)

a) The Granato Method will be used for determining the Volumetric Runoff Coefficient which are the equations below.

$Rv = 0.225 * I + 0.05$ when $i < 0.55$

$Rv = 1.14 * I - 0.371$ when $i \geq 0.55$

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~~i = the percent of imperviousness of the drainage area in decimal format (0.0-1.0)~~
~~Calculate the 80th percentile volume for V_{goal} or WQV~~
~~V_{goal} = Rv*d*A or WQV = Rv*d*A~~
~~V_{goal} and WQV = 80th percentile volume, CF~~
~~Rv = Volumetric runoff coefficient, unitless~~
~~d = 80th percentile precipitation depth, ft~~
~~A = Project area or BMP drainage area, SF~~
~~b) V_{goal} is the project's 80th percentile volume retention requirement. WQV is the 80th percentile volume of the sub-drainage area of each BMP. If the BMP drainage areas are contained within the disturbance limits, the sum of the water quality volumes for each BMP will equal V_{goal}.~~

~~**E. Calculating TSS Removal Rate**~~
~~1. Rather than requiring a calculation of the actual real-world TSS load for a site, the application of this standard has been simplified to estimate a site's annual TSS load as 1.0 (i.e., 100%) as it enters the first BMP in the system. Therefore, in addition to performing the calculations below to demonstrate that adequate BMP performance efficiency has been provided, the permittee must also demonstrate compliance by showing that:~~
~~a) The treatment BMPs have been designed/sized to treat the post-development water quality volume (WQ_v), calculated as described above; and,~~
~~b) The BMPs are inspected regularly and maintained as needed to perform efficiently. Information on maintenance needs for individual BMPs and sample observation forms are found in the county engineer's office.~~
~~2. Steps to calculate the TSS removal rate:~~
~~a) From Table 9 located below, determine the required final TSS removal rate based on the percent of overall site area that is impervious. For sites where newly-developed impervious areas lie within 50 feet of a live water body (perennial or intermittent stream, lake, pond, spring, or reservoir), the Table 9 sliding scale does not apply and the default 80% TSS removal standard must be met.~~
~~b) If appropriate, divide the site into individual drainage areas. It is essential that the final TSS removal rate be calculated separately for each subarea. Isolated impervious areas (e.g., disconnected rooftops) that are serviced solely by their own BMPs, such as swales or seepage beds, shall be considered as separate drainage areas. Each individual drainage area must meet the TSS removal rate for the entire site, as determined in 9-3-11I(2)(a).~~
~~c) For each individual drainage area, list the stormwater BMPs and their order in the engineered system, beginning with the first BMP collecting stormwater from the site. For example, pretreatment and conveyance BMPs will typically precede the removal BMPs. Using the values from Table 10, list the estimated TSS removal rate for each BMP in the treatment system.~~
~~d) Calculate the final TSS removal rate (R) according to the following formula:~~
~~$R = (L_1 * R_1) + (L_2 * R_2) + (L_3 * R_3) \ldots + (L_n * R_n)$~~
~~L_1 = initial TSS load = 1.0 (i.e. 100%)~~
~~R_1 = fractional TSS removal rate for the first BMP in the system (e.g., if the removal rate listed in Table 10 for BMP1 is 60%, the fractional rate R1 is 0.60)~~
~~L2 = remaining TSS load after preceding BMP = L1 - (L1 * R1)~~
~~R2 = fractional TSS removal rate for the second BMP in the system~~

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L3 = remaining TSS load after preceding BMP = L2- (L2 * R2)
R3 = fractional TSS removal rate for the third BMP in the system
Ln = remaining TSS load after preceding BMP = $L_{(-1)}$ - ($L_{(-1)}$ * $R_{(-1)}$)
Rn = fractional TSS removal rate of final (n^{th}) BMP in the system

e) As evident in the above formula, the TSS removal rates are not additive from one BMP to the next; instead, the estimated removal rates are applied consecutively as the TSS load passes through each BMP technology.

f) Check that the final removal rate for each drainage area is greater than or equal to 0.80 (80%) or the applicable sliding scale standard from Table 9. If TSS removal is less than the standard for any of the drainage areas, the system shall be redesigned in order to meet the standards.

Table 6. Sliding Scale for Required TSS Removal Efficiency (adapted from City of Boise.

% of parcel area that is impervious	**% TSS removal efficiency required***
≤ 30	40
35	47
40	53
45	59
50	62
55	66
60	68
65	70
70	72
75	74
80	75
85	77
90	78
95	79
100	80

**for sites where newly developed impervious cover lies within 50 feet of a live water body, the values in Table 1 do not apply and instead a removal efficiency of 80% must be met, even if the total site imperviousness % is less than 100%.*

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~~Table 7. TSS Removal Rates for Selected BMPs (adapted from Schueler 1997, Winer 2000, & EPA 1993).~~

~~BMP~~	~~Design Removal Rate (%)~~	~~Comments~~
~~Dry Detention Ponds~~	~~15~~	~~Quantity control pond~~
~~Wet Detention Ponds~~	~~60~~	~~Quantity control pond~~
~~Dry Extended Detention Pond~~	~~45~~	~~Sediment forebay included~~
~~Wet Extended Detention Pond~~	~~80~~	~~Sediment forebay included~~
~~Evaporation Pond~~	~~100~~	~~Designed to evaporate or retain~~
~~Bioinfiltration Swale~~	~~70~~	
~~Sand Filter~~	~~80~~	~~Pretreatment, includes Austin, underground, pocket, and Delaware designs~~
~~Organic Filter~~	~~80~~	~~Pretreatment, includes compost and peat/sand~~
~~Catch Basin Insert~~	~~25~~	~~Off-line only~~
~~Infiltration Facilities~~	~~95*~~	~~*removal rate only valid with adequate maintenance and pre-treatment~~
~~Sediment Trap~~	~~25~~	
~~Grass Buffer Strip~~	~~85~~	~~Minimum width of 10~~'
~~Oil/Water Separator~~	~~15~~	

9-3-12: PENALTY:
Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00), or a jail term of up to ninety (90) days, or by both such fine and jail term.

Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah, or the federal government, under the clean water act.

In addition to any criminal fines and/or penalties which may be assessed for a violation of this chapter, Summit County shall have the right to issue a stop work order on the entire construction site, and/or install or maintain appropriate erosion control and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this chapter. Summit County shall have the right to have such measures installed and maintained by county personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The county may assess said expenses against the bond posted by the permittee.

It is unlawful for any person, firm, public utility, public agency, or corporation to continue any further work on the construction site after a stop work order has been issued. A violation of a stop work order is punishable as a class C misdemeanor.

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Summit County may also pursue civil remedies for a violation of this chapter, including use of its Administrative Code Enforcement Hearing Program, Title 1, Chapter 13.

TITLE 10
SNYDERVILLE BASIN DEVELOPMENT CODE

CHAPTER 4
STANDARDS FOR APPROVAL OF DEVELOPMENT PERMITS

SECTION:

10-4-9: PARKING REQUIREMENTS:

A. Scope: Parking spaces shall be provided as set forth herein. Every effort shall be made to minimize the amount of impervious surface that is created for parking purposes.

B. Parking Required: The objective is to provide only the amount of parking that is actually needed for a particular use or type of use approved in the development. It shall be the responsibility of the applicant to demonstrate the amount of parking needed. The following parking standards shall be used by the county as guidelines for development. Parking that exceeds the amount indicated may be permitted only after the applicant submits a parking study for comparable uses which demonstrates that a higher demand can be anticipated. If a specific use is not indicated herein, the applicant shall provide a parking study in conjunction with the applicable development application to demonstrate the amount of parking required.

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1. The specific amount of parking required within an area designated as an SPA shall be established by the adopted SPA plan.
2. Expansion of existing commercial, office and industrial uses within the NC, CC, and SC zone districts shall provide additional parking commensurate with the present on site parking ratio, unless it can be demonstrated by the developer or the director that a different parking standard or no additional parking is appropriate.
3. There shall be one parking space per studio/efficiency dwelling unit, plus one guest parking space for every five (5) units provided.
4. There shall be one space per bedroom, or a minimum of two (2) parking spaces per single-family, two-family or multi-family dwelling unit.
5. There shall be a maximum of three and one-half (3.5) off street parking spaces per each one thousand (1,000) square feet of retail commercial space; provided, however, structured parking can exceed this amount.
6. There shall be a maximum of three and one-half (3.5) off street parking spaces per each one thousand (1,000) square feet of office space; provided, however, structured parking can exceed this amount.
7. There shall be a maximum of one parking space per sleeping unit in a hotel or lodge, plus one space for each employee working during nighttime hours, except in a town or resort center where joint parking opportunities shall be taken into consideration.

C. Parking Lot Design And Location: The following design standards shall be complied with within any zone district in which parking is being provided for other than one single-family detached dwelling unit on a lot of record: (Ord. 708, 12-10-2008)

1. Design; Location: All parking lots shall be designed and located in accordance with the regulations provided herein. In situations where parking is required and it will be visible from a public roadway, the parking shall be divided into smaller parking lots and screened to the maximum extent possible. (Ord. 818, 2-26-2014)

~~2. On Street Parking; Parking Along Principal Circulation Roads: On street parking and parking along the principal circulation roads within a private development shall either be parallel to the curb or with a parking angle of up to but not to exceed sixty degrees (60°). Perpendicular parking along such areas shall be prohibited.~~

~~3. Paving: The proposed development must provide paving in any parking area by one of the following methods:~~

~~a. Asphaltic concrete.~~

~~b. Cement concrete.~~

~~c. Penetration treatment of bituminous material and a seal coat of bituminous and mineral aggregate.~~

~~d. The equivalent of the above as recommended by the county engineer.~~

~~4. Circulation Pattern: Parking areas shall be designed with a through circulation pattern if they include more than ten (10) parking spaces, unless there is suitable turnaround space at the end of the parking lot. While in certain instances on street parking will be permitted, public roads shall not be used as part of a parking lot circulation pattern.~~

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~~5. Grade: Parking areas shall have a minimum grade (in any direction) of one percent (1%), a maximum grade of five percent (5%), and an average grade of two percent (2%).~~

~~6. Ingress And Egress: Parking spaces and driveways shall be so arranged as to require ingress and egress from the lot to a road by forward motion of the vehicle. Access to parking spaces shall be from private roadways and not from public streets.~~

~~7.~~2. Screening: Adjacent to any zoning district in which residential uses are permitted, automobile parking shall be screened, except when separated by a public road.

~~8.~~3. Lighting: Any lights used to illuminate parking spaces shall fully comply with the lighting regulations outlined in section 10-4-21 of this chapter.

~~9. Curb, Bumper Guard: Except where a wall is required, a minimum six inch (6") high curb or bumper guard shall be utilized or employed so that no part of the vehicle shall extend over or beyond any property line.~~

~~10.~~4. Markings: Required parking spaces shall be adequately marked or defined. At least one clearly marked and appropriately situated handicapped parking space shall be provided for each commercial, institutional and public parking area.

~~11. Snow Storage Areas: Uncovered parking lots shall provide snow storage areas equal to ten percent (10%) of the uncovered parking lot surface area, unless otherwise approved by the county manager.~~

~~12.~~5. Landscaping: At least fifteen percent (15%) of the internal portion of a parking lot shall be landscaped. Such landscaping must be in accord with section 10-4-20 of this chapter.

~~13. Parking Stall Size: Each off street parking stall shall be at least nine feet by eighteen feet (9' x 18') for diagonal or ninety degree (90°) spaces, or eight feet by twenty feet (8' x 20') for parallel spaces, exclusive of access drives or aisles. Parking stalls adjacent to a column or wall must have an additional two feet (2') of width to accommodate ingress/egress from the vehicle.~~

~~14. Parking Aisle Width: The minimum aisle width for diagonal parking is eighteen feet (18') and the minimum width for ninety degree (90°) parking is twenty four feet (24'). The minimum aisle width may be increased at the discretion of the Park City fire district. (Ord. 708, 12-10-2008)~~

~~15.~~6. Parking Area Setbacks: All parking areas with fifteen (15) or more spaces shall be subject to the regulations below:

a. Parking areas shall be set back at least the following distances in order to provide a buffer:
   (1) Thirty feet (30') from road rights of way, except for a property access driveway;
   (2) Thirty feet (30') from side and rear property lines;
   (3) Ten feet (10') from the facade of a structure.

~~16.~~7. ADA Requirements: All parking lots shall comply with federal ADA requirements. (Ord. 730, 12-2-2009)

D. Phased Parking Plan: In instances where the amount of parking required by a project cannot be clearly demonstrated, the county may require the implementation of a phased

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parking plan to avoid unnecessarily large parking lots. The additional parking will be permitted by the county as the need is demonstrated.

E. Designated Resort And Town Centers: Within designated resort and town centers, efforts shall be made to minimize the amount of dedicated surface parking by such considerations as, but not necessarily limited to, structured parking where appropriate, on street parking on appropriate streets, and joint use of parking facilities.

F. Stacking Of Spaces: The stacking of parking spaces is not permitted, except in one-family and two-family dwellings, and single-family attached dwelling units where a parking space may be provided on the parking apron directly outside of the garage. Only one such space shall be permitted outside of each garage space. Stacking of two (2) or more spaces outside of the garage shall not be permitted.

G. Vehicle Storage Prohibited: On and off street parking shall not be used for the extended storage of motor homes, trailers, construction related equipment, tractor-trailer trucks and other such vehicles. On and off site parking shall not be used for the purposes of sale, repair or dismantling or servicing of vehicles, equipment, materials or supplies.

H. Collective Action Relative To Parking: The joint use of parking spaces for two (2) or more buildings or uses is encouraged, and in some instances may be required through a SPA plan when it can be shown that the peak use periods of each of the buildings is different. (Ord. 708, 12-10-2008)

10-4-10: ~~TRANSPORTATION INFRASTRUCTURE AND ACCESS DESIGN:~~NOT USED

~~A. Access:~~

~~1. Access To Existing Roads: All points of access to existing public roads or highways shall meet the standards set forth in "A Policy Of Geometric Design Of Highways And Streets", 1990, as published by the American Association of State Highway and Transportation Officials (AASHTO), which is hereby incorporated by reference as if set forth in its entirety herein; and subsections A through D of this section or, in the case of state highways, as approved by the state department of transportation. The design and construction of turn lanes, merging lanes, traffic signs or signals and other improvements required to make access points conform to county or UDOT standards shall be the responsibility of the developer.~~

~~2. Number Required: A minimum of two (2) access roads for separate ingress and egress will be provided. At least one access road will be considered the main access to be dedicated with a right of way easement as part of the final plat. In situations where dual access is not available within the initial development, one or more easements extending to the perimeter of the proposed development and evidence that existing vehicular access through adjacent properties to public roads must be provided by the developer. At a minimum, the second access, which may not comply with this section, may be permitted, so long as it is a passable access road and maintained for emergency services as approved by the PCFSD.~~

~~3. Spacing: Except as otherwise provided herein, access drives shall be spaced according to the following table:~~

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Road Classification	Minimum Spacing	Minimum Distance From Intersection
Local	35 feet apart	50 feet
Collector	50 feet apart	75 feet
Arterials	Access points shall be minimized	-

B. Intersections:

1. Grade: The grade within one hundred feet (100') of any intersection shall not exceed three percent (3%).

2. Hazards: Intersections shall not create hazardous driving conditions. The site design shall avoid curves in the roadway and the crests of hills at intersection locations.

3. Alignment: Roadways shall be within ten percent (10%) of a perpendicular alignment within one hundred feet (100') of any intersection, unless otherwise approved by the county manager.

4. Intersection Offsets/Spacing: Intersection offsets shall be based upon the roadway classification, and shall be measured as follows unless otherwise approved by the county manager:

-

Road Classification	Offset
Local	125 feet
Collector	330 feet
Arterials	600 feet

C. Road Grades:

1. The maximum grade of all roads, with the following exceptions, shall be eight percent (8%). Rural collector, rural local, and rural minor roads shall require grades of ten percent (10%) or less. However, these rural roads may contain grades in excess of ten percent (10%), up to a maximum of twelve and one-half percent (12.5%) for short distances only when, at the discretion of the county, it is determined that the steeper road grade is in the best interest of the county for purposes of environmental protection and it is further determined that the steeper grade will not adversely affect public safety. Roads having grades in excess of eight percent (8%) shall be privately owned and maintained.

a. "Short distances" are measured along roadway centerline and are defined as less than or equal to five hundred feet (500') over a continual distance of one thousand feet (1,000').

b. Main through roads (nonstop sign roads) can remain at a constant grade of less than eight percent (8%) through the intersection.

c. Retaining walls shall be used when cuts or fills exceed ten feet (10') as measured vertically at the edge of the road shoulder. Cut and fill slopes shall be as specified by a qualified engineer to achieve a stable embankment. Cut and fill areas shall be contoured to two feet (2') horizontal to one foot (1') vertical slopes or flatter unless stability at a steeper slope is determined by a qualified engineer.

2. In all instances, the minimum road grade shall be 0.3 percent.

3. The following conditions shall be used for grades in excess of ten percent (10%); provided, that all applicable emergency and service providers review, at time of subdivision plat and site plan review, such road design and grades to adequately address the public health, safety and welfare:

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a. Revegetation of all disturbed soils meeting county construction standards will be required on all roads.

D. Road Infrastructure Design:

1. The design and construction of all roads in the Snyderville Basin shall be in accordance with the specifications adopted by the county, the American Association of State Highway and Transportation Officials ("A Policy Of Geometric Design Of Highways And Streets"), and those set forth herein.

2. Roads on soils having low bearing strengths, high shrink/swell potentials or high frost heave hazards may be required, upon recommendation of the county engineer, to be constructed to specifications more demanding than those required on others. All roads and driveways will have unobstructed vertical clearance of thirteen feet six inches (13'6").

3. Homeowners may not grant additional vehicular rights of way and road easements across their property in addition to those vehicular rights of way and road easements that are already of record at the date of the plat recordation.

4. In town and resort centers, public roads shall generally meet the following design guideline. The county engineer may require adjustments in this guideline based on site specific conditions and development characteristics.

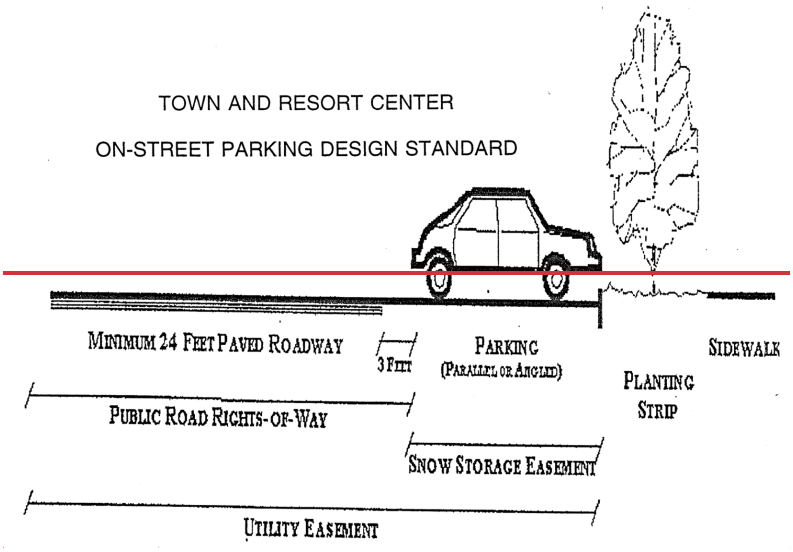

TABLE 1 RURAL ROAD DESIGN STANDARDS FOR DEVELOPMENT WITH LOT SIZES OF 5 ACRES OR MORE

	Rural Collector
	Rural Collector
Function	Provides a primary access through development from

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	arterial or collectors and is to serve as a primary traffi
Rights of way	50 feet
Pavement width	24 feet
Shoulder width	2 - 4 feet
Drainage	Open swale or ditch
Design speed	40 mph
The minimum width of a road surface that will be considered for a public dedication is 24 feet.	
The minimum width of a road right of way that will be considered for public dedication shall be 60 feet.	
All dimensions noted above represent minimum standards. Required dimensions may be greater depending on specific conditions.	

TABLE 2 - MODERATE DENSITY ROAD DESIGN STANDARDS FOR DEVELOPMENT WITH LOT SIZES LESS THAN 5 ACRES, DEPENDING ON DEVELOPMENT INTENSITY, AT THE DISCRETION OF THE COUNTY

	Arterial	Collector	Residential Street
	Arterial	Collector	Residential Street
Function	Traffic movement with limited access for adjacent uses	Traffic movement with limited access for adjacent uses	Access to adjacent moderate to high density uses
Rights of way	60 - 120 feet	50 - 60 feet	50 - 60 feet
Pavement width	24 - 60 feet	24 - 32 feet	20 - 24 feet
Shoulder width	n/a	n/a	n/a
Drainage	Curb/gutter or open swale or ditch depending on development intensity	Curb/gutter or open swale or ditch depending on development intensity	Curb/gutter or open swale or ditch depending on development intensity
Sidewalks	Possibly, depending on development intensity	Possibly, depending on development intensity	Possibly, depending on development intensity
Parking lanes	No	Not required	Possibly, depending on development intensity
Design speed	45 mph	35 mph	25 mph
The minimum width of a road surface that will be considered for public dedication is 24 feet.			
All dimensions noted above represent minimum standards. Required dimensions may be greater depending on specific conditions.			

TABLE 3 - TOWN AND RESORT CENTER ROAD DESIGN STANDARDS

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	Arterial	Co
	Arterial	Co
Function	Traffic movement with limited access for adjacent uses	Traf mov with acce adja uses
Rights of way	60 – 120 feet	50 –
Pavement width	24 – 60 feet	24 –
Shoulder width	Per AASHTO	Per AAS
Drainage	Curb/gutter or open swale or ditch depending on development intensity	Curb or op swal ditch depe on deve inter
Sidewalks	Required	Requ
Parking lanes	No	Poss
Design speed	45 mph	35 n
The minimum width of a road surface that will be considered for public dedication is 24 feet.		
All dimensions noted above represent minimum standards. Required dimensions may be greater depending on specific conditions.		
AASHTO = American Association of State and Highway Transportation Officials.		

E. Driveway Access:

1. All individual driveway access locations shall be designed to function well with the existing conditions and layout of each residential building. Care shall be taken in locating driveways to allow for the least amount of site and vegetation disturbance. The maximum grade of any driveway shall not exceed ten percent (10%). The minimum width of any driveway shall be twelve feet (12'). Twelve percent (12%) grades may be allowed for short distances not to exceed two hundred fifty feet (250') when approved by PCFSD. Where possible, driveways shall parallel the slope to lessen site impact. Driveways must also conform to the requirements of title 7, chapter 1 of this code.

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2. A driveway may provide access to one or more dwelling units, but not more than five (5) dwellings. Driveways serving three (3) or more dwellings must be a minimum of twenty feet (20') in width.

3. Retaining walls shall be used with cuts in excess of ten feet (10'). Cut slopes shall be as specified by a qualified engineer to achieve a stable embankment. Fill areas shall be contoured to two feet (2') horizontal to one foot (1') vertical slopes or flatter as directed by a qualified engineer. If the disturbed areas fail to match existing grade within ten (10) vertical feet, a retaining wall shall be used. Driveway access for all lots may not be from any street or road other than interior roads within the subdivision.

4. All driveways, whether or not locked, must provide a PCFSD approved turnaround for emergency vehicles where the driveway meets the building pad, and every two hundred feet (200') when longer driveways occur.

5. Driveways in excess of two hundred feet (200') and less than twenty feet (20') wide must be provided with turnouts. Driveway turnouts must be an all weather road surface, ten feet (10') wide and thirty feet (30') long. Driveway turnouts to be located as required by PCFSD.

F. Cul-De-Sacs:

1. The maximum length of a cul-de-sac on any nonrural designated road, as defined in subsection D of this section, shall be six hundred feet (600').

2. The maximum length of a cul-de-sac on a rural designated road, as defined in subsection D of this section, shall be as follows, unless other lengths are agreed to by PCFSD. The length of these cul-de-sacs shall be based on the wildfire hazard rating of the surrounding area.

-

Wildfire Hazard Rating	Maximum Length
-	-
Moderate	1,200 feet
High	900 feet
Extreme	500 feet

3. The cul-de-sac shall not be less than sixty feet (60') in diameter, or as required by the Park City fire service district and county engineer. Public roads having a cul-de-sac shall not be less than ninety feet (90') in diameter, unless otherwise approved by the county manager.

4. A hammerhead cul-de-sac design may be allowed in certain instances.

5. All cul-de-sacs must include signage indicating that the road is a dead end road within fifty feet (50') of the outlet. In addition, two (2) signs will be placed on the connecting road indicating that the "next turn is a dead end road".

6. Project designs including cul-de-sacs within developments where local roads are dedicated for public maintenance are discouraged.

G. Road Base Specifications:

1. All roads shall be designed by a qualified engineer. A geotechnical report supporting pavement design shall be required.

2. All roads shall have a base capable of supporting a gross vehicle weight of at least forty thousand (40,000) pounds. The county engineer may require additional support base depending on the specific function and traffic volumes anticipated on the roadway.

3. All roads shall include compacted road base, covered with either concrete or asphalt material, with the exception of emergency access roads, which may be compacted gravel or road base. Roads must meet all applicable county design standards. (Ord. 708, 12-10-2008)

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~~4. All road surfaces must be capable of providing all weather, year round access, with the exception of emergency access roads in mountain remote areas and areas that contain critical lands, where emergency access roads must provide only summer access.~~

~~H. Bridges And Culverts: Bridges and culverts shall be constructed to support a gross vehicle weight of forty thousand (40,000) pounds; vehicle load limits will be posted. Permanent culverts shall be installed at all intermittent and perennial stream crossings. Specifications for bridges, culverts and other stream crossing devices shall take into account at least the 25-year frequency storm and upstream debris hazard. If the development is within the 100-year floodplain, then 100-year frequency storm shall be used in drainage design. Bridges and culverts shall be reviewed by the CDD or designated planning staff member. Bridges and culverts deemed to be visible from a public roadway shall include materials such as natural stone, wood, or steel. (Ord. 818, 2-26-2014)~~

~~I. Traffic Control And Street Signage:~~

~~1. All roads will be designated with road names, and signs will be installed at each major road intersection. All lots and/or homesites will be visibly signed with street addresses and numbered as such or at the beginning of the driveway. Emergency access road shall be clearly identified.~~

~~2. All roads shall be named or numbered in accord with the county's addressing system and road identification signs in accordance with county standards and specifications. All permitted structures for residential, commercial and industrial uses shall post addresses prior to occupancy.~~

~~3. A developer shall be responsible for the expense of constructing and placing traffic control signs, as follows:~~

~~a. Stop signs shall be placed at all intersections of arterials; of collectors and arterials; and when appropriate, as determined by the county engineer, local streets/roads and collectors.~~

~~b. Yield signs shall be required at the intersection of all other streets and roads when determined appropriate by the county engineer.~~

~~J. Road Maintenance:~~

~~1. Snow Removal And Road Maintenance: Snow removal and road maintenance on private roads will be the responsibility of the respective homeowners' association and/or homeowners and will be noted as such on the recorded plat.~~

~~2. Maintenance Cost: Roads intended to be owned and maintained by the county will not be accepted by the county for such purposes until adequate tax revenues accrue to the county from the development to pay the cost of all related road maintenance services for the roadway, in addition to other applicable county services for the development, or unless the county determines that there are compelling reasons to accept responsibility for the road in the absence of adequate tax revenues. Road maintenance and snow removal services shall be provided in accordance with the appropriate county ordinances.~~

~~K. Level Of Service Standards:~~

~~1. No development application may be approved which causes a reduction in the level of service for any road below the adopted level of service as set forth in this title and the general plan, as such may be amended from time to time.~~

~~2. The operational character that shall be maintained for roadways and intersections in the Snyderville Basin shall be a level of service C for county roads and intersections and a level of service D for state roads. "Level of service" is as defined by the transportation research board, highway capacity manual (special report 209, 1985).~~

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~~3. The applicant shall make an offer of dedication of any rights of way which are within but will not serve a development, and which are necessary to effectively link the proposed development with future major roads or future developments, or to prevent the "landlocking" of adjoining properties or to provide the best possible long term circulation pattern prior to approval of a final subdivision plat or final site plan.~~

~~4. The dedication of the wider rights of way necessary to facilitate road improvements called for in the county transportation plan in response to a request from the county council or commission, is required.~~

~~L. Sidewalks:~~

~~1. Sidewalks, pedestrian walkways or nonmotorized trails necessary (as recommended by the county engineer) for adequate internal circulation within a development shall be provided. Sidewalks shall be provided in appropriate locations as specified in tables 1 through 3 of this section.~~

~~2. Sidewalks, walkways and trails shall be designed and constructed to the specifications provided by the county engineer. (Ord. 708, 12-10-2008)~~

CHAPTER 10
ADOPTED~~ENGINEERING~~ STANDARDS

SECTION:
10-10-1: Adopted Engineering Standards
10-10-2: Adopted Stormwater Standards

10-10-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Snyderville Basin Development Code:

A. Sections 12-1-1~~7-6-1~~ through 12-4-5~~7-6-11~~ of the Summit County Code ~~with all appendices as adopted~~.

~~B. Sections 12-1-1 through 12-1-3 of the Summit County Code with all appendices as adopted.~~

~~Sections 7-7-1 through 7-7-11 of the Summit County Code with all appendices as adopted.~~

10-10-2: ADOPTED STORMWATER STANDARDS:
The stormwater provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Snyderville Basin Development Code:

~~C.~~

~~D.~~A. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.

~~E.~~B. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.

~~F. Sections 7-2-1 through 7-2-12 of the Summit County Code with all appendices as adopted. (Ord. 879, 7-11-2018)~~

TITLE 11

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EASTERN SUMMIT COUNTY DEVELOPMENT CODE

CHAPTER 6
GENERAL REGULATIONS

SECTION:

11-6-8: ~~INFRASTRUCTURE STANDARDS:~~FIRE PROTECTION STANDARDS:

A. Fire Protection Standards:

1. The following criteria shall be used by the applicable fire district when reviewing development applications for structures that are not accessible by fire apparatus year-round or are located within the wildland urban interface zone: Location of building with respect to designated wildland urban interface (WUI) area based on the county and state approved map.
2. Response time for responding fire units.
3. Access, including road and bridge weight limits.
4. Space at the building for sufficient fire equipment to adequately and safely fight or defend the building(s).
5. Type and density of vegetation around the buildings.
6. Separation of buildings from vegetation as to prevent a building fire from spreading to wildland.
7. Type of road or driveway, length, and grade, as well as type of access (seasonal versus year round).

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8. Distance from established water supply and the ability to get that water to the fire based on pump capacity, access, and space at the building and turnarounds.
9. Other criteria that shall be used are the following state adopted laws and rules:
    a. The state fire code adoption act, as amended.
    b. Utah Code Annotated subsection 65A-8-203(3)a (cooperative fire protection agreements with counties), as amended.
    c. Utah Administrative Code R652-122-200 minimum standards for wildland fire ordinance, as amended.
    d. Utah Administrative Code R309-550-5 water main design, as amended.
    e. 2006 Utah Wildland Urban Interface Code, as amended.
    f. Other provisions of this title.
    g. The 2009 International Fire Code (IFC) or newer as adopted by the state of Utah, as amended.

Based on this review, applicants may be required to enact a variety of measures to minimize the level of fire hazard. The fire protection measures may include the following:

a. Connection to a community or private water system, well or spring with a minimum five thousand (5,000) gallon water storage tank, pond, or other accessible water body with a dry hydrant.
b. Defensible space around each dwelling.
c. Noncombustible roofing materials.
d. Internal fire sprinkler systems.

Based upon specific site characteristics (e.g., a meadow or irrigated field within the WUI zone) and the applicant's ability to provide an adequate combination of the above listed building or on site improvements, the fire district may waive certain requirements.

~~B. Road Standards:~~

~~1. Public and private roads in subdivisions shall meet the following minimum right of way, surface and shoulder width standards. Road surfaces shall be capable of providing all weather, year around access as approved by the appropriate fire district and the county.~~

~~a. Width Of Surface:~~

~~Design Speed~~	~~Design Volume~~						
	~~<25~~	~~25 - 250~~	~~251 - 699~~	~~700 - 999~~	~~1,000 - 2,499~~	~~2,500 - 5,000~~	~~5,000+~~
~~20 mph~~	~~14~~	~~16~~	~~20~~	~~22~~	~~22~~	~~24~~	~~24~~
~~30 mph~~	~~16~~	~~18~~	~~20~~	~~22~~	~~22~~	~~24~~	~~24~~
~~40 mph~~	~~18~~	~~20~~	~~22~~	~~22~~	~~22~~	~~24~~	~~24~~
~~50 mph~~	~~-~~	~~20~~	~~22~~	~~22~~	~~22~~	~~24~~	~~24+~~

~~Roads designed to carry a large traffic volume per day at higher speeds may be required to be wider than described. This will be based on a determination of the specific design volume, speed, terrain and other characteristics to be calculated at the time of development application. Public~~

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roads, to be owned and maintained by the County, shall be a minimum of twenty four feet (24') of paved surface width.

b. Width Of Shoulder:

Design Speed	Design Volume						
	<25	25 – 250	251 – 699	700 – 999	1,000 – 2,499	2,500 – 5,000	5,000+
All speeds	1' to 2'	1' to 4'	2' to 4'	2' to 6'	2' to 6'	2' to 6'	2' to 8'

Shoulders may be required to be compacted road base, asphalt or other suitable hard surface, or a combination thereof.

a. Width Of Right-Of-Way: The minimum right-of-way width for a public road shall be sixty feet (60'). The requirements may increase as the paved surface width increases due to traffic volumes, as described above. The minimum right-of-way for private roads shall be double the driving surface of the road.

C. Road Grades: The maximum road grade of an arterial road shall be eight percent (8%). On all other roads, a grade of less than eight percent (8%) is encouraged and preferred. However, road grades in excess of eight percent (8%), up to a maximum of ten percent (10%), may be allowed for short distances when, in the opinion of the County, it is in the best interest of preserving the natural environment and when approved by the appropriate fire district. Short distances shall not exceed five hundred feet (500') within any one thousand foot (1,000') segment.

D. Intersections: The road grade at an intersection shall not exceed four percent (4%) for a minimum distance of one hundred feet (100') on each leg of the intersection, and flatter grades are desired.

E. Turnaround/Cul-De-Sacs: Cul-de-sacs will be a maximum of one thousand three hundred feet (1,300') in length for developments with a moderate fire hazard rating, nine hundred feet (900') in high fire hazard rated areas, and five hundred feet (500') in areas of extreme fire hazard. No cul-de-sac shall have a driving surface width of less than twenty feet (20'), and twenty four feet (24') from public roads. All cul-de-sacs shall have a turnaround of not less than sixty feet (60') in diameter, or as otherwise approved by the fire district, and ninety feet (90') from public roads. All cul-de-sacs must have a sign indicating that the road is a "dead end" road, to be located within one hundred feet (100') of the outlet.

F. Bridges And Culverts: Bridges and culverts on public roads shall be designed to support an HS-20 highway loading requirement. Permanent culverts will be installed at all intermittent and perennial stream crossings. Specifications for bridges, culverts and other stream crossings shall take into account at least the 100-year frequency storm for bridges and the 25-year frequency storm for culverts.

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~~G. Driveway Access: The maximum grade of a driveway shall not exceed ten percent (10%). Twelve percent (12%) grades may be allowed for up to but not to exceed two hundred fifty (250) linear feet. The minimum width of a driveway shall be twelve feet (12').~~

~~H. Irrigation Ditch Easements: An unobstructed easement at least sixteen feet (16') in width shall be provided and shown on the subdivision plats or site plans, to ensure proper access and maintenance of irrigation ditches and canals.~~

~~I. Revised Standards Applicable: Development is subject to revised general engineering standards and ordinances which are in effect at the time the application is submitted for review and approval by the County.~~

~~J.~~C. Appeals: Appeals of requirements imposed by the North Summit Fire District and the Wildland Fire District (Summit County Fire Warden) are made to the Summit County Council pursuant to the appeals procedure identified in section 11-7-16 of this title. Appeals of requirements imposed by the South Summit Fire District are made to the South Summit Fire Commission. (Ord. 751, 1-12-2011; amd. Ord. 947, 8-5-2022)

CHAPTER 8
ENGINEERING STANDARDS

SECTION:
11-8-1: Adopted Engineering Standards
11-8-2: Adopted Stormwater Standards

11-8-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Eastern Summit County Development Code:

A. Sections 12-1-1~~7-6-1~~ through 12-4-5~~7-6-11~~ of the Summit County Code. ~~with all appendices as adopted.~~
~~B. Sections 12-1-1 through 12-1-3 of the Summit County Code with all appendices as adopted.~~
~~C. Sections 7-7-1 through 7-7-11 of the Summit County Code with all appendices as adopted~~

11-8-2: ADOPTED STORMWATER STANDARDS:
The stormwater provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Eastern Summit County Development Code:

~~D.~~A. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.
~~E.~~B. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.
~~F. Sections 7-2-1 through 7-2-12 of the Summit County Code with all appendices as adopted. (Ord. 879, 7-11-2018)~~

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TITLE 12
~~FLOOD CONTROL~~ENGINEERING STANDARDS

CHAPTER 1
~~PURPOSE; METHODS OF REDUCING FLOOD LOSSES; DEFINITIONS~~ADMINISTRATION AND ENFORECEMENT

SECTION:
12-1-1: Statement of Purpose
12-1-2: ~~Methods Of Reducing Flood Losses~~ Definitions
12-1-3: ~~Definitions~~Engineering Permit Required
12-1-4: Exemptions
12-1-5: Use of County Rights-of-Way
12-1-6: Emergency Conditions
12-1-7: Fees
12-1-8: Project Assurance and Warranty
12-1-9 Supervision and Inspection
12-1-10: Completion of Work
12-1-11: Failure to Comply
12-1-12: Penalty
12-1-13: Design Exceptions
12-1-14: Appeals

12-1-1: STATEMENT OF PURPOSE:

A. To protect the health, safety, and welfare of the public by regulating Development activities. Recognizing it is impossible to eliminate risk entirely, this title is intended to set forth rules and regulations to control:
    1. Development in the Special Flood Hazard Area;
    2. all work within the County rights-of-way;
    3. Access and design of private roadways;
    4. all earthwork;
    5. the impact from Development acitivities; and
    6. the administrative procedure for issuance of engineering permits.

12-1-2: DEFINITIONS:

Unless specifically defined below, words or phrases used herein shall be interpreted by the meanings they have in common usage and to give this title its most reasonable application. For the purposes of this title, the definitions listed hereunder shall apply:

ACCESS: an improvement that provides ingress and/or egress to a specific destination, (e.g. single family home, parking lot).

ALLUVIAL FAN FLOODING: Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

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APEX: A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

AREA OF SHALLOW FLOODING: A designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a of one (1) percent or greater annual chance of flooding to an average depth of one to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD: The flood having a one (1) percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION: The elevation of surface water resulting from a flood that has a one (1) percent chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30 and VE.

BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides.

BENCH: a relatively level step excavated into Earth Material for stability, drainage and maintenance.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMP's also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.

BONA FIDE AGRICULTURE: The tilling of soil, raising of crops, foraging, grazing, and animals/fish for commercial agricultural purposes, and not including establishment of new farmland, logging, animal hospitals, recreational activity not normally associated with a farm/ranch, or similar use.

COUNTY COUNICIL: the Summit County Council.

COUNTY: Summit County, a political subdivision of the State of Utah.

COUNTY ENGINEER: the Summit County Engineer and/or their designee(s).

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CRITICAL FACILITY: A facility where even a slight threat to flooding is too great. Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. A critical facility should not be located in a floodplain if at all possible. Under Executive Order 11988, Floodplain Management, Federal agencies funding and/or permitting critical facilities to the zero point two (0.2) percent chance flood level. If a critical facility must be located in a floodplain, it shall be built at least two (2) feet above the base flood elevation (BFE). Access to critical facilities should be designed so that it can continue to function and provide services during and after a flood.

CRITICAL FEATURE: An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

CUT: the excavation of Earth Material by manmade means.

DEVELOPMENT: Any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

DEVELOPMENT CODE: the Eastern Summit County Development Code, Title 11, and/or the Snyderville Basin Development Code, Title 10.

DEVELOPMENT PERMIT: a permit issued by the Summit County Planning and Zoning Department.

DISTURBANCE AREA: A portion of land where vegetation, topsoil or other native soils have been removed or excavated for purposes of construction or development.

EARTH MATERIAL: any rock, natural soil, or any combination thereof.

ELEVATED BUILDING: A nonbasement building: a) built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and b) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of section 60.3(e)(5) of the national flood insurance program regulations.

EXISTING CONSTRUCTION: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1,

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1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures".

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FINAL STABILIZATION: uniform cover has been established with a density of at least seventy (70) percent of pre-disturbed levels over one hundred (100) percent of the disturbed area.

FILL: a deposit of Earth Material placed by manmade means.

FLOOD or FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. the overflow of inland or tidal waters.
B. the unusual and rapid accumulation or runoff of surface waters from any source

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY: The official report provided by the federal emergency management agency. The report contains flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.

FLOOD PROTECTION SYSTEM: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODPLAIN or FLOOD PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of Flood or Flooding).

FLOODPLAIN MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

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FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY (REGULATORY FLOODWAY): The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long term storage or related manufacturing facilities.

GEOLOGICAL HAZARD AREA: an area of land which may include seismic hazard areas, erosion hazard areas, landslide hazard areas (including steep slopes), and mine hazard areas.

GRADING: any excavating, filling or combination thereof which changes the natural or existing ground surface. As used in this title, grading does not include routine agricultural cultivation activities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE: Any structure that is:

A. listed individually in the National Register of Historic Places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register;
B. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
C. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or
D. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    1. by an approved state program as determined by the secretary of the interior; or
    2. directly by the secretary of the interior in states without approved programs.

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LANDSCAPE GRADING: the altering of existing contours of the ground to improve the appearance of an area of land. Landscape grading is less than one (1) acre of disturbance on a parcel with an approved building or existing building and does not negatively impact existing drainage.

LEVEE: A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LICENSED ENGINEER: a professional engineer licensed in the State of Utah with experience and knowledge in the field of work they are performing.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the national flood insurance program regulations.

MANUFACTURED HOME: A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

MEAN SEA LEVEL: For purposes of the national flood insurance program, the national geodetic vertical datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

NEW CONSTRUCTION: For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the

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construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE: A vehicle which is:

A. built on a single chassis;
B. four hundred (400) square feet or less when measured at the largest horizontal projections;
C. designed to be self-propelled or permanently towable by a light duty truck; and
D. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SITE: a specified area in which all Development is confined including construction mitigation. Area shall be under the same ownership.

SITE PLAN: a scaled drawing that depicts the property boundaries, limits of disturbance, existing and future conditions of the Site, including but not limited to, topography, drainage, floodplains, waterways, roads, Accesses, and structures.

SPECIAL FLOOD HAZARD AREA: An area having special flood, mudflow or flood- related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM) Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. For the purpose of determining Community Rating System (CRS) premium discounts, all AR and A99 zones are treated as non- SFHAs.

START OF CONSTRUCTION: For other than new construction or substantial improvements under the coastal barrier resources act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE: A walled and roofed building, including a gas or liquid storage tank, that is principally aboveground, as well as a manufactured home.

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SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions, or
B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

UTILITY: Governmental services districts, water companies or utilities regulated by the Public Service Commission of Utah.

VARIANCE: A grant of relief to a person from the requirements of this title when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this title. (For full requirements see section 60.6 of the national flood insurance program regulations.)

VIOLATION: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations or this title. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: The height, in relation to the national geodetic vertical datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-1-3: ENGINEERING PERMIT REQUIRED:

A. It shall be unlawful for any person or entity to make any excavation, perform any grading, or construct any road, access or structure not described in an approved permit application, or which exceeds the approved scope, or which does not conform to the provisions of this title. An engineering permit shall be required for:
    1. Development in the Special Flood Hazard Area;
    2. all work within the County rights-of-way;
    3. construction of Accesses or private roadways;
    4. all earthwork;
    5. other Development activities determined to need a permit by the County Engineer.

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12-1-4: EXEMPTIONS:

A. A permit shall not be required for the following activities:

1. Refuse disposal sites controlled by other regulations.
2. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations:
   a. do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property, and
   b. are approved by a valid permit from the Summit County Community Development Department and/or the Utah Division of, Oil, Gas, and Mining.
3. Resurfacing of roads or accesses which does NOT:
   a. alter footprint of existing access;
   b. alter grade of existing access; or
   c. alter the alignment to the road.
4. Grading work which meets the following conditions:
   a. work on existing slopes less 5:1;
   b. work that does not negatively impact driving or turning sight distance;
   c. work does not obstruct or alter a drainage course;
   d. work is outside the Special Flood Hazard Area;
   e. work is outside areas which may be classified as wetlands by the U.S. Army Corps of Engineers; and
   f. work does not exceed the limits specified in Table 1-1 within a five (5) year period.
5. Grading for Bona Fide Agriculture

B. Exemptions from the requirement to obtain an engineering permit shall not be deemed to grant authorization for any work to be done in any manner that violates this title or any other applicable laws or regulations.

Table 1-1

Category of Work	Parcels Less than 1 Acre	Parcels Greater than 1 Acre
Excavation and/or Imported Fill	250 Cubic Yards	500 Cubic Yards
Area of Disturbance	5,000 Square Feet	7,500 Square Feet

12-1-5: USE OF COUNTY RIGHTS-OF-WAY:

A. It is the specific finding of Summit County that all County rights-of-way where the County Council is the Highway Authority, are and were acquired for the purposes of:
   1. transporting people and animals through Summit County; or
   2. conveying transmission facilities of Utilities to developed or developing areas within Summit County.

B. The County Council hereby declares that it is the official policy of Summit County that is not a Utility, desiring to use County rights-of-way for the purposes defined in Section A must comply with the criteria set forth in Section D, herein.

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C. Utilities seeking use a County right-of-way for the purposes defined in Section A, must do the following as a prerequisite to the granting of an engineering permit:
   1. have evidence on file with Summit County that it is a public Utility and a franchise agreement holder;
   2. complete and submit an engineering permit application;
   3. provide a written statement showing that granting of the requested engineering permit will further a public purpose; and
   4. provide a project assurance as set forth in Section 12-1-8.

D. All other entities seeking to utilize a County right-of-way for the purposes defined in Section A must do the following as a prerequisite to granting of an engineering permit:
   1. provide evidence that the granting of a permit shall further a public purpose;
   2. provide evidence that the applicant has attempted in good faith to acquire easements from private property owners to avoid the use of the County right-of-way;
   3. provide evidence that the County right-of-way, which is the subject of the application, has adequate capacity;
   4. complete and submit an engineering permit application; and
   5. provide a project assurance as set forth in Section 12-1-8.

E. The County Council has delegated the County Engineer as the authority to approve, deny, or approve with conditions any and all engineering permits on County rights-of-way. The County Engineer shall have wide discretionary power to grant or deny permits as deemed to in the best interests of the County. Such decisions may be appealed, in accordance with Section 12-1-14, to the County Council, whose decisions shall be final.

12-1-6: EMERGENCY CONDITIONS:

A. Emergency Development may occur without prior permit if the reason is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those responsible for the Development shall contact the County Engineer's Office at the earliest possible time, but in no case later than the first working day following the emergency work, in order to secure a formal permit. None of the provisions of this title or the requirements of any other applicable laws and regulations are waived for emergency situations except for the prior permit requirement.

B. Whenever the County Engineer determines that any Development, irrespective of its origin, has become a hazard to life and limb; or endangers property; or adversely affects the safety, use or stability of a public way or drainage channel; the owner of the property upon which the Development is located, or other person or agent in control of said property, upon receipt of notice in writing from the County Engineer, shall within the period specified therein repair or eliminate such Development as to eliminate the hazard and be in conformance with the requirements of this title.

12-1-7: FEES:

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A. Fee payment, in the current amount as set by resolution of the County Council, shall accompany each application for a permit unless other fee payment arrangements have been approved by the County Engineer.

12-1-8: PROJECT ASSURANCE AND WARRANTY:

A. Applicants shall file a project assurance with the County Engineer in an amount set by the County Engineer at the time the permit is approved for all engineering permit applications that:
   1. perform any work in the County right-of-way;
   2. install or modify any road or improved access, or
   3. disturb more than one (1) acre.

B. Project assurances for work within the County right-of-way must include a warranty amount equal to one hundred (100) percent of the total estimated cost. The warranty period is one (1) years.

C. The project assurance shall be in the form of:
   1. a letter of credit from an FDIC insured financial institution;
   2. a surety bond from a company listed in the US Department of Treasury Circular 570; or
   3. a cash escrow account with:
      a. the County Treasurer's Office; or
      b. an FDIC insured financial institution.

D. Applicants seeking an engineering permit in conjunction with a final subdivision plat or a final site plan, shall also enter into a development improvement agreement with the County, or otherwise satisfy the completion assurance requirements stated in the applicable Development Code.

E. Assurances will be released back to the applicant upon satisfactory completion of the project and recommendation from the County Engineer.

F. Those public entities which are regulated by the State of Utah Public Service Commission, the Mountain Regional Water District and the Snyderville Basin Sewer Improvement District are exempt from the project assurance requirements of this title but shall still be required to obtain an engineering permit prior to making excavations.

12-1-9: SUPERVISION AND INSPECTION:

A. The County Engineer shall supervise and, from time to time, inspect all work pursuant to an engineering permit. Notification shall be given to the County Engineer at least 24 hours prior to the commencement of any work.

B. For projects on private property, the County Engineer will perform the following inspections to ensure compliance with this title. A minimum of 24 hours notice is required for all inspections.
   1. Initial Site Inspection

Commented [MK1]: what is the Circular 570?

Commented [SD2]: Do we need to update the Development Codes to change the assurance forms accepted?

Commented [SD3]: Is this still accurate? Is it only if the entity is the permit applicant?

Commented [SD4R3]: This is from 181-D which is contrary to 181-G which is adapted into 12-1-5C.

Commented [MK5R3]: chat with Shayne Scott and Dave Thomas. 1. Only if they do the work themselves or regardless if they hire the work out. Do we still want to grant this?s

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2. *Final Inspection*
3. *Warranty Release Inspection (as applicable)*

C. *For projects in the County right-of-way, the* County Engineer will perform the following activities to ensure compliance with this title. A minimum of 48 hours notice is required for all inspections.
   1. *Initial Site Inspection*
   2. *Observe Subgrade Preparation and Compaction*
   3. Observe Paving Operations
   4. Observe Long Term Stormwater BMP Installation
   5. Review of Subgrade/Pavement Compaction Test Reports
   6. Final Inspection
   7. Warranty Release Inspection

D. *The County Engineer may perform additional oversight and/or inspections as deemed necessary by the County Engineer.*

E. County Engineer shall be notified immediately (in no instances later than the next business day) of any discrepancies between the work and the engineering permit.

F. Work shall stop until the County Engineer has acknowledged any changes to the:
   1. Property Owner
   2. General Contractor
   3. Licensed Engineer

12-1-10: COMPLETION OF WORK:

A. An as-built Site Plan shall be submitted to the County Engineer prior to requesting a final inspection for projects that:
   1. perform any work in the County right-of-way;
   2. install any road, improved access, or
   3. disturb more than one (1) acre.

B. If deemed necessary by the County Engineer, a final geotechnical report shall accompany the as-built Site Plan.

C. By requesting the final inspection, the contractor is certifying that the project was built in accordance with Summit County standards.

D. If applicable, a termination to the development improvement agreement must be filed with the County Engineer prior to the warranty being released.

12-1-11: FAILURE TO COMPLY:

A. In the event of failure on the part of any person or entity to comply fully with the provisions of this Chapter, law enforcement authorities of Summit County are authorized to:

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1. initiate action by citation or information as stated in current County code and/or proceed to forfeit the project assurance, or
2. remove such installation from the right-of-way or require such person, firm, or corporation to remove the same; or,
3. issuing a Notice of Violation or Administrative Citation pursuant to Title 1, Chapter 13, the Administrative Code Enforcement Hearing Program, and proceeding under such administrative remedy, which may include recovering the costs of restoration and an administrative fine according to the current County fee schedule or,
4. if such person or entity refuses to restore the property, the County may bring an action to abate the same as a nuisance, and if judgment is recovered by the County, there shall also be recovered, in addition to having the same abated, the cost of action and the cost indicated in the current County fee schedule for every day such nuisance remained after notice was given for its removal.

12-1-12: PENALTY:

A. Any person who violates the provisions of this title may be subject to the administrative code enforcement provisions outlined in Title 1 Chapter 13 of the County code.

B. Violators of this title are also subject to any penalties that may be imposed by the State of Utah, or the Federal Government.

C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this title, Summit County shall have the right to issue a Stop Work Order on the entire construction site, and/or install or maintain appropriate CMP measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this title. Summit County shall have the right to have such measures installed and maintained by County personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The County may assess said expenses against the project assurance posted by the permittee.

D. It is unlawful for any person, firm, public utility, public agency, entity, or corporation to continue any further work on the construction site after a Stop Work Order has been issued.

E. Summit County may also pursue civil remedies for violations of this title.

12-1-13: DESIGN EXCEPTIONS:

A. The County Engineer has the authority to enforce the provisions of this title. Requests for design exceptions to the standards and specifications of this title will be considered on a case-by-case basis by the County Engineer. A request for a design exception must be made prior to applying for an engineering permit and include a statement explaining why the applicable standard or specification cannot be reasonably met and why an alternative design or construction method meets the intent of the applicable standard or specification.

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When considering the request, the County Engineer may request documentation or other information relevant to the request.

B. In considering the request, the County Engineer may consult with the following individuals depending on the nature of the request.
   1. County Manager or their designee
   2. Community Development Director or their designee
   3. Chief Building Official or their designee
   4. Applicable Fire Chief or Marshall
   5. Public Works Director or their designee
   6. County Attorney or their designee

C. The County Engineer shall evaluate a request for design exception to the standards and specifications set forth in this title and approve, deny, or modify the requested exception.

D. Approval of a request in one project will not constitute a precedent for other projects.

E. The County Engineer may only grant an exception to the standards and specifications of this title when there is no detrimental impact to public health, safety, and welfare, and at lease one of the following conditions is met:
   1. the standard or specification does not apply in the particular application;
   2. topography or other geographic conditions impose an undue hardship;
   3. if the exception is not approved, it will result in an undue hardship.

12-1-14: APPEALS:

A. An applicant whose design exception request has been denied or whose permit application has been denied or approved with conditions, may appeal the decision to the County Council. A written notice of appeal must be filed with the County Engineer within 10 calendar days of the denial or imposition of conditions. The notice of appeal shall contain the following information:
   1. the applicants name, address and daytime telephone number;
   2. a statement describing the basis for the appeal; and
   3. the relief sought by the applicant.

B. The appeal shall be scheduled at the next available County Council meeting.

CHAPTER 2
ENGINEERING PERMIT APPLICATION AND REVIEW PROCESS

SECTION

Attachment A

12-2-6: Engineering Permit Validity

12-2-1: GENERAL PERMIT APPLICATION REQUIREMENTS:

A. By applying for an engineering permit the applicant is indemnifying Summit County for any loss, liability, or damage that may result from work performed.

B. Applications for engineering permits shall be made to the County Engineer's Office, through the County's electronic permitting system as provided, and shall identify:
   1. The location and parcel number(s) of the proposed work;
   2. The scope and purpose of the work;
   3. Property owner and/or their agent, along with adequate contact information;
   4. The person or entity doing the actual work, along with adequate contact information.

C. All applications for an engineering permit shall be accompanied by a Site Plan which meets the minimum requirements described in this title.

12-2-2: PROJECT SPECIFIC PERMIT APPLICATION REQUIREMENTS:

A. Engineering permit applications that include a full or partial road closure or impede regular traffic on a County road shall include a traffic control plan that conforms to the Utah Manual of Uniform Traffic Control Devices (MUTCD). The traffic control plan shall be stamped by a Licensed Engineer when the plan pertains to collector or arterial road.

B. Engineering permit applications made in conjunction with a final subdivision plat or final site plan shall include a current title report.

C. Engineering permit applications that propose Cut or Fill slopes steeper than 3:1 shall be accompanied by a geotechnical report.

D. Engineering permit applications that propose to install any road or an improved access shall be accompanied by a pavement design report.

E. Engineering permit application that proposes an excavation adjacent to the County road and within the 2:1 support envelope of the road shall be accompanied by a geotechnical report and shoring plan as necessary.

F. A traffic study shall accompany all engineering permit applications that propose to construct:
   1. a residential subdivision of thirty (30) lots or more;
   2. a multifamily or nonresidential Development with anticipate average daily trips of three thousand (3,000) or more; or
   3. as deemed necessary by the Transportation Planning Director.

12-2-3: SITE PLAN REQUIREMENTS:

A. A Site Plan shall include a scale and a North arrow, and accurately depict:

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1. Site general vicinity;
2. relevant survey monuments and/or section corners;
3. property limits;
4. parcel numbers addresses;
5. location and width of adjoining roadways with names and edge of pavements;
6. location and width of right-of-ways or easements;
7. existing contours in two (2) foot intervals;
8. location of any structure, utilities, drainages, waterways, or sensitive lands (e.g. wetlands or Special Flood Hazard Area);
9. details of the proposed work:
    a. limits of disturbance;
    b. contours in two (2) foot intervals;
    c. earth work volumes (Cut and Fill);
    d. location of structures;
    e. location, width, and horizontal alignments of roads and accesses;
    f. profile view and vertical alignment of roads and accesses;
    g. location, slope, and size of stormwater conveyances;
    h. location, size, and form of stormwater retention or detention structures;
    i. location for all construction mitigation elements and BMPs;
    j. recommendations from an applicable geotechnical report or transportation study;
    k. relevant details and specifications; and
    l. additional information deemed necessary by the County Engineer.

B. A single family residential Site Plan shall be prepared and stamped by a Licensed Engineer, a licensed architect, a licensed landscape architect, and/or professional land surveyor. All multifamily residential or other Site Plans shall be prepared by a Licensed Engineer.

12-2-4: TRAFFIC STUDY REQUIREMENTS:

A. Traffic studies shall be prepared by a firm or individual approved by the County as capable of performing a traffic analysis.

B. The traffic study should follow the recommended format below:
1. Introduction and Summary
2. Proposed Project
3. Study Area Conditions
4. Analysis of Existing Conditions
5. Projected Traffic
6. Traffic Analysis
7. Conclusions
8. Recommendations
9. Appendices
    a. Traffic Counts
    b. Traffic Capacity Analysis
    c. Accident Summary

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d. Request for Change of Access (if appliable)

10. Figures and Tables
    a. Vicinity map
    b. Scaled drawings showing:
        (1) geometric and physical concerns related to the project area and access points.
    c. Existing roadways and traffic control features
    d. Existing daily volumes
    e. Collision diagram summary
    f. Site generated trip summary
    g. Directional distribution of Site generated traffic
    h. Assignment of non-Site related traffic
    i. Assignment of Site traffic
    j. Traffic capacity analysis
        (1) Projected levels of service without the project to coincide with development years.
        (2) Projected levels of service with the project.
    k. Recommended mitigation or improvement

12-2-5: ENGINEERING PERMIT REVIEW PROCESS:

A. Upon receipt of a compete engineering permit application, the County Engineer shall review the application for compliance with this title and any other applicable laws and regulations.
    1. The County Engineer shall approve, deny, or approve with conditions all engineering permit applications within a timely manner.
    2. The County Engineer may delay rendering a decision until such time that the compliance of an engineering permit application can be determined.

B. If the County Engineer finds that the work described in the engineering permit application conforms to the requirements of this title and other applicable laws and regulations, the applicable fees have been paid, and the applicable project assurance has been tendered, the County Engineer shall issue an engineering permit to the applicant.

C. Upon issuing an engineering permit, the County Engineer will furnish an electronic permit placard to the applicant. The applicant shall post and maintain the placard on Site until the project is complete. The placard shall include the following:
    1. Engineering Permit Number
    2. Permitee
    3. Project Address
    4. Permit Issue Date

D. If applicable, the County Engineer will stamp and furnish an electronically approved Site Plan to the applicant. The applicant shall maintain a legible copy of the approved Site Plan on Site at all times while work is being performed.

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E. No engineering permit application will be processed for a project that requires a Development Permit in advance of approval of said Development Permit.

F. No engineering permit application will be processed when the intended work includes the excavation for construction of a footing or foundation for a structure, or for underground utilities regulated by the County Community Development Department.

G. The issuance of an engineering permit shall not be construed to be a permit for, or an approval of, any violation of this title or any other applicable laws or regulations.

H. The County Engineer may suspend or revoke an engineering permit whenever the engineering permit is deemed to have been:

1. issued in error;
2. issued based on incorrect information;
3. issued contrary to the conditions of approval in a Development Permit; or
4. in circumstances where the permit approval may constitute a violation of this title or any other applicable laws or regulations.

I. The County Engineer may require the correction of errors on the approved Site Plan as well as any work which is in violation of this title or any other applicable laws or regulations.

J. Notification of Potential Condemnation Right-of-Way Required

1. Except as otherwise provided in the following sections, no building or structure may be erected, reconstructed, structurally altered or enlarged, and no engineering permit may be issued therefore on any lot or parcel of land which abuts any road which does not conform to current right-of-way width standards in this title, unless the portion of such lot or parcel within the standard right-of-way width has been dedicated to the County or the developer or applicant has been notified and has acknowledged that such portion may be condemned for public use at some future time.

K. Exception to Right-of-Way Notification Dedication Requirement

1. The maximum area to be dedicated shall not exceed ten (10) percent of any lot or parcel which was of record on the effective date of this section in the Summit County Recorder's Office. In determining the amount of area for dedication for purposes of this exception, any highway area which previously has been dedicated to the public through public use shall not be included.
2. Neither notice, acknowledgment nor dedication is required for remodeling, additions and accessory buildings incidental to a single-family dwelling used as a residence, existing on the lot as of the effective date of this section, provided that no additional dwelling units are created.

L. Dedication Procedure

1. Any person or other entity desiring to dedicate land under the provisions of this section shall execute an offer to dedicate and a warranty deed or other deed form

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acceptable to the County properly executed by all parties of interest. At the request of said person or entity, the offer to dedicate and deed shall be prepared by the Summit County Attorney's Office in such terms as to be binding on the owner, his heirs, assigns, or successors in interest.

2. The dedication shall be complete when the deed is recorded in the office of the County Recorder after its acceptance by the County Council.
    a. Summit County shall provide survey information, as required, in order to establish proper boundary lines.
    b. For the purpose of this Section, dedication shall be considered as satisfactorily assured when the County Attorney's Office approves the offer to dedicate and deed as described herein.
    c. When the provisions of this Section have been completed or assured as provided herein, an engineering permit may be issued.

M. Lots Affected by Dedication

1. On a lot affected by a dedication, acknowledgment, or notification under the provisions of this Section, all required yards, setbacks, parking area, loading space and building locations for new buildings or structures or additions to buildings or structures shall be measured and calculated from the new lot lines created by dedication or future right-of-way potential. However, in applying all other provisions of the applicable Development Code, such lot shall be considered in area as that which existed immediately prior to dedication.

12-2-6: ENGINEERING PERMIT VALIDITY:

A. Engineering permits shall be valid for a period of 180 calendar days from the date of issuance.

B. Engineering permits issued in conjunction with a County building permit shall be valid while the building permit is active.

C. Engineering permits issued in conjunction with a final subdivision plat or a final site plan shall be valid for a period of two (2) years.

D. The County Engineer may extend the term of an engineering permit upon written request.

CHAPTER 3
DESIGN AND CONSTRUCTION STANDARDS

SECTION

Attachment A

12-3-8: Construction Mitigation Standards

12-3-1: ADOPTED STANDARDS:

A. In addition to the standards set forth in this title, the County adopts the following as standards for all issues related to the design, construction, and maintenance of Development not specifically covered in this title.
   1. APWA: Manual of Standard Plans (current edition)
   2. APWA: Manual of Standard Specifications (current edition)
   3. UDOT: Standard Drawings (current edition)
   4. UDOT: Standard Specifications (current edition)
   5. AASHTO: A Policy on Geometric Design of Streets and Highways (current edition)
   6. AASHTO: Roadside Design Guide (current edition)
   7. Utah Manual of Uniform Traffic Control Devices (MUTCD) (current edition)

12-3-2: ROADWAY DESIGN STANDARDS:

A. This section provides minimum standards for the design and construction of all roads within Summit County. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. Road Classifications
   1. Arterial (A) – Arterial roads link cities, larger towns, and other large traffic generators. These roads have relatively high travel speeds and minimal inferences to the through movement of traffic.
   2. Collector (C) – Collectors roads serve towns and other traffic generators of inter-county importance, such as schools, parks, resorts, not directly served by an arterial road.
   3. Major Local (ML) – Major local roads serve a dual function of providing access to properties adjacent to the road as well as providing connectivity between higher road classification facilities.
   4. Minor Local (L) – Minor local roads serve almost exclusively to provide access to properties adjacent to the road. These roads provide limited or no connectivity and are predominately used by drivers who are familiar with them. No nonresidential access can be made to a minor local road.
   5. Seasonal/Agricultural (SA) – Seasonal/Agricultural roads vary greatly in both users and types of vehicles. Design of these roads needs to carefully considers all factors affecting use.
   6. Unimproved (U) – Unimproved roads are not improved for use by some or all passenger vehicles. Access may be limited to certain types of vehicles and use of these roads may be restricted.

C. General Design Standards
   1. A minimum of two (2) roads for separate ingress and egress will be provided for subdivisions in excess of thirty (30) lots. At least one road will be considered the main access to be dedicated with right-of-way as part of the final subdivision plat. In situations where dual access is not available within the initial development, one

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or more easements extending to the perimeter of the proposed development and evidence that existing vehicular access through adjacent properties to public roads must be provided by the developer. The secondary road, which may not comply with this section, may be permitted, so long as it is an all-weather, year around access road and maintained for emergency services as approved by the appropriate fire district.

2. Reduction in the level of service of any existing road below the adopted level of service is prohibited.
    a. The adopted level of service for County roads and intersections is level C.
    b. The adopted level of service for UDOT roads is D.
3. All roads shall be designed by a Licensed Engineer.
4. All roads shall have a base capable of supporting a gross vehicle weight of at least eighty thousand (80,000) pounds. The County Engineer may require additional support base depending on the specific function and traffic volumes anticipated on the road.
5. All roads shall be capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.
6. All roads will have unobstructed vertical clearance of thirteen (13) feet six (6) inches.
7. Homeowners may not grant additional vehicular rights of way and road easements across their property in addition to those vehicular rights-of-way and road easements that are already on record at the date of the plat recordation.

D. Specific Design Standards

1. This section provides specific design criteria based on the road classifications defined above. Seasonal/Agricultural and unimproved roads were specifically omitted from this section because of the wide variety of situations in which they may be used. Consult the County Engineer during the planning stages of a seasonal/agricultural or unimproved road for specific design requirements.
2. Access Spacing: To maintain safe and effective transportation corridors, the County Engineer limits all road access. Table 3-1 designates the spacing requirements for all roads.
    a. Measurement of the spacing between intersections shall be in accordance with Figure 3-1.

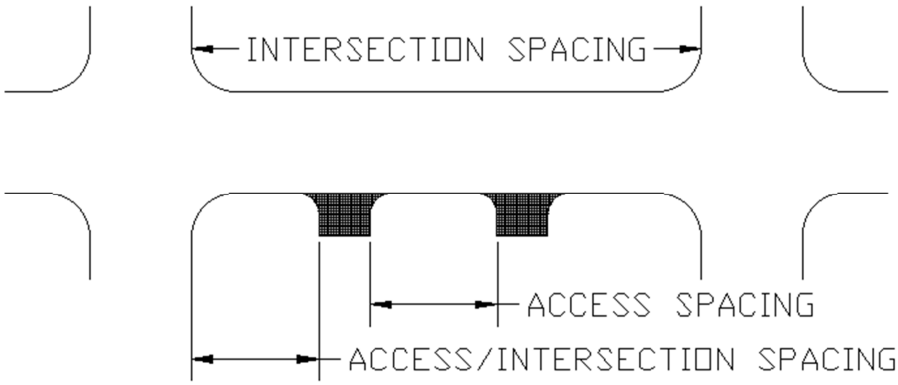
Table 3-1

Road Classification	Minimum Spacing (Feet)		
	Intersections	Improved Access	Common Access
Arterial	600	350	75
Collector	330	200	50
Major Local	125	150	35
Minor Local	125	Not Permitted	10[1]

[1] Minimum spacing from an intersection shall be fifty (50) feet.

Figure 3-1

Attachment A



3. Road Sizing: Roads shall be designed for a specific traffic volume that is based on the average daily traffic (ADT) volume projected for a 20-year design future. Table 3-2 designates the width requirements for all roads.

Table 3-2

Road Classification	Minimum Width (Feet)			Minimum Design Speed (mph)	Maximum ADT
	Roadway	Shoulder	Right-of-Way[1]		
Arterial	30	6	60	55	-
Collector	26	6	52	35	2,000
Major Local	24	2	48	25	1,500
Minor Local	20	1	40	-	400

[1] The minimum right of way width shall be two (2) times the roadway.

4. Roadway Grades: Table 3-3 designates the maximum roadway grades for all roads.
   a. The minimum longitudinal grade for all roads is 0.5%.
   b. Through roadways (nonstop sign roadways) can remain at a constant grade of less than eight percent (8%) through the intersection.
   c. Roadway cross slope shall be adequate to provide proper drainage, ranging from 1.5 to 4%.
   d. The maximum super elevation is 5%

Table 3-3

Road Classification	Maximum Grade (%)	Maximum Grade Change without Vertical Curve (%)	
		Sag	Crest
Arterial	8	1	2

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Collector	8	1	2
Major Local	10	2	3
Minor Local	10	3	5

5. Cul-De-Sacs
   a. The maximum length of a cul-de-sac shall be one thousand (1,000) feet.
   b. Cul-de-sacs shall not be less than ninety six (96) feet in diameter, or as required by the appropriate fire district and the County Engineer.
   c. A hammerhead cul-de-sac design, per current international fire code, may be allowed in certain instances but must receive approval from the appropriate fire district and the County Engineer during permitting.
   d. All cul-de-sacs must include signage indicating that the road is a dead-end road within fifty (50) feet of the outlet. In addition, two (2) signs will be placed on the connecting road indicating that the "next turn is a dead-end road".
   e. No cul-de-sac shall have a roadway surface width of less than twenty (20) feet.
6. Alignment
   a. Horizontal alignment shall be tangent through intersections, but where horizontal curves cannot be avoided, the following shall apply:
      (1) Horizontal curves shall have sufficient radius to provide adequate sight distance and eliminate the need for superelevation.
      (2) Curves should not start or end in an intersection.
   b. Vertical curves shall have the appropriate K-value to provide adequate stopping sight distance and passing sight distance.
7. Intersections
   a. Intersections shall not be designed to accommodate more than two (2) roadways or four (4) corners. If additional intersecting roadways are necessary, a roundabout intersection design may be appropriate.
   b. Roadways shall intersect at a ninety (90) degree angle, or as near to a right angle as practicable but shall not exceed a ten (10) degree deviation.
   c. Landing: A landing is defined as the area between the through roadway and the point at which the side roadway begins to exceed three (3) percent. Table 3-4 designates the minimum landing length for all roads.

Table 3-4

Road Classification	Minimum Landing Length (Feet)
Arterial	200
Collector	150
Major Local	100
Minor Local	75

8. Signage
   a. All roads will be designated with road named or numbered in accordance with County requirements.
   b. MUTCD compliant road identification signs shall be installed at each major intersection.

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c. Emergency access roads shall be clearly identified.
d. All signage shall be MUTCD compliant.
e. The applicant shall be responsible for the expense of constructing and placing traffic control signs as follows:
(1) Stop signs shall be placed at:
(A) intersections of arterials and
(B) intersections of collectors and arterials
(2) Any other traffic control signs deemed necessary by the County Engineer.

9. Area Adjacent to Roads
a. In no case shall a non-yielding structure be placed closer than those distances shown in table 3-5.
b. All structures placed within a right-of-way shall be flagged with a minimum of a six (6) foot pole with a red or black flag attached to the top from October 15th to May 1st of the following year. In known areas of deep drifting, the height of the pole shall be extended to eight (8) feet.
c. Landscaping berms within a right-of-way shall end a minimum of fifty (50) feet from any intersection. The distance may be extended for roads classified as a collector or higher.
d. Exceptions may be made where guardrail protection is provided.
e. Retaining walls shall be used when cuts and/or fills exceed ten feet (10) as measured vertically at the edge of the road shoulder.

Table 3-5

Posted Speed (mph)	ADT	Uphill Clear Zone (Feet)[1]			Downhill Clear Zone (Feet)[1]	
		> 6:1 Slope	6:1 – 3:1 Slope	< 3:1 Slope	> 6:1 Slope	6:1 – 3:1 Slope
≤ 40	< 750	8	9	10	10	10
	750 - 1000	10	11	12	12	14
	1500 – 6000	12	13	14	14	16
	> 6000	14	15	16	16	18
> 40	750 - 1000	10	11	12	14	20
	1500 – 6000	12	13	14	18	26
	> 6000	14	15	16	20	28

[1] The clear zone is measured from the edge of the travel lane.

E. Sidewalks
1. Sidewalks or non-motorized trails shall be provided to allow internal circulation within a development and connectivity to other adjacent points of interest.
a. Sidewalks shall be a minimum of five (5) feet wide.
b. Sidewalks directly adjacent to the back of curb shall be a minimum of seven (7) feet wide.

F. Public Roads

Attachment A

1. Roads being considered for public dedication shall meet the more stringent of the above requirements of those provided in this section, regardless of classification:
    a. Twenty-four (24) foot wide pavement as a minimum
    b. Sixty (60) foot wide right-of-way as a minimum
    c. Eight percent (8%) maximum grade
    d. Minimum cul-de-sac diameter of ninety-six (96) feet
    e. Minimum pavement thickness
        (1) Four (4) inches for asphaltic concrete
        (2) Eight (8) inches for Portland cement concrete pavement
    f. Six (6) inch minimum base course thickness
    g. Minimum of a level of service B
2. Roads shall carry a 1 year warranty from the date of adoption.

12-3-3: ACCESS DESIGN STANDARDS:

A. This section provides the minimum standards for the design and construction of all accesses to any road within Summit County. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards and the applicable fire code.

B. Access Classifications
    1. Common – A common access provides ingress and egress to a maximum of two parcels consisting of a single family home, farm, cabin, accessory structure, or combination thereof.
    2. Improved – An improved access provides ingress and egress to multi-family, commercial, or other nonresidential structures not included in a common access. Also, includes accesses that serve more than two parcels.

C. General Design Standards
    1. All lots and/or homesites will be visibly signed with street addresses and numbered as such or at the beginning of the access.
    2. In the case of state highways, as approved by the state department of transportation. The design and construction of turn lanes, merging lanes, traffic signs or signals and other improvements required to make access points conform to County or UDOT standards shall be the responsibility of the developer.
    3. Each access shall serve as many properties and interests as possible to reduce the need for additional direct access to the roadway.
    4. All accesses shall capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.

D. Existing Accesses
    1. Accesses in existence at the time of the effective date of this Ordinance may continue to the same extent and degree as before.
    2. Any change in to the access such as: grade, footprint, the degree of use as stated, or as deemed necessary by the County Engineer shall require a permit and compliance with the provisions of this chapter.

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3. A change in degree of use is considered as any change in the land use or adding additional building space.
4. Maintenance of an existing access shall not require a permit or compliance with the provisions of this section.
    a. Maintenance activities include resurfacing, replacing the access without changing grade or footprint, and other maintenance activities as determined by the County Engineer.
5. Accesses used by multiple parcels shall be updated to compliance in its entirety if any property owner engages in any activity as described in the section above.

E. Specific Design Standards
1. Access Spacing: To maintain safe and effective transportation corridors, the County Engineer limits road (public or private) access. Table 3-6 designates the spacing requirements for all roads.
    a. Measurement of the spacing between access as well as from intersections shall be in accordance with Figure 3-2.
    b. In no case shall an access cross the imaginary line which is projected along the side yard property lines to its intersection with the edge of the road.
    c. Accesses are to be setback from side property lines a minimum of ten (10) feet in all rights-of-way. Once out of the right-of-way there shall be no minimum side property setback. However, if grading setbacks apply to the site, the grading setback requirement shall be satisfied according to the current County code. Adequate snow storage will need to be provided inside the property for snow removal operations.

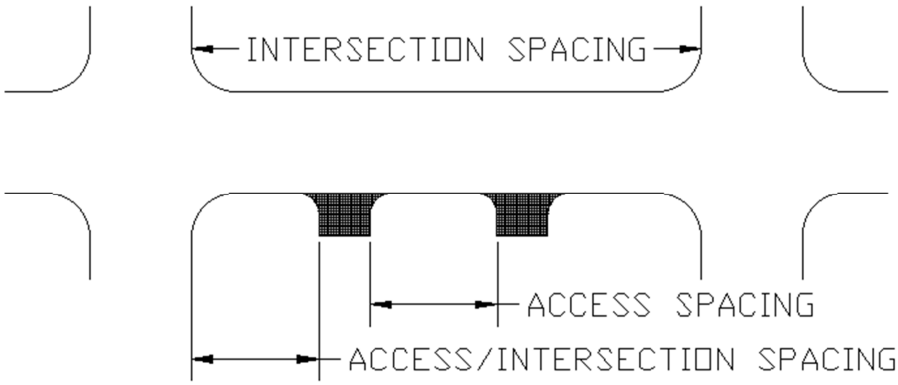
Table 3-6

Road Classification	Minimum Spacing (Feet)	
	Improved Access	Common Access
Arterial	350	75
Collector	200	50
Major Local	150	35[1]
Minor Local	Not Permitted	20[1]

[1] Minimum spacing from an intersection shall be fifty (50) feet.

Figure 3-2

Attachment A



2. Length: The maximum access length is seven hundred and fifty (750) feet.
    a. Accesses greater than one hundred and fifty (150) feet in length shall have a forty (40) foot radius turnaround at the end.
3. Alignment: All accesses shall be aligned as to not create hazardous driving conditions.
    a. All access shall have adequate stopping sight distances. Table 3-7 is provided as a reference for level roadways.
    b. Accesses shall intersect at a ninety (90) degree angle, or as near to a right angle as practicable but shall not exceed a twenty (20) degree deviation.
        (1) Accesses shall not be installed in horizontal curves or at the crest of vertical curves.
    c. Accesses over one hundred and fifty (150) feet in length shall maintain a minimum turning radius for fire truck access. Table 3-8 designates the minimum turning radii.
        (1) Measurement of the turning radius is as shown in Figure 3-2

Table 3-7

Posted Speed (mph)	Minimum Stopping Sight Distance (Feet)
20	115
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570

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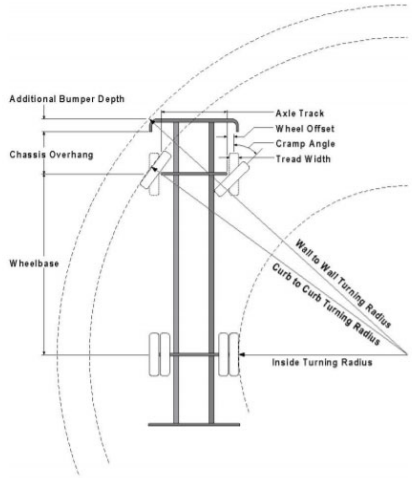
Table 3-8

Radius Type	Minimum Radius (Feet)
Inside Turn	18
Curb to Curb	34
Wall to Wall	39

Figure 3-2



Parameters:

*Inside Cramp Angle:	45°
Axle Track:	82.92 in.
Wheel Offset:	5.3 in.
Tread Width:	17.5 in.
Chassis Overhang:	65.95 in.
Additional Bumper Depth:	22 in.
Front Overhang:	96.5 in.
Wheelbase:	229.5 in.

Calculated Turning Radii:

Inside Turn:	17 ft. 9 in.
Curb to curb:	33 ft. 2 in.
Wall to wall:	38 ft. 2 in.

Total overall length 39 feet 2 inches

4. Width: Access width shall be sized appropriately based on the road classification they are providing access to and the intended use. Table 3-9 and 3-10 designate the allowable width for accesses to all roads.
    a. In no case shall an access width exceed twenty-five percent (25%) of a property's frontage.
    b. For accesses less than twenty (20) feet in width and greater than two hundred (200) feet in length, pullouts are required to increase the access width to twenty (20) feet for a distance of forty (40) feet with ten (10) foot minimum radius flares on either end.
        (1) The distance between pullout centerlines shall not exceed two hundred (200) feet.
        (2) The location of the pullouts shall be coordinated with the appropriate fire district.

Table 3-9

Road Classification	Minimum Width (Feet)		Maximum Width (Feet)	
	Improved Access	Common Access	Improved Access	Common Access
Arterial	25[1]	16	50	32
Collector	20[1]	16	40	30
Major Local	20[1]	12	40	20

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Minor Local	Not Permitted	12	Not Permitted	20

[1] If tractor/trailer use is anticipated, the minimum access width shall be thirty-five (35) feet.

Table 3-10

Road Classification	Minimum Flare Width (Feet)[1]
Arterial	8
Collector	4
Major Local	2
Minor Local	2

[1] Flares are to be installed on both sides of the access.

5. Grade:
   a. The minimum longitudinal grade for all accesses is zero point five percent (0.5%).
   b. The maximum longitudinal grade for all improved accesses is eight percent (8%).
   c. The maximum average longitudinal grade for all common accesses is ten percent (10%).
   d. Localized grades up to twelve percent (12%) may be allowed when approved by the appropriate fire district.
   e. Landings: A landing is defined as the area between the roadway and the point at which the access begins to exceed 5%. Table 3-11 designates the minimum landing length for all accesses.

Table 3-11

Road Classification	Minimum Landing Length (Feet)	
	Improved Access	Common Access
Arterial	50	30
Collector	50	30
Major Local	30	20
Minor Local	Not Permitted	20

A. This table does not apply to common accesses shorter than one hundred feet (100 feet).

6. Drainage: All accesses shall be graded such that water draining off the access does not flow onto the road and is diverted into a roadside ditch or gutter.
   a. Accesses which cross roadside ditches or other drainages shall be required to provide drainage facilities in the form of culverts or bridges. The minimum diameter culverts shall be twelve (12) inches.
   b. Maintenance of culverts and bridges is the responsibility of the access owner.
7. Retaining walls shall be used when there is a vertical discrepancy of ten (10) feet or more between the native grade and the proposed grade measured at the edge of the access.

12-3-4: COUNTY RIGHT OF WAY STANDARDS:

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A. General Work Standards

1. Directional boring is the preferred method for crossing paved County Roads. If the directional boring method is unsuccessful three times, then open excavation may be allowed upon receiving approval from the County Engineer. Excavations shall not be approved unless it can be demonstrated that directional boring is infeasible as an alternative.
2. Longitudinal excavations of paved County roads shall not be approved unless it can be demonstrated that all other alternatives are infeasible.
3. The operation of steel tracked equipment or the placement of steel outriggers/stabilizers in direct contact with the pavement surface shall be prohibited. The applicant shall take precautions to prevent damage to all paved surfaces. Any damage to the paved surfaces shall be repaired to the satisfaction of the County Engineer at the applicant's expense.
4. Grading shall be performed as necessary to prevent surface water from flowing into the work area. Any water accumulated therein shall be promptly removed by pumping or by other approved methods.
5. All construction equipment and materials shall be placed in such a manner as to minimize the inconvenience to public travel. Additionally, provisions shall be made for urgent traffic as necessary.
6. Free access shall be provided to all fire hydrants, water valves and meters, and clearance shall be left to enable the free flow of storm water in all conveyance structures.

B. Excavation Work Standards

1. Any bituminous or concrete pavement to be removed shall be cut with a saw or pneumatic tool to provide a straight, neat construction line.
2. All excavations are designated as unclassified. The applicant shall perform all excavations of every description and of whatever substances encountered, to the depth specified on the plans and/or required to accomplish the work.
3. All excavated materials not required or not suitable along with any removed pavement shall be promptly removed from Site.
4. The applicant will be responsible for providing barricades at all excavation sites while open trenches are present. Barricades must be lit if open trenches are left overnight.
5. No open trenches within the clear zone defined in Table 3-5 are allowed to remain open overnight unless MUTCD compliant traffic control devices are in place.
6. No more than one hundred (100) feet of trench may be open at any one time.
7. Trench edges shall not be allowed in the wheel path of the travel way.
8. Short sections of the trench may be tunneled under existing structures (e.g. curb and gutter or sidewalk) if the commodity can be safely and properly installed. In those areas where the commodity is installed under existing structures, the applicant has the option to use flowable fill or to backfill as required.

C. Backfill Standards

1. Class A Excavations – Class A excavations are excavations anywhere within the paved area or travel way plus five (5) feet on each side.

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a. Flowable or granular fill shall be placed between the bottom of the trench and the untreated base course.
   (1) Flowable fill shall be allowed to cure of twenty-four (24) to forty-eight (48) hours prior to placing the untreated base course.
   (2) In the case of high ground water, approval from the County Engineer is required to use flowable fill.
b. Untreated base material shall be placed to the pre-existing depth. It shall be placed in lifts between five (5) and eight (8) inches in thickness prior to compaction.
   (1) The material shall meet optimum moisture content and compaction as stated in the applicable standard.
c. If applicable, asphaltic concrete mix shall be placed above the untreated base course to the pre-existing depth plus one (1) inch, but not less than four (4) inches.
   (1) Asphaltic concrete shall be PG58-28, three quarters (3/4) inches maximum.
   (2) Both the roadbed and air temperature in the shade shall exceed fifty(50) degrees Fahrenheit during placement operations.
   (3) The material shall be compacted to ninety-four percent (94%) per ASTM D 2041 with no density test results less than ninety-two (92%) or higher than ninety-six (96%).
   (4) Compaction must be completed before the asphalt temperature drops below one hundred eighty (180) degrees Fahrenheit.
   (5) The surface shall be finished one half (1/2) to one quarter (1/4) inches higher than the existing road surface to account for future settlement.
d. Specifications for all materials will be furnished to the County Engineer prior to permit approval.
e. All materials shall meet the adopted standards of this title.
f. All compaction efforts shall be verified by a certified laboratory technician and copies of all test reports furnished to the County Engineer within five (5) days of completion.
   (1) A minimum of two (2) moisture and density tests are required per lift of material placed.

2. Class B Excavations – Class B excavations are anywhere outside the five (5) foot buffer zone to the travel way.
   a. Topsoil must be removed and replaced to existing depths and finished to pre-excavation contours.
      (1) In areas where lawn sod, shrubs, topsoil, fences and other items must be removed during the trench excavation and backfill operation, coordination with adjacent property owners on their subsequent replacement is required by the applicant.
   b. Suitable backfill material shall be placed in the trench in layers consistent with the type of compaction equipment to be used but shall not exceed eighteen (18) inches. Each layer shall be sprinkled and thoroughly compacted by means of a hand-operated or mechanically operated tamper.

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(1) Minimum compaction of ninety-two percent (92%) of maximum dry density as determined by AASHTO T-180 Method D is required.

D. Road Restoration Standards

1. Restoration shall be commenced as soon as possible following excavation. Complete restoration shall be diligently pursued until complete and in no case longer than five (5) working days from the date of initial excavation.
2. Prior to placing an asphalt concrete mix patch, the existing pavement shall be saw cut back from the edge of the excavated trench a minimum of two (2) feet to create a "T" patch. Care shall be taken to remove the additional pavement without disturbing the existing untreated base course. An additional four (4) feet minimum shall be milled to a depth of two (2) inches and overlayed.
3. Patch seems shall not be located within a travel lane.
4. Prior to placement of seal coat materials, the pavement edges shall be crack sealed.
    a. Seal coat materials used shall be as follows:
        (1) chip seal coat material shall be LMCRS-2; or
        (2) slurry seal coat material shall be CRS-2.
    b. All materials shall meet the adopted standards of this title.

E. Specific Design Standards

1. All cables, conduits, or pipelines shall be buried a minimum of twenty four (24) inches below final surface grade measured from final grade to top of pipe.
2. Fences, **g**ates and cattle guards shall not be installed in County rights-of-way without a permit and a recorded maintenance agreement in place.
    a. Gates shall be allowed only if the nature of road traffic on that particular roadway is such that the existence of a gate is not a major inconvenience to the travelers of the roadway**.**
        (1) Gates shall remain unlocked at all times.
    b. If any fence, gate or cattle guard is not properly maintained or replaced when it becomes damaged, needs to be widened or it is determined that they are no longer necessary, the **C**ounty shall have the right to remove any fence, gate or cattle guard from the roadway.
3. Bridges and culverts shall be **designed and** constructed to support H25/HS25 loading conditions. Permanent culverts shall be installed at all intermittent and perennial stream crossings.
    a. Specifications for bridges, culverts and other stream crossing devices shall take into account at least the 100-year frequency storm and upstream debris hazard. Bridges and culverts shall provide at least one (1) foot of freeboard above the 100-year frequency storm event.
    b. Bridges and culverts shall be made of natural stone, wood, or steel.

F. Restrictions

1. No work is allowed to occur within five (5) feet of the edge of a County road from October 15th to May 1st of the following year.

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2. No work shall be allowed within the paved area of a road that has been chip sealed in the past three (3) years.
3. No work shall be allowed within the paved area of a road that has been constructed, reconstructed, or overlaid in the past five (5) years.
4. If deemed necessary by the County Engineer, relief from these restrictions may be granted if the following criteria are met:
    a. The road "T" patch shall extend fifty (50) feet from either side of the trench;
    b. the patch shall span the entire width of the pavement; and
    c. mill and overlay the entire width of pavement one hundred (100) feet from either side of the trench at a depth of two (2) inches.

G. Maintenance
1. Roads intended to be owned and maintained by the County will not be accepted by the County for such purposes until adequate tax revenues accrue to the County from the development to pay the cost of all related road maintenance services for the roadway.
2. Unless the County determines that there are compelling reasons to accept responsibility for the road in the absence of adequate tax revenues. Road maintenance and snow removal services shall be provided by the development.

12-3-5 PARKING DESIGN STANDARDS:
A. Exceptions
1. This section does not apply to individual single-family detached dwellings on a lot of record.

B. General Design Standards
1. All parking area shall capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.
2. All parking areas shall comply with the Americans with Disabilities Act.

C. Specific Design Standards
1. On street parking and parking along roads shall either be parallel to the curb or with a maximum parking angle of sixty degrees (60°).
2. Parking areas shall be designed with a through circulation pattern if they include more than ten (10) parking spaces, unless there is suitable turnaround space at the end of the parking lot.
    a. Roads shall not be used as part of a parking area circulation pattern.
3. Parking areas shall be designed to provide ingress and egress through forward motion of a vehicle.
4. Parking areas shall have a minimum grade, in any direction, of one percent (1%), a maximum grade, in any direction, of five percent (5%).
5. Uncovered parking lots shall provide snow storage areas equal to ten percent (10%) of the uncovered parking lot surface area.

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6. A six (6) inch minimum curb or bumper guard shall be provided to prevent damage to walls and the crossing of a vehicle into a designated walkway.
7. The minimum aisle width for diagonal parking is eighteen (18) feet and the minimum aisle width for perpendicular parking is twenty six (26) feet.
8. Parking stalls shall be a minimum of nine (9) feet by eighteen (18) feet for diagonal parking or nine (9) feet by twenty (20) feet for perpendicular and parallel parking.
    a. Parking stalls adjacent to columns or walls must have an additional two (2) feet of width.
    b. Parking stalls adjacent to surface stormwater conveyance structures (e.g. waterways or rolled curb) shall have additional width or length equal to the width of the stormwater structure.
9. All parking areas shall be adequately marked as to distinguishing aisle, parking stalls, and designated walkways.

12-3-6 STORM DRAIN DESIGN:

A. This section provides minimum standards for the design and construction of all long term stormwater BMPs. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. This section applies to the following:
1. new multifamily or nonresidential Developments;
2. changes to existing multifamily or nonresidential Developments;
3. Development of residential neighborhoods that collectively disturb more than one (1) acre;
4. new residential subdivisions of four (4) lots or more; and
5. changes to an existing residential subdivision that increases the number of lots to four (4) or more.

C. General Design Requirements
1. For sites of fifty (50) acres or less, the rational method shall be used to determine runoff volumes and size stormwater facilities.
    a. The County Engineer has established runoff coefficients and rainfall depths and intensities in Tables 3-12 through 3-14 to be used in all calculations.
2. For sites larger than fifty (50) acres, the rational method may be used or another hydrologic method that has been preapproved by the County Engineer.
3. BMPs shall be designed to have a one (1) foot minimum separation between the lowest stormwater storage elevation and the high ground water elevation.

Table 3-12

Slope	Runoff Coefficients by Hydrologic Soil Category			
	A Soils	B Soils	C Soils	D Soils
Flat (<2%)	0.06	0.09	0.13	0.15
Average (2-6%)	0.11	0.14	0.18	0.20
Steep (>6%)	0.15	0.20	0.25	0.31

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Table 3-13

Surface Category	Runoff Coefficient
Asphalt	0.88
Brick or Gravel	0.81
Concrete	0.91
Shingle Roof	0.89
Lawn	0.21
Use Category	Runoff Coefficient
Farmland	0.23
Pasture	0.23
Parks	0.21
Cemeteries	0.21
Railroad Yards	0.31
Playgrounds (except asphalt or concrete)	0.31
Neighborhood, Business District	0.64
City (downtown), Business District	0.88
Single Family, Residential	0.44
Multiplexes (detached), Residential	0.54
Multiplexes (attached), Residential	0.71
Suburban, Residential)	0.36
Apartment or Condominiums, Residential	0.64
Light, Industrial	0.71
Heavy, Industrial	0.87

[1] Adapted from Lindeburg, M.R. (2015) Civil Engineering Reference Manual for the PE Exam. 15th Edition, Professional Publications Inc., Belmont.

Table 3-14

Duration	25-year Frequency Storm		100-year Frequency Storm	
	Depth (Inches)	Intensity (Inches/Hour)	Depth (Inches)	Intensity (Inches/Hour)
5-min	0.367	4.40	0.549	6.59
10-min	0.558	3.35	0.836	5.02
15-min	0.692	2.77	1.04	4.14
30-min	0.932	1.86	1.40	2.79
60-min	1.15	1.15	1.73	1.73
2-hr	1.33	0.664	1.95	0.973
3-hr	1.41	0.470	1.99	0.661
6-hr	1.68	0.280	2.19	0.366
12-hr	2.07	0.172	2.65	0.220
24-hr	2.55	0.106	3.13	0.131
2-day	3.05	0.064	3.73	0.078
3-day	3.43	0.048	4.21	0.059
4-day	3.80	0.040	4.69	0.049

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7-day	4.57	0.027	5.60	0.033
10-day	5.09	0.021	6.11	0.025
20-day	6.46	0.013	7.59	0.016
30-day	7.72	0.011	9.04	0.013
45-day	9.43	0.009	11.0	0.010
60-day	11.1)	0.008	12.9	0.009

[1] Data is from NOAA Atlas 14 Point Precipitation Frequency Estimates: UT (Park City Station) on April 26, 2023.

D. Specific Design Requirements
1. Subsurface conveyance systems (e.g. catch basins, manholes, connections pipes) shall be designed to safely carry the 25-year frequency storm.
2. Surface conveyance systems (e.g. canals, ditches, curb and gutter, culverts) shall be designed to safely carry the 100-year frequency storm.
3. Retention BMPs shall be designed using the Granato method to infiltrate the 80th percentile storm event.
    a. The 80th percentile storm depth for Summit County is zero point zero four (0.04) feet.
4. Detention BMPs shall be designed based on the 100-year frequency storm to limit the post development peak discharge rate to a match, but in no circumstances exceed, the predevelopment peak discharge rate.
5. Stormwater discharged from a Site shall be subjected to a BMP that achieves a minimal removal rate of:
    a. Eighty (80) percent of particles one hundred and twenty-five (125) microns in size; or
    b. Fifty (50) percent of particles seventy-five (75) microns in size.

E. Rational Method
1. Calculate Site Area
    a. The Site area can be calculated using USGS topographic maps, Site surveys or other reliable and available information.
    b. The predevelopment area and the post development area will be the same.
2. Calculate Runoff Coefficient
    a. This value is calculated using Equation 3-1 to establish a weighted average based on the land use type for developed areas and the hydrologic soil category and slope characteristics for undeveloped areas.
        (1) The hydrology soil category and slope characteristics can be obtained from the Unite States Department of Agriculture Web Soils Survey website.
        (2) https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx
    b. The predevelopment coefficient will likely be less than the post development runoff coefficient.
    c. The runoff coefficient shall be modified using the adjustment factors outlined in Table 3-15 for the applicable design storm.
3. Calculate Time of Concentration

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a. This value is calculated using Equation 3-2 to determine the time it takes a drop of water to travel from the most hydraulically distant point of the Site to the stormwater system.
b. The predevelopment time of concentration will likely be greater than the post development time of concentration.
c. For small or highly impervious Sites, a minimum design time of concentration of ten (10) minutes shall be used.

4. Calculate Peak Discharge
   a. This value is calculated using Equation 3-3 to determine the rate at which water is being discharged from the Site once the entire Site is contributing to the discharge.
   b. The predevelopment peak discharge rate will likely be less than the post development peak discharge rate.
5. Calculate Detention Volume
   a. This value is calculated using Equation 3-4 to determine the volume of stormwater that must be detained on site.

Table 3-15

Storm Frequency	Adjustment Factor (C_f)
25-year	1.10
100-year	1.25

Equation 3-1

$$C = \frac{\sum_{n=1}^{n=N}(A_n C_n)}{A}$$

A_n (acres) = size of each individual subarea
C_n (unitless) = appliable runoff coefficient for each subarea
N (unitless) = number of subareas
A (acres) = Site area
C (unitless) = weighted runoff coefficient for the Site

Equation 3-2

$$T = \frac{1.8(1.1 - C)\sqrt{L}}{\sqrt[3]{S}} = \frac{1.8(1.1 - C)L^{0.5}}{S^{0.333}}$$

C (unitless) = runoff coefficient
L (feet) = length of longest watercourse
S (%) = slope of longest watercourse
T (minutes) = time of concentration

Equation 3-3

$$Q_p = C_f CiA$$

C (unitless) = runoff coefficient

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i (inches per hour) = rainfall intensity based on the design storm frequency for a duration equal to the time of concentration
A (acres) = site area
Q_p (cfs) = peak discharge rate

Equation 3-4

$$V_d = \Delta Q_p D$$

ΔQ_p (cfs) = post development Q_p – predevelopment Q_p
D (seconds) = storm duration
V_d (cf) = required detention volume

F. Granato Method
1. Calculate Site Impervious Area
a. This value is calculated using Equation 3-5 for each retention BMP and its associated drainage area.
2. Calculate Volumetric Runoff Coefficient
a. This value is calculated using Equation 3-6.
3. Calculate Retention Volume
a. The value is calculated using Equation 3-7.

Equation 3-5

$$i = \frac{\text{post development impervious area (acres)}}{\text{drainage area (acres)}}$$

i (decimal format) = the percent imperviousness for the BMP drainage area

Equation 3-6

$$R_v = 0.225i + 0.05 \quad \text{for i} < 0.55$$
$$R_v = 1.14i - 0.371 \quad \text{for i} \geq 0.55$$

i (decimal format) = the percent imperviousness for the BMP drainage area
R_v (unitless) = volumetric runoff coefficient

Equation 3-7

$$V_r = R_v da$$

R_v (unitless) = volumetric runoff coefficient
d (feet) = 80^{th} percentile storm depth
a (sf) = BMP drainage area
V_r (cf)= required retention volume for BMP drainage area

12-3-7: Grading Design

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A. This section provides minimum standards for the design and construction of earthen slopes. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. Design Requirements
   1. Cut and Fills slopes shall be no steeper than 3:1 unless the Site has been evaluated by a Licensed Engineer and all recommendations are implemented.
   2. Grading shall be designed to tie into the existing grade:
      a. one half the vertical height of the Cut or Fill from the property line.
         (1) The minimum setback is two (2) feet.
         (2) The maximum setback is twenty (20) feet.
   3. Fill material shall be clean and suitable for its intended use. It shall not include:
      a. organic matter;
      b. contaminated soil or tailings; or
      c. rock or similar material greater than twelve (12) inches.
   4. All Fill slopes shall be compacted to a minimum of ninety two (92) percent of maximum density, or as recommended in a geotechnical report.
      a. Except when associated with landscape grading or berms.
      b. Lifts shall be suitable for the type of compaction equipment being used, but shall not exceed eighteen (18) inches.
   5. If any of the following apply, Benching into sound bedrock or other completement material, as determined by a Licensed Engineer, is required.
      a. The existing slope is greater than 5:1.
      b. The proposed Fill height is greater than four (4) feet.
      c. The net Fill volume is greater than two thousand (2000) cubic yards.
      d. The proposed slope is greater than 3:1.
      e. Fill is to be placed over a Cut.
   6. The Bench under the toe of a Fill slope shall be a minimum of ten (10) feet wide. The area beyond the toe of a Fill shall be sloped for sheet overflow or an armored drain shall be provided.
   7. All disturbed slopes shall be prepared and maintained to prevent erosion.
      a. In the case of slopes steeper than 3:1, erosion control blankets, or equivalent, shall be installed.

C. Drainage Considerations
   1. Building pads shall have a slope away from the structure towards an approved drainage facility at a minimum of two (2) percent.
   2. Cut or Fill slopes with a projected length less than one hundred and twenty (120) feet, shall have Benches established at a maximum of thirty (30) foot intervals. The Benches shall:
      a. be a minimum of ten (10) feet in width;
      b. have armored drainage swales that are:
         (1) a minimum of one (1) foot deep;
         (2) a minimum of five (5) feet wide; and
         (3) have a minimum slope of two (2) percent.

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3. Cut or Fill Slope with a projected length greater than one hundred and twenty (120) feet, shall have Benches established as recommended by a Licensed Engineer.
4. All drainage Benches shall have adequate access for proper maintenance.
5. Armored interceptor drains shall be installed at the top of all Cut slopes where the tributary area has a horizontal drainage path greater than forty (40) feet. The armored interceptor drain shall be:
    a. a minimum of one (1) foot in deep;
    b. a minimum of four (4) feet in wide; and
    c. have a minimum slope of two (2) percent.

12-3-8: CONSTRUCTION MITIGATION STANDARDS

A. This chapter provides the minimum standards for mitigating the impact of all Development activity in Summit County. This chapter is not all inclusive and should not take the place of project planning and execution by design and construction professionals.

B. Mitigation Requirements
    1. Safety
        a. All Development activity shall be conducted in such a manner as to minimize risk to the public and damage to existing infrastructure and natural environment.
            (1) Notification, signage and detours shall be established to maintain safe pedestrian access to public spaces.
        b. Emergency access shall not be inhibited by Development activity.
        c. Personnel assign traffic control duties shall:
            (1) wear property high visibility clothing; and
            (2) be able to converse with the public.
    2. Project Sign
        a. All projects with an anticipated duration greater than thirty (30) days shall erect a project sign with the following information.
            (1) Permit Number
            (2) Project Address
            (3) Project Supervisor and Contact Information
            (4) Emergency Contact Information
        b. The sign shall be placed in a conspicuous area as to be legible from the street and not disrupt traffic flow or sight triangles. Under no circumstances shall the sign be placed in a right-of-way.
        c. The sign shall not exceed twenty (20) square feet in size or six (6) feet in height.
        d. The lettering shall not exceed six (6) inches in height.
    3. Work Hours
        a. Construction shall be limited to the hours of 7:00am to 9:00pm Monday through Saturday and 9:00am to 7:00pm on Sunday.

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b. In extraordinary circumstances, work outside the hours listed about may be approved at the discretion of the County Engineer or the Chief Building Official.

4. Limits of Disturbance
   a. The property boundaries shall be clearly staked, and no disturbance shall cross the property boundary.
   b. If required by the Site Plan, construction fencing shall be installed and maintained for the duration of the project.
   c. All staging of materials and equipment shall be within the limited of disturbance shown on the Site Plan.
5. Construction Parking
   a. Realistic and sufficient onsite parking shall be provided for all project personnel.
      (1) Public transportation or carpooling is encouraged to minimize the demand for onsite parking.
   b. No parking is allowed in County rights-of-way from November 15th to April 15th of the following year, unless specially approved by a:
      (1) development agreement;
      (2) subdivision plat; or
      (3) Site Plan.
   c. Two-way traffic shall not be impeded from April 16th to November 14th unless a road closure has been approved as part of the engineering permit.
6. Sanitary Facilities
   a. Sanitary facilities shall be provided for the duration of the project. If portable toilets are used, they shall:
      (1) be located outside of any rights-of-way and not disrupt traffic flow or sight triangles;
      (2) be properly anchor to prevent tipping;
      (3) be serviced regularly by a licensed sanitary contractor; and
      (4) have spills cleaned or removed from Site by a licensed sanitary contractor.
7. Sediment and Erosion Control
   a. Sediment and erosion control measures (e.g. straw wattle, earthen berms, stabilized construction entrances, erosion control blankets), as specified on the Site Plan, shall be installed prior to any Development activity and maintained for the duration of the project.
   b. Additional sediment and erosion control measures shall be installed and maintained as requested by the County Engineer or the County Stormwater Manager.
8. Noise
   a. Equipment, tools, and activities shall be muffled to minimize project noise. Noise levels at the property line shall not exceed 115 decibels.
9. Air Quality
   a. Development activity shall not degrade air quality (e.g. blowing dust, blasting media) or create a nuisance for adjacent properties and roadways.
10. Temporary Lighting

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a. If temporary lighting is required for safe Development activity, the lighting shall be limited to only what is necessary and identified on the Site Plan.

11. Snow Storage
    a. Snow moved to facilitate Development shall be storage on Site and out of any rights-of-way.
12. Waste Management
    a. All debris, litter, and trash shall be properly stored in a dumpster or similar receptacle and regularly removed from Site.
    b. Waste receptacles shall be covered at all times.

C. Special Mitigation Requirements for Non-Residential Projects
1. A preconstruction meeting shall occur at the discretion of the County Engineer.
2. The applicant shall be responsible for notifying all property owners within one thousand (1,000) feet of the following information.
    a. Permit Number
    b. Project Address
    c. Project Supervisor and Contact Information
    d. Emergency Contact Information
    e. Anticipated Start and End Date
    f. Anticipated Impacts to Others
3. Cans, bottles, cardboard, and other recyclables shall be segregated from other trash and regularly disposed of to a recycling facility.
    a. Recycle Utah has a recycling bin leasing program that may be used for construction projects. https://recycleutah.org/recycling-bin-rentals/

CHAPTER 4
FLOOD CONTROL

SECTION
12-4-1: Purpose and Methods of Reducing Flood Losses
12-4-2: General Provisions
12-4-3: Administration
12-4-4: Provisions for Flood Hazard Reductions
12-4-5: Enforcement

12-1-1: PURPOSE AND METHODS OF REDUCTING FLOOD LOSSES:

A. Purpose: It is the purpose of this chapter~~title~~ to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed to do the following:

~~A.~~1. Protect human life and health;

~~B.~~2. Minimize expenditure of public money for costly flood control projects;

~~C.~~3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

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D.4. Minimize prolonged business interruptions;

E.5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard;

F.6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;

G.7. Ensure that potential home buyers are notified that property is in an area of special flood hazard; and

H.8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-1-2: Methods Of Reducing Flood Losses:.:

I. In order to accomplish its purposes, this chaptertitle includes methods and provisions for:

B.

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights and velocities;

1.

2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

2.

3. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;

3.

4. Controlling filling, grading, dredging, and other development which may increase flood damage; and

4.

A.5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-1-3: DEFINITIONS:

Unless specifically defined below, words or phrases used herein shall be interpreted so as to give them the meanings they have in common usage and to give this title its most reasonable application:

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~~ALLUVIAL FAN FLOODING: Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.~~
~~APEX: A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.~~
~~AREA OF SHALLOW FLOODING: A designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one to three feet (3') where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~
~~AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.~~
~~BASE FLOOD: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.~~
~~BASE FLOOD ELEVATION: The elevation of surface water resulting from a flood that has a one percent (1%) chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30 and VE.~~
~~BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides.~~
~~CRITICAL FACILITY: A facility where even a slight threat to flooding is too great. Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. A critical facility should not be located in a floodplain if at all possible. Under Executive Order 11988, Floodplain Management, Federal agencies funding and/or permitting critical facilities to the 0.2 percent chance flood level. If a critical facility must be located in a floodplain, it shall be built at least two feet (2') above the base flood elevation (BFE). Access to critical facilities should be designed so that it can continue to function and provide services during and after a flood.~~
~~CRITICAL FEATURE: An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.~~
~~DEVELOPMENT: Any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.~~
~~ELEVATED BUILDING: A nonbasement building: a) built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and b) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the~~

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~~definition of "elevated building", even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of section 60.3(e)(5) of the national flood insurance program regulations.~~

~~EXISTING CONSTRUCTION: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures".~~

~~EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.~~

~~EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

~~FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.~~

~~FLOOD INSURANCE STUDY: The official report provided by the federal emergency management agency. The report contains flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.~~

~~FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:~~

~~A. The overflow of inland or tidal waters.~~

~~B. The unusual and rapid accumulation or runoff of surface waters from any source.~~

~~FLOOD PROTECTION SYSTEM: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.~~

~~FLOODPLAIN MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.~~

~~FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.~~

~~FLOODPLAIN OR FLOOD PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of Flood Or Flooding).~~

~~FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.~~

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FLOODWAY (REGULATORY FLOODWAY): The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE: Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register;

B. ertified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

C. ndividually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or

D. ndividually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. y an approved state program as determined by the secretary of the interior; or

2. irectly by the secretary of the interior in states without approved programs.

LEVEE: A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the national flood insurance program regulations.

MANUFACTURED HOME: A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

MEAN SEA LEVEL: For purposes of the national flood insurance program, the national geodetic vertical datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

NEW CONSTRUCTION: For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after

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December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE: A vehicle which is:

A. Built on a single chassis;

B. our hundred (400) square feet or less when measured at the largest horizontal projections;

C. Designed to be self propelled or permanently towable by a light duty truck; and

D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA: An area having special flood, mudflow or flood- related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM) Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. For the purpose of determining Community Rating System (CRS) premium discounts, all AR and A99 zones are treated as non- SFHAs.

START OF CONSTRUCTION: For other than new construction or substantial improvements under the coastal barrier resources act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE: A walled and roofed building, including a gas or liquid storage tank, that is principally aboveground, as well as a manufactured home.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before "start of construction" of the improvement. This includes

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~~structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:~~

~~A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions, or~~

~~B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".~~

~~VARIANCE: A grant of relief to a person from the requirements of this title when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this title. (For full requirements see section 60.6 of the national flood insurance program regulations.)~~

~~VIOLATION: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.~~

~~WATER SURFACE ELEVATION: The height, in relation to the national geodetic vertical datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)~~

~~CHAPTER 2~~

12-4-2: GENERAL PROVISIONS:

~~SECTION:~~

~~12-2-1: Lands Applicable~~

~~12-2-2: Basis For Establishing Areas Of Special Flood Hazard~~

~~12-2-3: Compliance~~

~~12-2-4: Abrogation And Greater Restrictions~~

~~12-2-5: Interpretation~~

~~12-2-6: Warning And Disclaimer Of Liability~~

~~12-2-1:~~ Lands Applicable:

~~A.~~ This chapter~~title~~ shall apply to all areas of special flood hazard within the jurisdiction of Summit County, Utah. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

A.

~~12-2-2:~~ Basis For Establishing Areas Of Special Flood Hazard:

~~B.~~ The areas of special flood hazard identified by the federal emergency management agency in its flood insurance rate map (FIRM) dated March 23, 2021, is adopted by reference and declared to be a part of this chapter~~title~~. The FIRM is on file at the office of the county engineer located at 60 North Main, Coalville, Utah. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

B.

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~~12-2-3:~~ Compliance:

~~C.~~ No structure or land shall hereafter be constructed, located, extended, or altered, or have its use changed without full compliance with the terms of this chapter~~title~~ and other applicable regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C.

~~12-2-4:~~ Abrogation And Greater Restrictions:

~~D.~~ This chapter~~title~~ is not intended to repeal, abrogate or impair any existing easements, covenants, deed restrictions or ordinances. However, where this chapter~~title~~ and easement, covenant, deed restriction, or another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

D.

~~12-2-5:~~ Interpretation:

~~E.~~ In the interpretation of this ~~title~~chapter, all provisions shall be:

E.

~~1.~~ Considered as minimum requirements;

1.

~~2.~~ Liberally construed in favor of the governing body; and

2.

~~3.~~ Deemed neither to limit nor repeal any other powers granted under state statute. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

3.

~~12-2-6:~~ Warning And Disclaimer Of Liability:

F. The degree of flood protection required by this ~~title~~chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ~~title~~chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ~~title~~chapter shall not create liability on the part of Summit County, any officer or employee thereof, or the federal emergency management agency for any flood damages that result from reliance on this ~~title~~chapter or any administrative decision lawfully made thereunder. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~CHAPTER 3~~

12-4-3: ADMINISTRATION:

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~~SECTION:~~

~~12-3-1: Designation Of Administrator~~

~~12-3-2: Floodplain Development Permit~~

~~12-3-3: Duties And Responsibilities Of Administrator~~

~~12-3-4: Permit Procedures~~

~~12-3-5: Appeal And Variance Procedures~~

~~12-3-1:~~ Designation Of Administrator:

~~A.~~ The county engineer is hereby appointed to administer and implement this ~~title~~chapter by granting or denying flood hazard use permit applications in accordance with the provisions set forth herein. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

A.

~~12-3-2:~~ Floodplain Development Permit:

~~B.~~ A floodplain development permit shall be obtained before any construction or development begins within any area of special flood hazard established in section ~~12-2-2~~ 12-4-2B of this ~~title~~chapter. Application for a floodplain development permit shall be made on forms furnished by the county engineer and shall include, but not be limited to, the following:

B.

~~C.~~ Three (3) copies of a topographic site plan drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing and proposed structures, fill, storage of materials, and drainage facilities.

1.

~~D.~~ Base flood elevation data for proposed development area.

2.

~~E.~~ Elevation in relation to mean sea level of the lowest floor (including basements) of all structures.

3.

~~F.~~ Elevation in relation to mean sea level to which any structure has been floodproofed.

4.

~~G.~~ Certification by a licensed professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in subsection 12-4-4~~12-4-2~~B2 of this ~~title~~chapter.

5.

~~1.~~ Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

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~~12-3-3:~~ Duties And Responsibilities Of Administrator:

~~H.~~ Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

C.

~~I.~~ Maintain and hold open for public inspection all records pertaining to the provisions of this ~~title~~chapter.

1.

~~J.~~ Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.

2.

~~K.~~ Review, approve or deny all applications for development permits required by adoption of this ~~title~~chapter.

3.

~~L.~~ Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the federal water pollution control act amendments of 1972, 33 USC 1334) from which prior approval is required.

4.

~~M.~~ Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.

5.

~~N.~~ Notify, in riverine situations, adjacent communities and the state department of natural resources, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal emergency management agency.

6.

~~O.~~ Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

7.

~~P.~~ When base flood elevation data has not been provided in accordance with section ~~12-2-2~~12-4-2B~~.~~ of this ~~title~~chapter, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of chapter 4 of this ~~title~~chapter.

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~~Q.~~ When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot (1') at any point within the community.

9.

~~A.~~10. Under the provisions of 44 CFR chapter 1, section 65.12, of the national flood insurance program regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot (1'), provided that the community first applies for a conditional FIRM revision through FEMA (conditional letter of map revision). (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

D. ~~12-3-4:~~ Permit Procedures:

~~A.~~1. Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her along with a site plan drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. The site plan shall include the horizontal boundaries of the special flood hazard boundaries, the base flood elevation at the furthest upstream edge of the structure.

~~B.~~2. An elevation view, drawn to scale, shall also be submitted which includes base flood elevation, existing and proposed topography, floodproof vents if the foundation is located at or below the base flood elevation. Floodproof vents must be on at least two (2) walls and located no more than twelve inches (12") above adjacent grade. Vents must be certified by a professional engineer. The minimum venting shall be one (1) square inch for every square foot of flooring.

~~C.~~3. Additionally, the following information is required:

~~1.~~a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structure(s);

~~2.~~b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

~~3.~~c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of subsection 12-4-2B of this ~~title~~chapter;

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4.d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; provide a certificate from a professional engineer stating that flood carrying capacity of the watercourse has been maintained.

5.e. Maintain a record of all such information in accordance with subsection 12-3-3A of this chapter.

D.4. Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this titlechapter and the following relevant factors:

1.a. The danger to life and property due to flooding or erosion damage;

2.b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

3.c. The danger that materials may be swept onto other lands to the injury of others;

4.d. The compatibility of the proposed use with existing and anticipated development;

5.e. The safety of access to the property in times of flood for ordinary and emergency vehicles;

6.f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

7.g. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

8.h. The necessity to the facility of a waterfront location, where applicable;

9.i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

10.j. The relationship of the proposed use to the comprehensive plan for that area. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

E. 12-3-5: Appeal And Variance Procedures:

A.1. Appeal Board: The appeal board as established by the community shall hear and render judgment on requests for variances from the requirements of this titlechapter.

B.2. Error By Floodplain Administrator: The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this titlechapter.

C.3. Appeal To Courts: Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

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~~D.~~4. Records Kept: The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the federal emergency management agency upon request.

~~E.~~5. Historic Structures: Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ~~title~~chapter.

~~F.~~6. Lot Size: Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 12-3-4 of this chapter have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.

~~G.~~7. Conditions: Upon consideration of the factors noted above and the intent of this ~~title~~chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ~~title~~chapter.

~~H.~~8. Increase In Flood Levels Prohibited: Variances shall not be issued within any designated floodway if any increase in flood levels during the base food discharge would result.

~~I.~~9. Historic Structure Designation Preserved: Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

~~J.~~10. Prerequisites For Granting Variances:

~~1.~~a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

~~2.~~b. Variances shall only be issued upon:

~~a.~~(1) Showing a good and sufficient cause;

~~b.~~(2) A determination that failure to grant the variance would result in exceptional hardship to the applicant which is not self-imposed; and

~~c.~~(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

~~d.~~ Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor

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elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

c.

~~K.~~11. Dependent Use: Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

~~1.~~a. The criteria outlined in subsections A through H of this section are met, and

~~2.~~b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~CHAPTER 4~~
12-4-4: PROVISIONS FOR FLOOD HAZARD REDUCTION:

~~SECTION:~~
~~12-4-1: General Standards~~
~~12-4-2: Specific Standards~~
~~12-4-3: Standards For Subdivision Proposals~~
~~12-4-4: Standards For Areas Of Shallow Flooding (AO/AH) Zones~~
~~12-4-5: Floodways~~

~~12-4-1:~~ General Standards:

A. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

~~1.~~ All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

1.

~~2.~~ All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

2.

3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

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6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters;
7. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
8. Tanks located in SFHAs must be designed to resist flotation, collapse, and lateral movement. Anchoring straps and cables should resist the effects of corrosion and be able to withstand 1.5 times the buoyancy forces when the tank is empty. If tanks are elevated, component protections such as bollards or barriers shall be provided to protect them. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~12-4-2:~~ Specific Standards:

B. In all areas of special flood hazards where base flood elevation data has been provided as set forth in section ~~12-2-2~~12-4-2B of this ~~title~~chapter, subsection 12-3-3H of this ~~title~~chapter, or section 12-4-3 of this chapter, the following provisions are required:

~~A.~~1. Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to one foot (1') above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in section 12-3-4 of this ~~title~~chapter, is satisfied.

~~B.~~2. Nonresidential Construction: New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot (1') above the base flood level (critical facilities to be elevated at least two feet (2') above BFE) or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

~~C.~~3. Enclosures: New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered

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professional engineer or architect or meet or exceed the following minimum criteria:

~~1.~~a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

~~2.~~b. The bottom of all openings shall be no higher than one foot (1') above grade.

~~3.~~c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

~~D.~~4. Manufactured Homes:

~~1.~~a. Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

~~2.~~b. Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites: a) outside of a manufactured home park or subdivision, b) in a new manufactured home park or subdivision, c) in an expansion to an existing manufactured home park or subdivision, or d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

~~3.~~c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection D be elevated so that either:

~~a.~~(1) The lowest floor of the manufactured home is at or above the base flood elevation, or

~~b.~~(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty six inches (36") in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

~~E.~~5. Recreational Vehicles: Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either:

~~1.~~a. Be on the site for fewer than one hundred eighty (180) consecutive days,

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~~2.~~b. Be fully licensed and ready for highway use, or

~~3.~~c. Meet the permit requirements of section 12-3-4 of this ~~title~~chapter, and the elevation and anchoring requirements for "manufactured homes" in subsection D of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

~~F.~~6. Bridges And Culverts: Specifications for bridges, culverts and other stream crossing devices within the 100-year floodplain shall take into account at least the 100-year frequency storm and upstream debris hazard. Bridges and culverts will provide two feet (2') of freeboard above the 100-year storm event. Bridges to critical facilities shall have three feet (3') of freeboard. Bridges and culverts deemed to be visible from a public roadway shall include materials such as natural stone, wood, or steel. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C. ~~12-4-3:~~ Standards For Subdivision Proposals:

~~A.~~1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with subsections 12-1-1B, C, and E of this ~~title~~chapter.

~~B.~~2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet development permit requirements of sections 12-3-2, 12-3-4, and the provisions of subsection 12-3-3H of this ~~title~~chapter.

~~C.~~3. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is less, if not otherwise provided pursuant to section ~~12-2-2~~12-4-2B or 12-3-4 of this ~~title~~chapter.

~~D.~~4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

~~E.~~5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~12-4-4:~~ Standards For Areas Of Shallow Flooding (Ao/Ah) Zones:

D. Located within the areas of special flood hazard, established in section ~~12-2-2~~12-4-2B of this ~~title~~chapter, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet (3') where a clearly defined

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channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

~~A.~~1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).

~~B.~~2. All new construction and substantial improvements of nonresidential structures:

~~1.~~a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or

~~2.~~b. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

~~C.~~3. A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, are satisfied.

~~D.~~4. Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~12-4-5:~~ Floodways:

E. Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

~~A.~~1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

~~B.~~2. Any work done within a floodway will require a conditional letter of map change (CLOMR, CLOMR-F or CLOMA) to be reviewed and approved by FEMA prior to the county issuing a permit for the project.

~~C.~~3. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of chapter 3 of this ~~title~~chapter.

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~~D.~~4. Under the provisions of 44 CFR chapter 1, section 65.12, of the national flood insurance regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

~~CHAPTER 5~~
12-4-5: ENFORCEMENT:

~~SECTION:~~
~~12-5-1: Compliance~~
~~12-5-2: Violation~~
~~12-5-3: Civil Or Criminal Action~~

~~12-5-1:~~ Compliance:

A. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ~~title~~chapter and other applicable regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

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~~12-5-2:~~ Violation:

B. Any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a class C misdemeanor, pursuant to section 26A-1-123, Utah Code Annotated, 1995, as amended. If a person is found guilty of a subsequent similar violation within two (2) years, he/she is guilty of a class A misdemeanor, pursuant to section 26A-1-123, Utah Code Annotated, 1995, as amended. Each day such violation is committed or permitted to continue shall constitute a separate violation. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

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~~12-5-3:~~ Civil Or Criminal Action:

C. The county attorney may initiate civil or criminal legal action, to abate any condition that exists in violation of these rules and regulations. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the county in removing or abating any violation of any of the provisions of these rules and regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

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TITLE 7
PUBLIC WAYS AND PROPERTY

CHAPTER 2
EXCAVATION, GRADING AND FILLING ON PRIVATE PROPERTY

SECTION:
7-2-1: Adopted Engineering Standards

7-2-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

CHAPTER 6
EXCAVATIONS, DRIVEWAYS, ENCROACHMENTS, AND STRUCTURES

SECTION:
7-6-1: Adopted Engineering Standards

7-6-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

CHAPTER 7
CONSTRUCTION MITIGATION FOR ALL PROJECTS

SECTION:
7-7-1: Adopted Engineering Standards

7-7-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-1-1 through 12-4-5 of the Summit county Code.

TITLE 9
BUILDING CODES AND CONSTRUCTION

CHAPTER 3
STORMWATER POLLUTION PREVENTION AND EROSION CONTROL

SECTION:
9-3-1: Requirements For Stormwater Pollution Prevention Plan and Erosion Control Plan Permit
9-3-2: Emergency Conditions
9-3-3: Application For Permit

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9-3-4: Permits
9-3-5: Exemptions
9-3-6: Fees
9-3-7: Not Used
9-3-8: Supervision And Inspection
9-3-9: Appeals
9-3-10: Failure To Comply
9-3-11: Adopted Engineering Standards for Storm Drain Design
9-3-12: Penalty

9-3-1: REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLAN PERMIT AND EROSION CONTROL PLAN PERMIT:

A. It shall be unlawful and punishable as a class C misdemeanor provided for any person, firm, public utility, public agency, or corporation, to make, enlarge or change any excavation, regrade existing contours, place fill or strip vegetation without complying with the provisions of this chapter and obtaining a Stormwater Pollution Prevention Plan (SWPPP) and Erosion Control Plan (ECP) permit as provided for herein. It shall also be unlawful for any person hiring or directing another person, firm, or corporation to perform the work without obtaining an SWPPP and ECP permit.

B. It shall be unlawful and punishable as provided to change or expand the excavation, regrading of existing contours, placement of fill or stripping of vegetation without first requesting a modification of the SWPPP and ECP permit issued for the work.

C. An SWPPP and ECP permit shall be required for any project which requires a permit under any current State of Utah stormwater general permits, county ordinances, or Building Permit issued by Summit County.

D. A SWPPP Permit shall be required for construction sites which are subject to the current State of Utah stormwater general permits requirements, and includes sites having disturbed areas of one acre or more, or where the site is part of a larger common plan of development which collectively disturbs an area equal to or greater than one acre, other county ordinances, or Building Permit, and which are found to be discharging sediment off site, into a waterway, or tracking onto a road or street.

E. An ECP Permit shall be required for any project less than one acre which disturbs existing vegetation or soils and requires a permit under any county ordinance or Building Permit.

9-3-2: EMERGENCY CONDITIONS:

Emergency excavations, grading, or placement of fill may be made without a permit if the reason for the excavation or grading or placement of fill is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those making the excavation, grading or placement of fill must contact the Stormwater Division at the earliest possible time, but in no case later than the first working day

following the emergency work in order to secure a formal permit. None of the provisions of this chapter are waived for emergency situations except for the prior permit requirement. (Ord. 710, 12-17-2008, eff. 1-1-2009)

9-3-3: APPLICATION FOR PERMIT:
Applications shall be made by the owner or operator of the property on which the work is being done. In the case of work within a public right of way, by the firm, public utility, public agency or corporation actually doing the work, or in the case of work within a private road or private road right of way, by the owner of the road or association responsible for the maintenance of the road. Applications for all permits shall be made to the Public Works Stormwater Division as provided, and state the purpose therefor, the person, firm, public utility, or corporation doing the actual work and the name of the person, firm, public utility, or corporation for whom or by which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws of Summit County, the state of Utah, and the federal government relating to the work to be done. The application shall also provide for an agreement that the applicant shall indemnify the county for any loss, liability, or damage that may result from or because of the making, placement, existence, or manner of guarding or constructing any such excavation. The application shall be accompanied by a stormwater pollution prevention plan and erosion control plan (SWPPP or ECP). Said plan shall have a drawing of the location of the intended excavation, grading, filling or stripping of vegetation, and the pertinent dimensions thereof. The SWPPP shall include all requirements set forth in the most current State of Utah general permits for stormwater. The SWPPP and ECP shall employ best management practices (BMPs) and shall contain the layout, typical sections and details of the erosion control and sediment control measures to be used. Options of various BMP's can be found, but not limited to, in the Construction BMP guidance section on the Summit County Stormwater Website (https://www.summitcounty.org/755/Storm-WaterMS4).

9-3-4: PERMITS:

A. All permits issued pursuant to this chapter shall be valid for a period not to exceed the development permit, or any other permit issued by Summit County in conjunction with the SWPPP or ECP permit. A copy of the permit issued shall be available on site at all times when work is under way.

B. Excavations, grading, or filling of sites which are one acre or more, or are part of a larger common plan of development or sale which collectively disturbs equal or greater than on acre are required by state and federal regulations to file a "notice of intent" with the Utah division of water quality, stormwater permits section (http://waterquality.utah.gov/updes/stormwater.htm). A copy of the notice of intent shall be submitted with the application as provided herein.

9-3-5: EXEMPTIONS:
The following activities are exempt from the requirements of this chapter:

A. Actions by a public agency or utility, the county or other governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic; or

B. Actions by any person when the county determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic.

C. Landscape maintenance activities on fully developed property.

D. Bona fide agricultural and farming operations which constitute the principal use of any parcel or tract of ground located in the county and which meet the requirements of the zoning for that portion of the county in which the operation is located.

9-3-6: FEES:
A review fee, applicable long term fee, and inspection fee, in the current amount as set by resolution of the county council, shall accompany each application for a permit. Fees must accompany the application.

9-3-7: NOT USED

9-3-8: SUPERVISION AND INSPECTION:

A. The Stormwater Division shall perform required inspections, or cause to be inspected, all work done pursuant to permits to ensure the enforcement of the provisions of this chapter. Notification shall be given to the Stormwater Division at least twenty-four (24) hours prior to the commencement of any work and within twenty four (24) hours after implementing the SWPPP and ECP. The completion bond shall not be released without an inspection made to determine satisfaction of all applicable provisions of this chapter.

B. For construction sites who have filed a NOI with the State of Utah, the applicant shall retain qualified personnel to inspect the sediment control measures: 1) at least once each two (2) weeks and after a storm event which precipitated 0.5 inch of water or more within twenty four (24) hours. The inspector shall prepare written reports of each inspection and make recommendations for correcting any sediment control measure (BMP) found not performing as intended. A copy of each inspection shall be kept on site until such time as the disturbed area has been permanently stabilized. A copy of the report shall also be submitted to the office of the Stormwater Division, when requested.

C. The applicant shall implement all recommendations of the inspector, or the Stormwater Division, to correct any sediment control measure (BMP) found not performing as intended.

9-3-9: APPEALS:
An applicant for an SWPPP and ECP, whose application has been denied or approved with conditions, may appeal the denied or imposed conditions to the board of adjustment. A notice of appeal must be filed with the Stormwater Division within ten (10)
days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;

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B. A statement describing the basis for the appeal; and

C. The relief sought by the applicant.

The appeal shall be scheduled on the next available board of adjustment meeting.

9-3-10: FAILURE TO COMPLY:
In the event of failure on the part of any person, firm, public utility, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

A. Initiate criminal action by citation or information under section 9-3-12 of this chapter; or

B. Install or repair such erosion control and sediment control measures as required to restore the SWPPP and ECP; or

C. Give written notice to such person, firm, public utility, or corporation to restore such BMPs as required to restore or implement the SWPPP and ECP. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the SWPPP and ECP is not implemented or restored within ten (10) days after the notice is complete, said authorities may implement the SWPPP and ECP at the expense of the person, firm, public utility, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the SWPPP and ECP were not in effective operation after notice was complete, in an action for that purpose; or

D. If such person, firm, public utility, or corporation refuses to implement an SWPPP and ECP, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after notice was given for its implementation in the manner provided in subsection C of this section .

9-3-11: ADOPTED ENGINEERING STANDRADS FOR STORM DRAIN DESIGN:
The engineering provisions current set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into this chapter.

A. Sections 12-3-6 of the Summit county Code.

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9-3-12: PENALTY:

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Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00), or a jail term of up to ninety (90) days, or by both such fine and jail term.

Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah, or the federal government, under the clean water act.

In addition to any criminal fines and/or penalties which may be assessed for a violation of this chapter, Summit County shall have the right to issue a stop work order on the entire construction site, and/or install or maintain appropriate erosion control and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this chapter. Summit County shall have the right to have such measures installed and maintained by county personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The county may assess said expenses against the bond posted by the permittee.

It is unlawful for any person, firm, public utility, public agency, or corporation to continue any further work on the construction site after a stop work order has been issued. A violation of a stop work order is punishable as a class C misdemeanor.

Summit County may also pursue civil remedies for a violation of this chapter, including use of its Administrative Code Enforcement Hearing Program, Title 1, Chapter 13.

TITLE 10
SNYDERVILLE BASIN DEVELOPMENT CODE

CHAPTER 4
STANDARDS FOR APPROVAL OF DEVELOPMENT PERMITS

SECTION:

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10-4-16: Parks, Trails, And Trailheads
10-4-17: ADA Access
10-4-18: Special Site Design Requirements
10-4-19: Architectural Regulations For All Structures
10-4-20: Landscaping
10-4-21: Lighting Regulations
10-4-22: Height Regulations

10-4-9: PARKING REQUIREMENTS:

A. Scope: Parking spaces shall be provided as set forth herein. Every effort shall be made to minimize the amount of impervious surface that is created for parking purposes.

B. Parking Required: The objective is to provide only the amount of parking that is actually needed for a particular use or type of use approved in the development. It shall be the responsibility of the applicant to demonstrate the amount of parking needed. The following parking standards shall be used by the county as guidelines for development. Parking that exceeds the amount indicated may be permitted only after the applicant submits a parking study for comparable uses which demonstrates that a higher demand can be anticipated. If a specific use is not indicated herein, the applicant shall provide a parking study in conjunction with the applicable development application to demonstrate the amount of parking required.
    1. The specific amount of parking required within an area designated as an SPA shall be established by the adopted SPA plan.
    2. Expansion of existing commercial, office and industrial uses within the NC, CC, and SC zone districts shall provide additional parking commensurate with the present on site parking ratio, unless it can be demonstrated by the developer or the director that a different parking standard or no additional parking is appropriate.
    3. There shall be one parking space per studio/efficiency dwelling unit, plus one guest parking space for every five (5) units provided.
    4. There shall be one space per bedroom, or a minimum of two (2) parking spaces per single-family, two-family or multi-family dwelling unit.
    5. There shall be a maximum of three and one-half (3.5) off street parking spaces per each one thousand (1,000) square feet of retail commercial space; provided, however, structured parking can exceed this amount.
    6. There shall be a maximum of three and one-half (3.5) off street parking spaces per each one thousand (1,000) square feet of office space; provided, however, structured parking can exceed this amount.
    7. There shall be a maximum of one parking space per sleeping unit in a hotel or lodge, plus one space for each employee working during nighttime hours, except in a town or resort center where joint parking opportunities shall be taken into consideration.

C. Parking Lot Design And Location: The following design standards shall be complied with within any zone district in which parking is being provided for other than one single-family detached dwelling unit on a lot of record: (Ord. 708, 12-10-2008)

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1. Design; Location: All parking lots shall be designed and located in accordance with the regulations provided herein. In situations where parking is required and it will be visible from a public roadway, the parking shall be divided into smaller parking lots and screened to the maximum extent possible. (Ord. 818, 2-26-2014)
2. Screening: Adjacent to any zoning district in which residential uses are permitted, automobile parking shall be screened, except when separated by a public road.
3. Lighting: Any lights used to illuminate parking spaces shall fully comply with the lighting regulations outlined in section 10-4-21 of this chapter.
4. Markings: Required parking spaces shall be adequately marked or defined. At least one clearly marked and appropriately situated handicapped parking space shall be provided for each commercial, institutional and public parking area.
5. Landscaping: At least fifteen percent (15%) of the internal portion of a parking lot shall be landscaped. Such landscaping must be in accord with section 10-4-20 of this chapter.
6. Parking Area Setbacks: All parking areas with fifteen (15) or more spaces shall be subject to the regulations below:
    a. Parking areas shall be set back at least the following distances in order to provide a buffer:
        (1) Thirty feet (30') from road rights of way, except for a property access driveway;
        (2) Thirty feet (30') from side and rear property lines;
        (3) Ten feet (10') from the facade of a structure.
7. ADA Requirements: All parking lots shall comply with federal ADA requirements. (Ord. 730, 12-2-2009)

D. Phased Parking Plan: In instances where the amount of parking required by a project cannot be clearly demonstrated, the county may require the implementation of a phased parking plan to avoid unnecessarily large parking lots. The additional parking will be permitted by the county as the need is demonstrated.

E. Designated Resort And Town Centers: Within designated resort and town centers, efforts shall be made to minimize the amount of dedicated surface parking by such considerations as, but not necessarily limited to, structured parking where appropriate, on street parking on appropriate streets, and joint use of parking facilities.

F. Stacking Of Spaces: The stacking of parking spaces is not permitted, except in one-family and two-family dwellings, and single-family attached dwelling units where a parking space may be provided on the parking apron directly outside of the garage. Only one such space shall be permitted outside of each garage space. Stacking of two (2) or more spaces outside of the garage shall not be permitted.

G. Vehicle Storage Prohibited: On and off street parking shall not be used for the extended storage of motor homes, trailers, construction related equipment, tractor-trailer trucks and other such vehicles. On and off site parking shall not be used for the purposes of sale, repair or dismantling or servicing of vehicles, equipment, materials or supplies.

H. Collective Action Relative To Parking: The joint use of parking spaces for two (2) or more buildings or uses is encouraged, and in some instances may be required through a SPA plan when it can be shown that the peak use periods of each of the buildings is different. (Ord. 708, 12-10-2008)

10-4-10: NOT USED

CHAPTER 10
ADOPTED STANDARDS

SECTION:
10-10-1: Adopted Engineering Standards
10-10-2: Adopted Stormwater Standards

10-10-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Snyderville Basin Development Code:

A. Sections 12-1-1 through 12-4-5 of the Summit County Code.

10-10-2: ADOPTED STORMWATER STANDARDS:
The stormwater provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Snyderville Basin Development Code:

A. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.
B. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.

TITLE 11
EASTERN SUMMIT COUNTY DEVELOPMENT CODE

CHAPTER 6
GENERAL REGULATIONS

SECTION:
11-6-1: Public Hearing Requirements
11-6-2: Nonconforming Uses, Structures And Lots
11-6-3: Home Occupations
11-6-4: Signs
11-6-5: Accessory Dwelling Units
11-6-6: Equipment Enclosures, Utility Structures And Related Facilities
11-6-7: Wireless Communications
11-6-8: Fire Protection Standards
11-6-9: Development Agreements
11-6-10: Reapplication Following Denial

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11-6-8: FIRE PROTECTION STANDARDS:

A. Fire Protection Standards:

1. The following criteria shall be used by the applicable fire district when reviewing development applications for structures that are not accessible by fire apparatus year-round or are located within the wildland urban interface zone: Location of building with respect to designated wildland urban interface (WUI) area based on the county and state approved map.
2. Response time for responding fire units.
3. Access, including road and bridge weight limits.
4. Space at the building for sufficient fire equipment to adequately and safely fight or defend the building(s).
5. Type and density of vegetation around the buildings.
6. Separation of buildings from vegetation as to prevent a building fire from spreading to wildland.
7. Type of road or driveway, length, and grade, as well as type of access (seasonal versus year round).
8. Distance from established water supply and the ability to get that water to the fire based on pump capacity, access, and space at the building and turnarounds.
9. Other criteria that shall be used are the following state adopted laws and rules:
    a. The state fire code adoption act, as amended.
    b. Utah Code Annotated subsection 65A-8-203(3)a (cooperative fire protection agreements with counties), as amended.
    c. Utah Administrative Code R652-122-200 minimum standards for wildland fire ordinance, as amended.
    d. Utah Administrative Code R309-550-5 water main design, as amended.
    e. 2006 Utah Wildland Urban Interface Code, as amended.
    f. Other provisions of this title.
    g. The 2009 International Fire Code (IFC) or newer as adopted by the state of Utah, as amended.

Based on this review, applicants may be required to enact a variety of measures to minimize the level of fire hazard. The fire protection measures may include the following:

a. Connection to a community or private water system, well or spring with a minimum five thousand (5,000) gallon water storage tank, pond, or other accessible water body with a dry hydrant.
b. Defensible space around each dwelling.
c. Noncombustible roofing materials.
d. Internal fire sprinkler systems.

Based upon specific site characteristics (e.g., a meadow or irrigated field within the WUI zone) and the applicant's ability to provide an adequate combination of the above listed building or on site improvements, the fire district may waive certain requirements.

C. Appeals: Appeals of requirements imposed by the North Summit Fire District and the Wildland Fire District (Summit County Fire Warden) are made to the Summit County Council pursuant to the appeals procedure identified in section 11-7-16 of this title. Appeals of requirements imposed by the South Summit Fire District are made to the South Summit Fire Commission. (Ord. 751, 1-12-2011; amd. Ord. 947, 8-5-2022)

CHAPTER 8
ENGINEERING STANDARDS

SECTION:
11-8-1: Adopted Engineering Standards
11-8-2: Adopted Stormwater Standards

11-8-1: ADOPTED ENGINEERING STANDARDS:
The engineering provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Eastern Summit County Development Code:

A. Sections 12-1-1 through 12-4-5 of the Summit County Code.

11-8-2: ADOPTED STORMWATER STANDARDS:
The stormwater provisions currently set forth in the identified sections of the Summit County Code below are hereby adopted and incorporated by reference into the Eastern Summit County Development Code:

A. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.
B. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.

TITLE 12
ENGINEERING STANDARDS

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CHAPTER 1
ADMINISTRATION AND ENFORECEMENT

SECTION:

12-1-1: STATEMENT OF PURPOSE:

A. To protect the health, safety, and welfare of the public by regulating Development activities. Recognizing it is impossible to eliminate risk entirely, this title is intended to set forth rules and regulations to control:
    1. Development in the Special Flood Hazard Area;
    2. all work within the County rights-of-way;
    3. Access and design of private roadways;
    4. all earthwork;
    5. the impact from Development acitivities; and
    6. the administrative procedure for issuance of engineering permits.

12-1-2: DEFINITIONS:
Unless specifically defined below, words or phrases used herein shall be interpreted by the meanings they have in common usage and to give this title its most reasonable application. For the purposes of this title, the definitions listed hereunder shall apply:

ACCESS: an improvement that provides ingress and/or egress to a specific destination, (e.g. single family home, parking lot).

ALLUVIAL FAN FLOODING: Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX: A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

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AREA OF SHALLOW FLOODING: A designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a of one (1) percent or greater annual chance of flooding to an average depth of one to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD: The flood having a one (1) percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION: The elevation of surface water resulting from a flood that has a one (1) percent chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30 and VE.

BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides.

BENCH: a relatively level step excavated into Earth Material for stability, drainage and maintenance.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMP's also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.

BONA FIDE AGRICULTURE: The tilling of soil, raising of crops, foraging, grazing, and animals/fish for commercial agricultural purposes, and not including establishment of new farmland, logging, animal hospitals, recreational activity not normally associated with a farm/ranch, or similar use.

COUNTY COUNICIL: the Summit County Council.

COUNTY: Summit County, a political subdivision of the State of Utah.

COUNTY ENGINEER: the Summit County Engineer and/or their designee(s).

CRITICAL FACILITY: A facility where even a slight threat to flooding is too great. Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. A critical facility should not be located in a floodplain if at all possible. Under

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Executive Order 11988, Floodplain Management, Federal agencies funding and/or permitting critical facilities to the zero point two (0.2) percent chance flood level. If a critical facility must be located in a floodplain, it shall be built at least two (2) feet above the base flood elevation (BFE). Access to critical facilities should be designed so that it can continue to function and provide services during and after a flood.

CRITICAL FEATURE: An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

CUT: the excavation of Earth Material by manmade means.

DEVELOPMENT: Any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

DEVELOPMENT CODE: the Eastern Summit County Development Code, Title 11, and/or the Snyderville Basin Development Code, Title 10.

DEVELOPMENT PERMIT: a permit issued by the Summit County Planning and Zoning Department.

DISTURBANCE AREA: A portion of land where vegetation, topsoil or other native soils have been removed or excavated for purposes of construction or development.

EARTH MATERIAL: any rock, natural soil, or any combination thereof.

ELEVATED BUILDING: A nonbasement building: a) built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and b) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of section 60.3(e)(5) of the national flood insurance program regulations.

EXISTING CONSTRUCTION: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures".

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EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FINAL STABILIZATION: uniform cover has been established with a density of at least seventy (70) percent of pre-disturbed levels over one hundred (100) percent of the disturbed area.

FILL: a deposit of Earth Material placed by manmade means.

FLOOD or FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. the overflow of inland or tidal waters.
B. the unusual and rapid accumulation or runoff of surface waters from any source

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY: The official report provided by the federal emergency management agency. The report contains flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.

FLOOD PROTECTION SYSTEM: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODPLAIN or FLOOD PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of Flood or Flooding).

FLOODPLAIN MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police

power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY (REGULATORY FLOODWAY): The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long term storage or related manufacturing facilities.

GEOLOGICAL HAZARD AREA: an area of land which may include seismic hazard areas, erosion hazard areas, landslide hazard areas (including steep slopes), and mine hazard areas.

GRADING: any excavating, filling or combination thereof which changes the natural or existing ground surface. As used in this title, grading does not include routine agricultural cultivation activities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE: Any structure that is:

A. listed individually in the National Register of Historic Places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the national register;
B. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
C. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or
D. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    1. by an approved state program as determined by the secretary of the interior; or
    2. directly by the secretary of the interior in states without approved programs.

LANDSCAPE GRADING: the altering of existing contours of the ground to improve the appearance of an area of land. Landscape grading is less than one (1) acre of disturbance on a parcel with an approved building or existing building and does not negatively impact existing drainage.

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LEVEE: A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LICENSED ENGINEER: a professional engineer licensed in the State of Utah with experience and knowledge in the field of work they are performing.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the national flood insurance program regulations.

MANUFACTURED HOME: A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

MEAN SEA LEVEL: For purposes of the national flood insurance program, the national geodetic vertical datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

NEW CONSTRUCTION: For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE: A vehicle which is:

A. built on a single chassis;
B. four hundred (400) square feet or less when measured at the largest horizontal projections;
C. designed to be self-propelled or permanently towable by a light duty truck; and
D. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SITE: a specified area in which all Development is confined including construction mitigation. Area shall be under the same ownership.

SITE PLAN: a scaled drawing that depicts the property boundaries, limits of disturbance, existing and future conditions of the Site, including but not limited to, topography, drainage, floodplains, waterways, roads, Accesses, and structures.

SPECIAL FLOOD HAZARD AREA: An area having special flood, mudflow or flood- related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM) Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. For the purpose of determining Community Rating System (CRS) premium discounts, all AR and A99 zones are treated as non- SFHAs.

START OF CONSTRUCTION: For other than new construction or substantial improvements under the coastal barrier resources act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE: A walled and roofed building, including a gas or liquid storage tank, that is principally aboveground, as well as a manufactured home.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

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SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions, or
B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

UTILITY: Governmental services districts, water companies or utilities regulated by the Public Service Commission of Utah.

VARIANCE: A grant of relief to a person from the requirements of this title when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this title. (For full requirements see section 60.6 of the national flood insurance program regulations.)

VIOLATION: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations or this title. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: The height, in relation to the national geodetic vertical datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-1-3: ENGINEERING PERMIT REQUIRED:

A. It shall be unlawful for any person or entity to make any excavation, perform any grading, or construct any road, access or structure not described in an approved permit application, or which exceeds the approved scope, or which does not conform to the provisions of this title. An engineering permit shall be required for:
    1. Development in the Special Flood Hazard Area;
    2. all work within the County rights-of-way;
    3. construction of Accesses or private roadways;
    4. all earthwork;
    5. other Development activities determined to need a permit by the County Engineer.

12-1-4: EXEMPTIONS:

A. A permit shall not be required for the following activities:
    1. Refuse disposal sites controlled by other regulations.

2. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations:
    a. do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property, and
    b. are approved by a valid permit from the Summit County Community Development Department and/or the Utah Division of, Oil, Gas, and Mining.
3. Resurfacing of roads or accesses which does NOT:
    a. alter footprint of existing access;
    b. alter grade of existing access; or
    c. alter the alignment to the road.
4. Grading work which meets the following conditions:
    a. work on existing slopes less 5:1;
    b. work that does not negatively impact driving or turning sight distance;
    c. work does not obstruct or alter a drainage course;
    d. work is outside the Special Flood Hazard Area;
    e. work is outside areas which may be classified as wetlands by the U.S. Army Corps of Engineers; and
    f. work does not exceed the limits specified in Table 1-1 within a five (5) year period.
5. Grading for Bona Fide Agriculture

B. Exemptions from the requirement to obtain an engineering permit shall not be deemed to grant authorization for any work to be done in any manner that violates this title or any other applicable laws or regulations.

Table 1-1

Category of Work	Parcels Less than 1 Acre	Parcels Greater than 1 Acre
Excavation and/or Imported Fill	250 Cubic Yards	500 Cubic Yards
Area of Disturbance	5,000 Square Feet	7,500 Square Feet

12-1-5: USE OF COUNTY RIGHTS-OF-WAY:

A. It is the specific finding of Summit County that all County rights-of-way where the County Council is the Highway Authority, are and were acquired for the purposes of:
    1. transporting people and animals through Summit County; or
    2. conveying transmission facilities of Utilities to developed or developing areas within Summit County.

B. The County Council hereby declares that it is the official policy of Summit County that is not a Utility, desiring to use County rights-of-way for the purposes defined in Section A must comply with the criteria set forth in Section D, herein.

C. Utilities seeking use a County right-of-way for the purposes defined in Section A, must do the following as a prerequisite to the granting of an engineering permit:

1. have evidence on file with Summit County that it is a public Utility and a franchise agreement holder;
2. complete and submit an engineering permit application;
3. provide a written statement showing that granting of the requested engineering permit will further a public purpose; and
4. provide a project assurance as set forth in Section 12-1-8.

D. All other entities seeking to utilize a County right-of-way for the purposes defined in Section A must do the following as a prerequisite to granting of an engineering permit:
   1. provide evidence that the granting of a permit shall further a public purpose;
   2. provide evidence that the applicant has attempted in good faith to acquire easements from private property owners to avoid the use of the County right-of-way;
   3. provide evidence that the County right-of-way, which is the subject of the application, has adequate capacity;
   4. complete and submit an engineering permit application; and
   5. provide a project assurance as set forth in Section 12-1-8.

E. The County Council has delegated the County Engineer as the authority to approve, deny, or approve with conditions any and all engineering permits on County rights-of-way. The County Engineer shall have wide discretionary power to grant or deny permits as deemed to in the best interests of the County. Such decisions may be appealed, in accordance with Section 12-1-14, to the County Council, whose decisions shall be final.

12-1-6: EMERGENCY CONDITIONS:

A. Emergency Development may occur without prior permit if the reason is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those responsible for the Development shall contact the County Engineer's Office at the earliest possible time, but in no case later than the first working day following the emergency work, in order to secure a formal permit. None of the provisions of this title or the requirements of any other applicable laws and regulations are waived for emergency situations except for the prior permit requirement.

B. Whenever the County Engineer determines that any Development, irrespective of its origin, has become a hazard to life and limb; or endangers property; or adversely affects the safety, use or stability of a public way or drainage channel; the owner of the property upon which the Development is located, or other person or agent in control of said property, upon receipt of notice in writing from the County Engineer, shall within the period specified therein repair or eliminate such Development as to eliminate the hazard and be in conformance with the requirements of this title.

12-1-7: FEES:

A. Fee payment, in the current amount as set by resolution of the County Council, shall accompany each application for a permit unless other fee payment arrangements have been approved by the County Engineer.

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12-1-8: PROJECT ASSURANCE AND WARRANTY:

A. Applicants shall file a project assurance with the County Engineer in an amount set by the County Engineer at the time the permit is approved for all engineering permit applications that:
    1. perform any work in the County right-of-way;
    2. install or modify any road or improved access, or
    3. disturb more than one (1) acre.

B. Project assurances for work within the County right-of-way must include a warranty amount equal to one hundred (100) percent of the total estimated cost. The warranty period is one (1) years.

C. The project assurance shall be in the form of:
    1. a letter of credit from an FDIC insured financial institution;
    2. a surety bond from a company listed in the US Department of Treasury Circular 570; or
    3. a cash escrow account with:
        a. the County Treasurer's Office; or
        b. an FDIC insured financial institution.

D. Applicants seeking an engineering permit in conjunction with a final subdivision plat or a final site plan, shall also enter into a development improvement agreement with the County, or otherwise satisfy the completion assurance requirements stated in the applicable Development Code.

E. Assurances will be released back to the applicant upon satisfactory completion of the project and recommendation from the County Engineer.

F. Those public entities which are regulated by the State of Utah Public Service Commission, the Mountain Regional Water District and the Snyderville Basin Sewer Improvement District are exempt from the project assurance requirements of this title but shall still be required to obtain an engineering permit prior to making excavations.

12-1-9: SUPERVISION AND INSPECTION:

A. The County Engineer shall supervise and, from time to time, inspect all work pursuant to an engineering permit. Notification shall be given to the County Engineer at least 24 hours prior to the commencement of any work.

B. For projects on private property, the County Engineer will perform the following inspections to ensure compliance with this title. A minimum of 24 hours notice is required for all inspections.
    1. Initial Site Inspection
    2. Final Inspection
    3. Warranty Release Inspection (as applicable)

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C. For projects in the County right-of-way, the County Engineer will perform the following activities to ensure compliance with this title. A minimum of 48 hours notice is required for all inspections.
    1. Initial Site Inspection
    2. Observe Subgrade Preparation and Compaction
    3. Observe Paving Operations
    4. Observe Long Term Stormwater BMP Installation
    5. Review of Subgrade/Pavement Compaction Test Reports
    6. Final Inspection
    7. Warranty Release Inspection

D. The County Engineer may perform additional oversight and/or inspections as deemed necessary by the County Engineer.

E. County Engineer shall be notified immediately (in no instances later than the next business day) of any discrepancies between the work and the engineering permit.

F. Work shall stop until the County Engineer has acknowledged any changes to the:
    1. Property Owner
    2. General Contractor
    3. Licensed Engineer

12-1-10: COMPLETION OF WORK:

A. An as-built Site Plan shall be submitted to the County Engineer prior to requesting a final inspection for projects that:
    1. perform any work in the County right-of-way;
    2. install any road, improved access, or
    3. disturb more than one (1) acre.

B. If deemed necessary by the County Engineer, a final geotechnical report shall accompany the as-built Site Plan.

C. By requesting the final inspection, the contractor is certifying that the project was built in accordance with Summit County standards.

D. If applicable, a termination to the development improvement agreement must be filed with the County Engineer prior to the warranty being released.

12-1-11: FAILURE TO COMPLY:

A. In the event of failure on the part of any person or entity to comply fully with the provisions of this Chapter, law enforcement authorities of Summit County are authorized to:
    1. initiate action by citation or information as stated in current County code and/or proceed to forfeit the project assurance, or
    2. remove such installation from the right-of-way or require such person, firm, or corporation to remove the same; or,

3. issuing a Notice of Violation or Administrative Citation pursuant to Title 1, Chapter 13, the Administrative Code Enforcement Hearing Program, and proceeding under such administrative remedy, which may include recovering the costs of restoration and an administrative fine according to the current County fee schedule or,
4. if such person or entity refuses to restore the property, the County may bring an action to abate the same as a nuisance, and if judgment is recovered by the County, there shall also be recovered, in addition to having the same abated, the cost of action and the cost indicated in the current County fee schedule for every day such nuisance remained after notice was given for its removal.

12-1-12: PENALTY:

A. Any person who violates the provisions of this title may be subject to the administrative code enforcement provisions outlined in Title 1 Chapter 13 of the County code.

B. Violators of this title are also subject to any penalties that may be imposed by the State of Utah, or the Federal Government.

C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this title, Summit County shall have the right to issue a Stop Work Order on the entire construction site, and/or install or maintain appropriate CMP measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this title. Summit County shall have the right to have such measures installed and maintained by County personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The County may assess said expenses against the project assurance posted by the permittee.

D. It is unlawful for any person, firm, public utility, public agency, entity, or corporation to continue any further work on the construction site after a Stop Work Order has been issued.

E. Summit County may also pursue civil remedies for violations of this title.

12-1-13: DESIGN EXCEPTIONS:

A. The County Engineer has the authority to enforce the provisions of this title. Requests for design exceptions to the standards and specifications of this title will be considered on a case-by-case basis by the County Engineer. A request for a design exception must be made prior to applying for an engineering permit and include a statement explaining why the applicable standard or specification cannot be reasonably met and why an alternative design or construction method meets the intent of the applicable standard or specification. When considering the request, the County Engineer may request documentation or other information relevant to the request.

B. In considering the request, the County Engineer may consult with the following individuals depending on the nature of the request.

1. County Manager or their designee
2. Community Development Director or their designee
3. Chief Building Official or their designee
4. Applicable Fire Chief or Marshall
5. Public Works Director or their designee
6. County Attorney or their designee

C. The County Engineer shall evaluate a request for design exception to the standards and specifications set forth in this title and approve, deny, or modify the requested exception.

D. Approval of a request in one project will not constitute a precedent for other projects.

E. The County Engineer may only grant an exception to the standards and specifications of this title when there is no detrimental impact to public health, safety, and welfare, and at lease one of the following conditions is met:
   1. the standard or specification does not apply in the particular application;
   2. topography or other geographic conditions impose an undue hardship;
   3. if the exception is not approved, it will result in an undue hardship.

12-1-14: APPEALS:

A. An applicant whose design exception request has been denied or whose permit application has been denied or approved with conditions, may appeal the decision to the County Council. A written notice of appeal must be filed with the County Engineer within 10 calendar days of the denial or imposition of conditions. The notice of appeal shall contain the following information:
   1. the applicants name, address and daytime telephone number;
   2. a statement describing the basis for the appeal; and
   3. the relief sought by the applicant.

B. The appeal shall be scheduled at the next available County Council meeting.

CHAPTER 2
ENGINEERING PERMIT APPLICATION AND REVIEW PROCESS

SECTION

12-2-1: GENERAL PERMIT APPLICATION REQUIREMENTS:

A. By applying for an engineering permit the applicant is indemnifying Summit County for any loss, liability, or damage that may result from work performed.

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B. Applications for engineering permits shall be made to the County Engineer's Office, through the County's electronic permitting system as provided, and shall identify:
    1. The location and parcel number(s) of the proposed work;
    2. The scope and purpose of the work;
    3. Property owner and/or their agent, along with adequate contact information;
    4. The person or entity doing the actual work, along with adequate contact information.

C. All applications for an engineering permit shall be accompanied by a Site Plan which meets the minimum requirements described in this title.

12-2-2: PROJECT SPECIFIC PERMIT APPLICATION REQUIREMENTS:

A. Engineering permit applications that include a full or partial road closure or impede regular traffic on a County road shall include a traffic control plan that conforms to the Utah Manual of Uniform Traffic Control Devices (MUTCD). The traffic control plan shall be stamped by a Licensed Engineer when the plan pertains to collector or arterial road.

B. Engineering permit applications made in conjunction with a final subdivision plat or final site plan shall include a current title report.

C. Engineering permit applications that propose Cut or Fill slopes steeper than 3:1 shall be accompanied by a geotechnical report.

D. Engineering permit applications that propose to install any road or an improved access shall be accompanied by a pavement design report.

E. Engineering permit application that proposes an excavation adjacent to the County road and within the 2:1 support envelope of the road shall be accompanied by a geotechnical report and shoring plan as necessary.

F. A traffic study shall accompany all engineering permit applications that propose to construct:
    1. a residential subdivision of thirty (30) lots or more;
    2. a multifamily or nonresidential Development with anticipate average daily trips of three thousand (3,000) or more; or
    3. as deemed necessary by the Transportation Planning Director.

12-2-3: SITE PLAN REQUIREMENTS:

A. A Site Plan shall include a scale and a North arrow, and accurately depict:
    1. Site general vicinity;
    2. relevant survey monuments and/or section corners;
    3. property limits;
    4. parcel numbers addresses;
    5. location and width of adjoining roadways with names and edge of pavements;

6. location and width of right-of-ways or easements;
7. existing contours in two (2) foot intervals;
8. location of any structure, utilities, drainages, waterways, or sensitive lands (e.g. wetlands or Special Flood Hazard Area);
9. details of the proposed work:
    a. limits of disturbance;
    b. contours in two (2) foot intervals;
    c. earth work volumes (Cut and Fill);
    d. location of structures;
    e. location, width, and horizontal alignments of roads and accesses;
    f. profile view and vertical alignment of roads and accesses;
    g. location, slope, and size of stormwater conveyances;
    h. location, size, and form of stormwater retention or detention structures;
    i. location for all construction mitigation elements and BMPs;
    j. recommendations from an applicable geotechnical report or transportation study;
    k. relevant details and specifications; and
    l. additional information deemed necessary by the County Engineer.

B. A single family residential Site Plan shall be prepared and stamped by a Licensed Engineer, a licensed architect, a licensed landscape architect, and/or professional land surveyor. All multifamily residential or other Site Plans shall be prepared by a Licensed Engineer.

12-2-4: TRAFFIC STUDY REQUIREMENTS:

A. Traffic studies shall be prepared by a firm or individual approved by the County as capable of performing a traffic analysis.

B. The traffic study should follow the recommended format below:
    1. Introduction and Summary
    2. Proposed Project
    3. Study Area Conditions
    4. Analysis of Existing Conditions
    5. Projected Traffic
    6. Traffic Analysis
    7. Conclusions
    8. Recommendations
    9. Appendices
        a. Traffic Counts
        b. Traffic Capacity Analysis
        c. Accident Summary
        d. Request for Change of Access (if appliable)
    10. Figures and Tables
        a. Vicinity map
        b. Scaled drawings showing:

(1) geometric and physical concerns related to the project area and access points.

c. Existing roadways and traffic control features
d. Existing daily volumes
e. Collision diagram summary
f. Site generated trip summary
g. Directional distribution of Site generated traffic
h. Assignment of non-Site related traffic
i. Assignment of Site traffic
j. Traffic capacity analysis
   (1) Projected levels of service without the project to coincide with development years.
   (2) Projected levels of service with the project.
k. Recommended mitigation or improvement

12-2-5: ENGINEERING PERMIT REVIEW PROCESS:

A. Upon receipt of a compete engineering permit application, the County Engineer shall review the application for compliance with this title and any other applicable laws and regulations.
   1. The County Engineer shall approve, deny, or approve with conditions all engineering permit applications within a timely manner.
   2. The County Engineer may delay rendering a decision until such time that the compliance of an engineering permit application can be determined.

B. If the County Engineer finds that the work described in the engineering permit application conforms to the requirements of this title and other applicable laws and regulations, the applicable fees have been paid, and the applicable project assurance has been tendered, the County Engineer shall issue an engineering permit to the applicant.

C. Upon issuing an engineering permit, the County Engineer will furnish an electronic permit placard to the applicant. The applicant shall post and maintain the placard on Site until the project is complete. The placard shall include the following:
   1. Engineering Permit Number
   2. Permitee
   3. Project Address
   4. Permit Issue Date

D. If applicable, the County Engineer will stamp and furnish an electronically approved Site Plan to the applicant. The applicant shall maintain a legible copy of the approved Site Plan on Site at all times while work is being performed.

E. No engineering permit application will be processed for a project that requires a Development Permit in advance of approval of said Development Permit.

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F. No engineering permit application will be processed when the intended work includes the excavation for construction of a footing or foundation for a structure, or for underground utilities regulated by the County Community Development Department.

G. The issuance of an engineering permit shall not be construed to be a permit for, or an approval of, any violation of this title or any other applicable laws or regulations.

H. The County Engineer may suspend or revoke an engineering permit whenever the engineering permit is deemed to have been:
   1. issued in error;
   2. issued based on incorrect information;
   3. issued contrary to the conditions of approval in a Development Permit; or
   4. in circumstances where the permit approval may constitute a violation of this title or any other applicable laws or regulations.

I. The County Engineer may require the correction of errors on the approved Site Plan as well as any work which is in violation of this title or any other applicable laws or regulations.

J. Notification of Potential Condemnation Right-of-Way Required
   1. Except as otherwise provided in the following sections, no building or structure may be erected, reconstructed, structurally altered or enlarged, and no engineering permit may be issued therefore on any lot or parcel of land which abuts any road which does not conform to current right-of-way width standards in this title, unless the portion of such lot or parcel within the standard right-of-way width has been dedicated to the County or the developer or applicant has been notified and has acknowledged that such portion may be condemned for public use at some future time.

K. Exception to Right-of-Way Notification Dedication Requirement
   1. The maximum area to be dedicated shall not exceed ten (10) percent of any lot or parcel which was of record on the effective date of this section in the Summit County Recorder's Office. In determining the amount of area for dedication for purposes of this exception, any highway area which previously has been dedicated to the public through public use shall not be included.
   2. Neither notice, acknowledgment nor dedication is required for remodeling, additions and accessory buildings incidental to a single-family dwelling used as a residence, existing on the lot as of the effective date of this section, provided that no additional dwelling units are created.

L. Dedication Procedure
   1. Any person or other entity desiring to dedicate land under the provisions of this section shall execute an offer to dedicate and a warranty deed or other deed form acceptable to the County properly executed by all parties of interest. At the request of said person or entity, the offer to dedicate and deed shall be prepared

by the Summit County Attorney's Office in such terms as to be binding on the owner, his heirs, assigns, or successors in interest.

2. The dedication shall be complete when the deed is recorded in the office of the County Recorder after its acceptance by the County Council.
    a. Summit County shall provide survey information, as required, in order to establish proper boundary lines.
    b. For the purpose of this Section, dedication shall be considered as satisfactorily assured when the County Attorney's Office approves the offer to dedicate and deed as described herein.
    c. When the provisions of this Section have been completed or assured as provided herein, an engineering permit may be issued.

M. Lots Affected by Dedication
    1. On a lot affected by a dedication, acknowledgment, or notification under the provisions of this Section, all required yards, setbacks, parking area, loading space and building locations for new buildings or structures or additions to buildings or structures shall be measured and calculated from the new lot lines created by dedication or future right-of-way potential. However, in applying all other provisions of the applicable Development Code, such lot shall be considered in area as that which existed immediately prior to dedication.

12-2-6: ENGINEERING PERMIT VALIDITY:

A. Engineering permits shall be valid for a period of 180 calendar days from the date of issuance.

B. Engineering permits issued in conjunction with a County building permit shall be valid while the building permit is active.

C. Engineering permits issued in conjunction with a final subdivision plat or a final site plan shall be valid for a period of two (2) years.

D. The County Engineer may extend the term of an engineering permit upon written request.

CHAPTER 3
DESIGN AND CONSTRUCTION STANDARDS

SECTION

Attachment B

12-3-1: ADOPTED STANDARDS:

A. In addition to the standards set forth in this title, the County adopts the following as standards for all issues related to the design, construction, and maintenance of Development not specifically covered in this title.
    1. APWA: Manual of Standard Plans (current edition)
    2. APWA: Manual of Standard Specifications (current edition)
    3. UDOT: Standard Drawings (current edition)
    4. UDOT: Standard Specifications (current edition)
    5. AASHTO: A Policy on Geometric Design of Streets and Highways (current edition)
    6. AASHTO: Roadside Design Guide (current edition)
    7. Utah Manual of Uniform Traffic Control Devices (MUTCD) (current edition)

12-3-2: ROADWAY DESIGN STANDARDS:

A. This section provides minimum standards for the design and construction of all roads within Summit County. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. Road Classifications
    1. Arterial (A) – Arterial roads link cities, larger towns, and other large traffic generators. These roads have relatively high travel speeds and minimal inferences to the through movement of traffic.
    2. Collector (C) – Collectors roads serve towns and other traffic generators of inter-county importance, such as schools, parks, resorts, not directly served by an arterial road.
    3. Major Local (ML) – Major local roads serve a dual function of providing access to properties adjacent to the road as well as providing connectivity between higher road classification facilities.
    4. Minor Local (L) – Minor local roads serve almost exclusively to provide access to properties adjacent to the road. These roads provide limited or no connectivity and are predominately used by drivers who are familiar with them. No nonresidential access can be made to a minor local road.
    5. Seasonal/Agricultural (SA) – Seasonal/Agricultural roads vary greatly in both users and types of vehicles. Design of these roads needs to carefully considers all factors affecting use.
    6. Unimproved (U) – Unimproved roads are not improved for use by some or all passenger vehicles. Access may be limited to certain types of vehicles and use of these roads may be restricted.

C. General Design Standards
    1. A minimum of two (2) roads for separate ingress and egress will be provided for subdivisions in excess of thirty (30) lots. At least one road will be considered the main access to be dedicated with right-of-way as part of the final subdivision plat. In situations where dual access is not available within the initial development, one or more easements extending to the perimeter of the proposed development and evidence that existing vehicular access through adjacent properties to public roads

must be provided by the developer. The secondary road, which may not comply with this section, may be permitted, so long as it is an all-weather, year around access road and maintained for emergency services as approved by the appropriate fire district.

2. Reduction in the level of service of any existing road below the adopted level of service is prohibited.
    a. The adopted level of service for County roads and intersections is level C.
    b. The adopted level of service for UDOT roads is D.
3. All roads shall be designed by a Licensed Engineer.
4. All roads shall have a base capable of supporting a gross vehicle weight of at least eighty thousand (80,000) pounds. The County Engineer may require additional support base depending on the specific function and traffic volumes anticipated on the road.
5. All roads shall be capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.
6. All roads will have unobstructed vertical clearance of thirteen (13) feet six (6) inches.
7. Homeowners may not grant additional vehicular rights of way and road easements across their property in addition to those vehicular rights-of-way and road easements that are already on record at the date of the plat recordation.

D. Specific Design Standards
    1. This section provides specific design criteria based on the road classifications defined above. Seasonal/Agricultural and unimproved roads were specifically omitted from this section because of the wide variety of situations in which they may be used. Consult the County Engineer during the planning stages of a seasonal/agricultural or unimproved road for specific design requirements.
    2. Access Spacing: To maintain safe and effective transportation corridors, the County Engineer limits all road access. Table 3-1 designates the spacing requirements for all roads.
        a. Measurement of the spacing between intersections shall be in accordance with Figure 3-1.

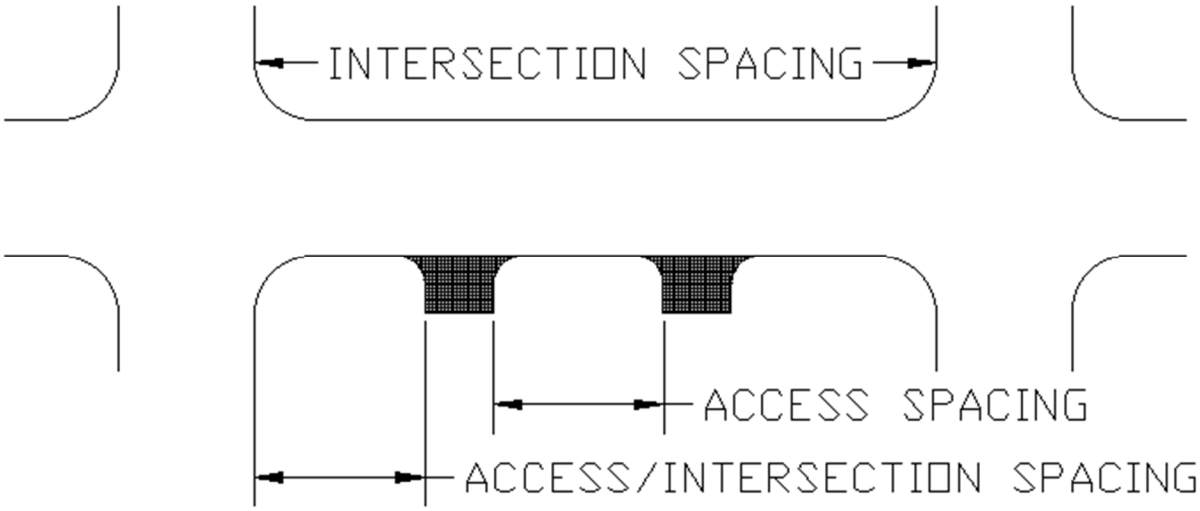
Table 3-1

Road Classification	Minimum Spacing (Feet)		
	Intersections	Improved Access	Common Access
Arterial	600	350	75
Collector	330	200	50
Major Local	125	150	35
Minor Local	125	Not Permitted	10[1]

[1] Minimum spacing from an intersection shall be fifty (50) feet.

Figure 3-1

Attachment B



3. Road Sizing: Roads shall be designed for a specific traffic volume that is based on the average daily traffic (ADT) volume projected for a 20-year design future. Table 3-2 designates the width requirements for all roads.

Table 3-2

Road Classification	Minimum Width (Feet)			Minimum Design Speed (mph)	Maximum ADT
	Roadway	Shoulder	Right-of-Way[1]		
Arterial	30	6	60	55	-
Collector	26	6	52	35	2,000
Major Local	24	2	48	25	1,500
Minor Local	20	1	40	-	400

[1] The minimum right of way width shall be two (2) times the roadway.

4. Roadway Grades: Table 3-3 designates the maximum roadway grades for all roads.
   a. The minimum longitudinal grade for all roads is 0.5%.
   b. Through roadways (nonstop sign roadways) can remain at a constant grade of less than eight percent (8%) through the intersection.
   c. Roadway cross slope shall be adequate to provide proper drainage, ranging from 1.5 to 4%.
   d. The maximum super elevation is 5%

Table 3-3

Road Classification	Maximum Grade (%)	Maximum Grade Change without Vertical Curve (%)	
		Sag	Crest
Arterial	8	1	2

Collector	8	1	2
Major Local	10	2	3
Minor Local	10	3	5

5. Cul-De-Sacs
    a. The maximum length of a cul-de-sac shall be one thousand (1,000) feet.
    b. Cul-de-sacs shall not be less than ninety six (96) feet in diameter, or as required by the appropriate fire district and the County Engineer.
    c. A hammerhead cul-de-sac design, per current international fire code, may be allowed in certain instances but must receive approval from the appropriate fire district and the County Engineer during permitting.
    d. All cul-de-sacs must include signage indicating that the road is a dead-end road within fifty (50) feet of the outlet. In addition, two (2) signs will be placed on the connecting road indicating that the "next turn is a dead-end road".
    e. No cul-de-sac shall have a roadway surface width of less than twenty (20) feet.
6. Alignment
    a. Horizontal alignment shall be tangent through intersections, but where horizontal curves cannot be avoided, the following shall apply:
        (1) Horizontal curves shall have sufficient radius to provide adequate sight distance and eliminate the need for superelevation.
        (2) Curves should not start or end in an intersection.
    b. Vertical curves shall have the appropriate K-value to provide adequate stopping sight distance and passing sight distance.
7. Intersections
    a. Intersections shall not be designed to accommodate more than two (2) roadways or four (4) corners. If additional intersecting roadways are necessary, a roundabout intersection design may be appropriate.
    b. Roadways shall intersect at a ninety (90) degree angle, or as near to a right angle as practicable but shall not exceed a ten (10) degree deviation.
    c. Landing: A landing is defined as the area between the through roadway and the point at which the side roadway begins to exceed three (3) percent. Table 3-4 designates the minimum landing length for all roads.

Table 3-4

Road Classification	Minimum Landing Length (Feet)
Arterial	200
Collector	150
Major Local	100
Minor Local	75

8. Signage
    a. All roads will be designated with road named or numbered in accordance with County requirements.
    b. MUTCD compliant road identification signs shall be installed at each major intersection.

c. Emergency access roads shall be clearly identified.
d. All signage shall be MUTCD compliant.
e. The applicant shall be responsible for the expense of constructing and placing traffic control signs as follows:
    (1) Stop signs shall be placed at:
        (A) intersections of arterials and
        (B) intersections of collectors and arterials
    (2) Any other traffic control signs deemed necessary by the County Engineer.

9. Area Adjacent to Roads
    a. In no case shall a non-yielding structure be placed closer than those distances shown in table 3-5.
    b. All structures placed within a right-of-way shall be flagged with a minimum of a six (6) foot pole with a red or black flag attached to the top from October 15th to May 1st of the following year. In known areas of deep drifting, the height of the pole shall be extended to eight (8) feet.
    c. Landscaping berms within a right-of-way shall end a minimum of fifty (50) feet from any intersection. The distance may be extended for roads classified as a collector or higher.
    d. Exceptions may be made where guardrail protection is provided.
    e. Retaining walls shall be used when cuts and/or fills exceed ten feet (10) as measured vertically at the edge of the road shoulder.

Table 3-5

Posted Speed (mph)	ADT	Uphill Clear Zone (Feet)[1]			Downhill Clear Zone (Feet)[1]	
		> 6:1 Slope	6:1 – 3:1 Slope	< 3:1 Slope	> 6:1 Slope	6:1 – 3:1 Slope
≤ 40	< 750	8	9	10	10	10
	750 - 1000	10	11	12	12	14
	1500 – 6000	12	13	14	14	16
	> 6000	14	15	16	16	18
> 40	750 - 1000	10	11	12	14	20
	1500 – 6000	12	13	14	18	26
	> 6000	14	15	16	20	28

[1] The clear zone is measured from the edge of the travel lane.

E. Sidewalks
1. Sidewalks or non-motorized trails shall be provided to allow internal circulation within a development and connectivity to other adjacent points of interest.
    a. Sidewalks shall be a minimum of five (5) feet wide.
    b. Sidewalks directly adjacent to the back of curb shall be a minimum of seven (7) feet wide.

F. Public Roads

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1. Roads being considered for public dedication shall meet the more stringent of the above requirements of those provided in this section, regardless of classification:
    a. Twenty-four (24) foot wide pavement as a minimum
    b. Sixty (60) foot wide right-of-way as a minimum
    c. Eight percent (8%) maximum grade
    d. Minimum cul-de-sac diameter of ninety-six (96) feet
    e. Minimum pavement thickness
        (1) Four (4) inches for asphaltic concrete
        (2) Eight (8) inches for Portland cement concrete pavement
    f. Six (6) inch minimum base course thickness
    g. Minimum of a level of service B
2. Roads shall carry a 1 year warranty from the date of adoption.

12-3-3: ACCESS DESIGN STANDARDS:

A. This section provides the minimum standards for the design and construction of all accesses to any road within Summit County. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards and the applicable fire code.

B. Access Classifications
    1. Common – A common access provides ingress and egress to a maximum of two parcels consisting of a single family home, farm, cabin, accessory structure, or combination thereof.
    2. Improved – An improved access provides ingress and egress to multi-family, commercial, or other nonresidential structures not included in a common access. Also, includes accesses that serve more than two parcels.

C. General Design Standards
    1. All lots and/or homesites will be visibly signed with street addresses and numbered as such or at the beginning of the access.
    2. In the case of state highways, as approved by the state department of transportation. The design and construction of turn lanes, merging lanes, traffic signs or signals and other improvements required to make access points conform to County or UDOT standards shall be the responsibility of the developer.
    3. Each access shall serve as many properties and interests as possible to reduce the need for additional direct access to the roadway.
    4. All accesses shall capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.

D. Existing Accesses
    1. Accesses in existence at the time of the effective date of this Ordinance may continue to the same extent and degree as before.
    2. Any change in to the access such as: grade, footprint, the degree of use as stated, or as deemed necessary by the County Engineer shall require a permit and compliance with the provisions of this chapter.

3. A change in degree of use is considered as any change in the land use or adding additional building space.
4. Maintenance of an existing access shall not require a permit or compliance with the provisions of this section.
    a. Maintenance activities include resurfacing, replacing the access without changing grade or footprint, and other maintenance activities as determined by the County Engineer.
5. Accesses used by multiple parcels shall be updated to compliance in its entirety if any property owner engages in any activity as described in the section above.

E. Specific Design Standards
1. Access Spacing: To maintain safe and effective transportation corridors, the County Engineer limits road (public or private) access. Table 3-6 designates the spacing requirements for all roads.
    a. Measurement of the spacing between access as well as from intersections shall be in accordance with Figure 3-2.
    b. In no case shall an access cross the imaginary line which is projected along the side yard property lines to its intersection with the edge of the road.
    c. Accesses are to be setback from side property lines a minimum of ten (10) feet in all rights-of-way. Once out of the right-of-way there shall be no minimum side property setback. However, if grading setbacks apply to the site, the grading setback requirement shall be satisfied according to the current County code. Adequate snow storage will need to be provided inside the property for snow removal operations.

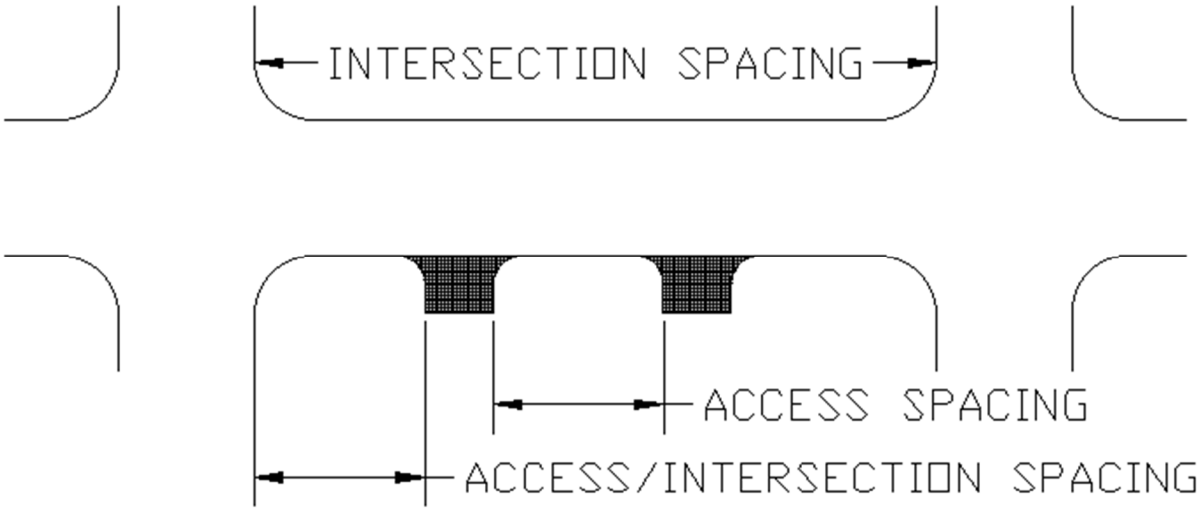
Table 3-6

Road Classification	Minimum Spacing (Feet)	
	Improved Access	Common Access
Arterial	350	75
Collector	200	50
Major Local	150	35[1]
Minor Local	Not Permitted	20[1]

[1] Minimum spacing from an intersection shall be fifty (50) feet.

Figure 3-2

Attachment B



2. Length: The maximum access length is seven hundred and fifty (750) feet.
    a. Accesses greater than one hundred and fifty (150) feet in length shall have a forty (40) foot radius turnaround at the end.
3. Alignment: All accesses shall be aligned as to not create hazardous driving conditions.
    a. All access shall have adequate stopping sight distances. Table 3-7 is provided as a reference for level roadways.
    b. Accesses shall intersect at a ninety (90) degree angle, or as near to a right angle as practicable but shall not exceed a twenty (20) degree deviation.
        (1) Accesses shall not be installed in horizontal curves or at the crest of vertical curves.
    c. Accesses over one hundred and fifty (150) feet in length shall maintain a minimum turning radius for fire truck access. Table 3-8 designates the minimum turning radii.
        (1) Measurement of the turning radius is as shown in Figure 3-2

Table 3-7

Posted Speed (mph)	Minimum Stopping Sight Distance (Feet)
20	115
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570

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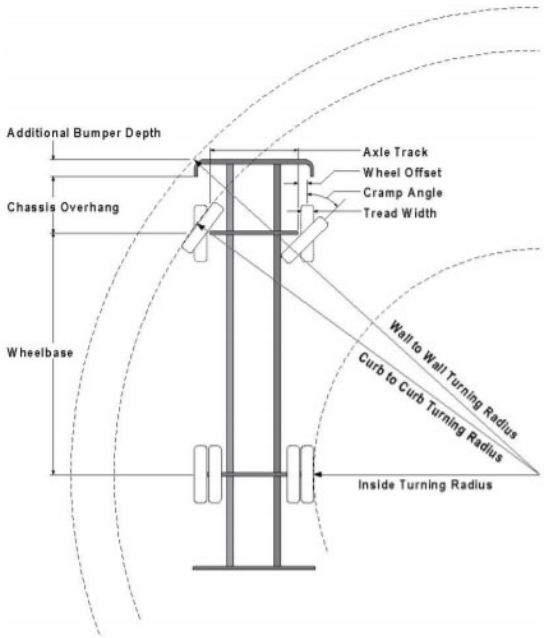
Table 3-8

Radius Type	Minimum Radius (Feet)
Inside Turn	18
Curb to Curb	34
Wall to Wall	39

Figure 3-2



Parameters:

*Inside Cramp Angle:	45°
Axle Track:	82.92 in.
Wheel Offset:	5.3 in.
Tread Width:	17.5 in.
Chassis Overhang:	65.95 in.
Additional Bumper Depth:	22 in.
Front Overhang:	96.5 in.
Wheelbase:	229.5 in.

Calculated Turning Radii:

Inside Turn:	17 ft. 9 in.
Curb to curb:	33 ft. 2 in.
Wall to wall:	38 ft. 2 in.

Total overall length 39 feet 2 inches

4. Width: Access width shall be sized appropriately based on the road classification they are providing access to and the intended use. Table 3-9 and 3-10 designate the allowable width for accesses to all roads.
    a. In no case shall an access width exceed twenty-five percent (25%) of a property's frontage.
    b. For accesses less than twenty (20) feet in width and greater than two hundred (200) feet in length, pullouts are required to increase the access width to twenty (20) feet for a distance of forty (40) feet with ten (10) foot minimum radius flares on either end.
        (1) The distance between pullout centerlines shall not exceed two hundred (200) feet.
        (2) The location of the pullouts shall be coordinated with the appropriate fire district.

Table 3-9

Road Classification	Minimum Width (Feet)		Maximum Width (Feet)	
	Improved Access	Common Access	Improved Access	Common Access
Arterial	25[1]	16	50	32
Collector	20[1]	16	40	30
Major Local	20[1]	12	40	20

Minor Local	Not Permitted	12	Not Permitted	20

[1] If tractor/trailer use is anticipated, the minimum access width shall be thirty-five (35) feet.

Table 3-10

Road Classification	Minimum Flare Width (Feet)[1]
Arterial	8
Collector	4
Major Local	2
Minor Local	2

[1] Flares are to be installed on both sides of the access.

5. Grade:
    a. The minimum longitudinal grade for all accesses is zero point five percent (0.5%).
    b. The maximum longitudinal grade for all improved accesses is eight percent (8%).
    c. The maximum average longitudinal grade for all common accesses is ten percent (10%).
    d. Localized grades up to twelve percent (12%) may be allowed when approved by the appropriate fire district.
    e. Landings: A landing is defined as the area between the roadway and the point at which the access begins to exceed 5%. Table 3-11 designates the minimum landing length for all accesses.

Table 3-11

Road Classification	Minimum Landing Length (Feet)	
	Improved Access	Common Access
Arterial	50	30
Collector	50	30
Major Local	30	20
Minor Local	Not Permitted	20

A. This table does not apply to common accesses shorter than one hundred feet (100 feet).

6. Drainage: All accesses shall be graded such that water draining off the access does not flow onto the road and is diverted into a roadside ditch or gutter.
    a. Accesses which cross roadside ditches or other drainages shall be required to provide drainage facilities in the form of culverts or bridges. The minimum diameter culverts shall be twelve (12) inches.
    b. Maintenance of culverts and bridges is the responsibility of the access owner.
7. Retaining walls shall be used when there is a vertical discrepancy of ten (10) feet or more between the native grade and the proposed grade measured at the edge of the access.

12-3-4: COUNTY RIGHT OF WAY STANDARDS:

Attachment B

A. General Work Standards
   1. Directional boring is the preferred method for crossing paved County Roads. If the directional boring method is unsuccessful three times, then open excavation may be allowed upon receiving approval from the County Engineer. Excavations shall not be approved unless it can be demonstrated that directional boring is infeasible as an alternative.
   2. Longitudinal excavations of paved County roads shall not be approved unless it can be demonstrated that all other alternatives are infeasible.
   3. The operation of steel tracked equipment or the placement of steel outriggers/stabilizers in direct contact with the pavement surface shall be prohibited. The applicant shall take precautions to prevent damage to all paved surfaces. Any damage to the paved surfaces shall be repaired to the satisfaction of the County Engineer at the applicant's expense.
   4. Grading shall be performed as necessary to prevent surface water from flowing into the work area. Any water accumulated therein shall be promptly removed by pumping or by other approved methods.
   5. All construction equipment and materials shall be placed in such a manner as to minimize the inconvenience to public travel. Additionally, provisions shall be made for urgent traffic as necessary.
   6. Free access shall be provided to all fire hydrants, water valves and meters, and clearance shall be left to enable the free flow of storm water in all conveyance structures.

B. Excavation Work Standards
   1. Any bituminous or concrete pavement to be removed shall be cut with a saw or pneumatic tool to provide a straight, neat construction line.
   2. All excavations are designated as unclassified. The applicant shall perform all excavations of every description and of whatever substances encountered, to the depth specified on the plans and/or required to accomplish the work.
   3. All excavated materials not required or not suitable along with any removed pavement shall be promptly removed from Site.
   4. The applicant will be responsible for providing barricades at all excavation sites while open trenches are present. Barricades must be lit if open trenches are left overnight.
   5. No open trenches within the clear zone defined in Table 3-5 are allowed to remain open overnight unless MUTCD compliant traffic control devices are in place.
   6. No more than one hundred (100) feet of trench may be open at any one time.
   7. Trench edges shall not be allowed in the wheel path of the travel way.
   8. Short sections of the trench may be tunneled under existing structures (e.g. curb and gutter or sidewalk) if the commodity can be safely and properly installed. In those areas where the commodity is installed under existing structures, the applicant has the option to use flowable fill or to backfill as required.

C. Backfill Standards
   1. Class A Excavations – Class A excavations are excavations anywhere within the paved area or travel way plus five (5) feet on each side.

a. Flowable or granular fill shall be placed between the bottom of the trench and the untreated base course.
    (1) Flowable fill shall be allowed to cure of twenty-four (24) to forty-eight (48) hours prior to placing the untreated base course.
    (2) In the case of high ground water, approval from the County Engineer is required to use flowable fill.
b. Untreated base material shall be placed to the pre-existing depth. It shall be placed in lifts between five (5) and eight (8) inches in thickness prior to compaction.
    (1) The material shall meet optimum moisture content and compaction as stated in the applicable standard.
c. If applicable, asphaltic concrete mix shall be placed above the untreated base course to the pre-existing depth plus one (1) inch, but not less than four (4) inches.
    (1) Asphaltic concrete shall be PG58-28, three quarters (3/4) inches maximum.
    (2) Both the roadbed and air temperature in the shade shall exceed fifty(50) degrees Fahrenheit during placement operations.
    (3) The material shall be compacted to ninety-four percent (94%) per ASTM D 2041 with no density test results less than ninety-two (92%) or higher than ninety-six (96%).
    (4) Compaction must be completed before the asphalt temperature drops below one hundred eighty (180) degrees Fahrenheit.
    (5) The surface shall be finished one half (1/2) to one quarter (1/4) inches higher than the existing road surface to account for future settlement.
d. Specifications for all materials will be furnished to the County Engineer prior to permit approval.
e. All materials shall meet the adopted standards of this title.
f. All compaction efforts shall be verified by a certified laboratory technician and copies of all test reports furnished to the County Engineer within five (5) days of completion.
    (1) A minimum of two (2) moisture and density tests are required per lift of material placed.

2. Class B Excavations – Class B excavations are anywhere outside the five (5) foot buffer zone to the travel way.
    a. Topsoil must be removed and replaced to existing depths and finished to pre-excavation contours.
        (1) In areas where lawn sod, shrubs, topsoil, fences and other items must be removed during the trench excavation and backfill operation, coordination with adjacent property owners on their subsequent replacement is required by the applicant.
    b. Suitable backfill material shall be placed in the trench in layers consistent with the type of compaction equipment to be used but shall not exceed eighteen (18) inches. Each layer shall be sprinkled and thoroughly compacted by means of a hand-operated or mechanically operated tamper.

(1) Minimum compaction of ninety-two percent (92%) of maximum dry density as determined by AASHTO T-180 Method D is required.

D. Road Restoration Standards
   1. Restoration shall be commenced as soon as possible following excavation. Complete restoration shall be diligently pursued until complete and in no case longer than five (5) working days from the date of initial excavation.
   2. Prior to placing an asphalt concrete mix patch, the existing pavement shall be saw cut back from the edge of the excavated trench a minimum of two (2) feet to create a "T" patch. Care shall be taken to remove the additional pavement without disturbing the existing untreated base course. An additional four (4) feet minimum shall be milled to a depth of two (2) inches and overlayed.
   3. Patch seems shall not be located within a travel lane.
   4. Prior to placement of seal coat materials, the pavement edges shall be crack sealed.
      a. Seal coat materials used shall be as follows:
         (1) chip seal coat material shall be LMCRS-2; or
         (2) slurry seal coat material shall be CRS-2.
      b. All materials shall meet the adopted standards of this title.

E. Specific Design Standards
   1. All cables, conduits, or pipelines shall be buried a minimum of twenty four (24) inches below final surface grade measured from final grade to top of pipe.
   2. Fences, gates and cattle guards shall not be installed in County rights-of-way without a permit and a recorded maintenance agreement in place.
      a. Gates shall be allowed only if the nature of road traffic on that particular roadway is such that the existence of a gate is not a major inconvenience to the travelers of the roadway.
         (1) Gates shall remain unlocked at all times.
      b. If any fence, gate or cattle guard is not properly maintained or replaced when it becomes damaged, needs to be widened or it is determined that they are no longer necessary, the County shall have the right to remove any fence, gate or cattle guard from the roadway.
   3. Bridges and culverts shall be designed and constructed to support H25/HS25 loading conditions. Permanent culverts shall be installed at all intermittent and perennial stream crossings.
      a. Specifications for bridges, culverts and other stream crossing devices shall take into account at least the 100-year frequency storm and upstream debris hazard. Bridges and culverts shall provide at least one (1) foot of freeboard above the 100-year frequency storm event.
      b. Bridges and culverts shall be made of natural stone, wood, or steel.

F. Restrictions
   1. No work is allowed to occur within five (5) feet of the edge of a County road from October 15th to May 1st of the following year.

2. No work shall be allowed within the paved area of a road that has been chip sealed in the past three (3) years.
3. No work shall be allowed within the paved area of a road that has been constructed, reconstructed, or overlaid in the past five (5) years.
4. If deemed necessary by the County Engineer, relief from these restrictions may be granted if the following criteria are met:
    a. The road "T" patch shall extend fifty (50) feet from either side of the trench;
    b. the patch shall span the entire width of the pavement; and
    c. mill and overlay the entire width of pavement one hundred (100) feet from either side of the trench at a depth of two (2) inches.

G. Maintenance
1. Roads intended to be owned and maintained by the County will not be accepted by the County for such purposes until adequate tax revenues accrue to the County from the development to pay the cost of all related road maintenance services for the roadway.
2. Unless the County determines that there are compelling reasons to accept responsibility for the road in the absence of adequate tax revenues. Road maintenance and snow removal services shall be provided by the development.

12-3-5 PARKING DESIGN STANDARDS:

A. Exceptions
1. This section does not apply to individual single-family detached dwellings on a lot of record.

B. General Design Standards
1. All parking area shall capable of providing all weather, year round access and be constructed from asphalt, concrete, or another all-weather surface as designed by a Licensed Engineer.
2. All parking areas shall comply with the Americans with Disabilities Act.

C. Specific Design Standards
1. On street parking and parking along roads shall either be parallel to the curb or with a maximum parking angle of sixty degrees (60°).
2. Parking areas shall be designed with a through circulation pattern if they include more than ten (10) parking spaces, unless there is suitable turnaround space at the end of the parking lot.
    a. Roads shall not be used as part of a parking area circulation pattern.
3. Parking areas shall be designed to provide ingress and egress through forward motion of a vehicle.
4. Parking areas shall have a minimum grade, in any direction, of one percent (1%), a maximum grade, in any direction, of five percent (5%).
5. Uncovered parking lots shall provide snow storage areas equal to ten percent (10%) of the uncovered parking lot surface area.

6. A six (6) inch minimum curb or bumper guard shall be provided to prevent damage to walls and the crossing of a vehicle into a designated walkway.
7. The minimum aisle width for diagonal parking is eighteen (18) feet and the minimum aisle width for perpendicular parking is twenty six (26) feet.
8. Parking stalls shall be a minimum of nine (9) feet by eighteen (18) feet for diagonal parking or nine (9) feet by twenty (20) feet for perpendicular and parallel parking.
    a. Parking stalls adjacent to columns or walls must have an additional two (2) feet of width.
    b. Parking stalls adjacent to surface stormwater conveyance structures (e.g. waterways or rolled curb) shall have additional width or length equal to the width of the stormwater structure.
9. All parking areas shall be adequately marked as to distinguishing aisle, parking stalls, and designated walkways.

12-3-6 STORM DRAIN DESIGN:

A. This section provides minimum standards for the design and construction of all long term stormwater BMPs. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. This section applies to the following:
    1. new multifamily or nonresidential Developments;
    2. changes to existing multifamily or nonresidential Developments;
    3. Development of residential neighborhoods that collectively disturb more than one (1) acre;
    4. new residential subdivisions of four (4) lots or more; and
    5. changes to an existing residential subdivision that increases the number of lots to four (4) or more.

C. General Design Requirements
    1. For sites of fifty (50) acres or less, the rational method shall be used to determine runoff volumes and size stormwater facilities.
        a. The County Engineer has established runoff coefficients and rainfall depths and intensities in Tables 3-12 through 3-14 to be used in all calculations.
    2. For sites larger than fifty (50) acres, the rational method may be used or another hydrologic method that has been preapproved by the County Engineer.
    3. BMPs shall be designed to have a one (1) foot minimum separation between the lowest stormwater storage elevation and the high ground water elevation.

Table 3-12

Slope	Runoff Coefficients by Hydrologic Soil Category			
	A Soils	B Soils	C Soils	D Soils
Flat (<2%)	0.06	0.09	0.13	0.15
Average (2-6%)	0.11	0.14	0.18	0.20
Steep (>6%)	0.15	0.20	0.25	0.31

Attachment B

Table 3-13

Surface Category	Runoff Coefficient
Asphalt	0.88
Brick or Gravel	0.81
Concrete	0.91
Shingle Roof	0.89
Lawn	0.21
Use Category	Runoff Coefficient
Farmland	0.23
Pasture	0.23
Parks	0.21
Cemeteries	0.21
Railroad Yards	0.31
Playgrounds (except asphalt or concrete)	0.31
Neighborhood, Business District	0.64
City (downtown), Business District	0.88
Single Family, Residential	0.44
Multiplexes (detached), Residential	0.54
Multiplexes (attached), Residential	0.71
Suburban, Residential)	0.36
Apartment or Condominiums, Residential	0.64
Light, Industrial	0.71
Heavy, Industrial	0.87

[1] Adapted from Lindeburg, M.R. (2015) Civil Engineering Reference Manual for the PE Exam. 15th Edition, Professional Publications Inc., Belmont.

Table 3-14

Duration	25-year Frequency Storm		100-year Frequency Storm	
	Depth (Inches)	Intensity (Inches/Hour)	Depth (Inches)	Intensity (Inches/Hour)
5-min	0.367	4.40	0.549	6.59
10-min	0.558	3.35	0.836	5.02
15-min	0.692	2.77	1.04	4.14
30-min	0.932	1.86	1.40	2.79
60-min	1.15	1.15	1.73	1.73
2-hr	1.33	0.664	1.95	0.973
3-hr	1.41	0.470	1.99	0.661
6-hr	1.68	0.280	2.19	0.366
12-hr	2.07	0.172	2.65	0.220
24-hr	2.55	0.106	3.13	0.131
2-day	3.05	0.064	3.73	0.078
3-day	3.43	0.048	4.21	0.059
4-day	3.80	0.040	4.69	0.049

7-day	4.57	0.027	5.60	0.033
10-day	5.09	0.021	6.11	0.025
20-day	6.46	0.013	7.59	0.016
30-day	7.72	0.011	9.04	0.013
45-day	9.43	0.009	11.0	0.010
60-day	11.1)	0.008	12.9	0.009

[1] Data is from NOAA Atlas 14 Point Precipitation Frequency Estimates: UT (Park City Station) on April 26, 2023.

D. Specific Design Requirements
   1. Subsurface conveyance systems (e.g. catch basins, manholes, connections pipes) shall be designed to safely carry the 25-year frequency storm.
   2. Surface conveyance systems (e.g. canals, ditches, curb and gutter, culverts) shall be designed to safely carry the 100-year frequency storm.
   3. Retention BMPs shall be designed using the Granato method to infiltrate the 80th percentile storm event.
      a. The 80th percentile storm depth for Summit County is zero point zero four (0.04) feet.
   4. Detention BMPs shall be designed based on the 100-year frequency storm to limit the post development peak discharge rate to a match, but in no circumstances exceed, the predevelopment peak discharge rate.
   5. Stormwater discharged from a Site shall be subjected to a BMP that achieves a minimal removal rate of:
      a. Eighty (80) percent of particles one hundred and twenty-five (125) microns in size; or
      b. Fifty (50) percent of particles seventy-five (75) microns in size.

E. Rational Method
   1. Calculate Site Area
      a. The Site area can be calculated using USGS topographic maps, Site surveys or other reliable and available information.
      b. The predevelopment area and the post development area will be the same.
   2. Calculate Runoff Coefficient
      a. This value is calculated using Equation 3-1 to establish a weighted average based on the land use type for developed areas and the hydrologic soil category and slope characteristics for undeveloped areas.
         (1) The hydrology soil category and slope characteristics can be obtained from the Unite States Department of Agriculture Web Soils Survey website.
         (2) https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx
      b. The predevelopment coefficient will likely be less than the post development runoff coefficient.
      c. The runoff coefficient shall be modified using the adjustment factors outlined in Table 3-15 for the applicable design storm.
   3. Calculate Time of Concentration

a. This value is calculated using Equation 3-2 to determine the time it takes a drop of water to travel from the most hydraulically distant point of the Site to the stormwater system.
b. The predevelopment time of concentration will likely be greater than the post development time of concentration.
c. For small or highly impervious Sites, a minimum design time of concentration of ten (10) minutes shall be used.

4. Calculate Peak Discharge
   a. This value is calculated using Equation 3-3 to determine the rate at which water is being discharged from the Site once the entire Site is contributing to the discharge.
   b. The predevelopment peak discharge rate will likely be less than the post development peak discharge rate.
5. Calculate Detention Volume
   a. This value is calculated using Equation 3-4 to determine the volume of stormwater that must be detained on site.

Table 3-15

Storm Frequency	Adjustment Factor (C_f)
25-year	1.10
100-year	1.25

Equation 3-1

$$C = \frac{\sum_{n=1}^{n=N}(A_n C_n)}{A}$$

A_n (acres) = size of each individual subarea
C_n (unitless) = appliable runoff coefficient for each subarea
N (unitless) = number of subareas
A (acres) = Site area
C (unitless) = weighted runoff coefficient for the Site

Equation 3-2

$$T = \frac{1.8(1.1 - C)\sqrt{L}}{\sqrt[3]{S}} = \frac{1.8(1.1 - C)L^{0.5}}{S^{0.333}}$$

C (unitless) = runoff coefficient
L (feet) = length of longest watercourse
S (%) = slope of longest watercourse
T (minutes) = time of concentration

Equation 3-3

$$Q_p = C_f CiA$$

C (unitless) = runoff coefficient

i (inches per hour) = rainfall intensity based on the design storm frequency for a duration equal to the time of concentration

A (acres) = site area

Q_p (cfs) = peak discharge rate

Equation 3-4

$$\boldsymbol{V_d = \Delta Q_p D}$$

ΔQ_p (cfs) = post development Q_p – predevelopment Q_p

D (seconds) = storm duration

V_d (cf) = required detention volume

F. Granato Method

1. Calculate Site Impervious Area
    a. This value is calculated using Equation 3-5 for each retention BMP and its associated drainage area.
2. Calculate Volumetric Runoff Coefficient
    a. This value is calculated using Equation 3-6.
3. Calculate Retention Volume
    a. The value is calculated using Equation 3-7.

Equation 3-5

$$\boldsymbol{i} = \frac{\text{post development impervious area (acres)}}{\text{drainage area (acres)}}$$

i (decimal format) = the percent imperviousness for the BMP drainage area

Equation 3-6

$$\boldsymbol{R_v = 0.225i + 0.05} \quad \text{for } i < 0.55$$
$$\boldsymbol{R_v = 1.14i - 0.371} \quad \text{for } i \geq 0.55$$

i (decimal format) = the percent imperviousness for the BMP drainage area

R_v (unitless) = volumetric runoff coefficient

Equation 3-7

$$\boldsymbol{V_r = R_v da}$$

R_v (unitless) = volumetric runoff coefficient

d (feet) = 80^{th} percentile storm depth

a (sf) = BMP drainage area

V_r (cf)= required retention volume for BMP drainage area

12-3-7: Grading Design

Attachment B

A. This section provides minimum standards for the design and construction of earthen slopes. This section is not all inclusive and should not take the place of engineering study and consideration of the guidelines set forth in the adopted standards.

B. Design Requirements
   1. Cut and Fills slopes shall be no steeper than 3:1 unless the Site has been evaluated by a Licensed Engineer and all recommendations are implemented.
   2. Grading shall be designed to tie into the existing grade:
      a. one half the vertical height of the Cut or Fill from the property line.
         (1) The minimum setback is two (2) feet.
         (2) The maximum setback is twenty (20) feet.
   3. Fill material shall be clean and suitable for its intended use. It shall not include:
      a. organic matter;
      b. contaminated soil or tailings; or
      c. rock or similar material greater than twelve (12) inches.
   4. All Fill slopes shall be compacted to a minimum of ninety two (92) percent of maximum density, or as recommended in a geotechnical report.
      a. Except when associated with landscape grading or berms.
      b. Lifts shall be suitable for the type of compaction equipment being used, but shall not exceed eighteen (18) inches.
   5. If any of the following apply, Benching into sound bedrock or other completement material, as determined by a Licensed Engineer, is required.
      a. The existing slope is greater than 5:1.
      b. The proposed Fill height is greater than four (4) feet.
      c. The net Fill volume is greater than two thousand (2000) cubic yards.
      d. The proposed slope is greater than 3:1.
      e. Fill is to be placed over a Cut.
   6. The Bench under the toe of a Fill slope shall be a minimum of ten (10) feet wide. The area beyond the toe of a Fill shall be sloped for sheet overflow or an armored drain shall be provided.
   7. All disturbed slopes shall be prepared and maintained to prevent erosion.
      a. In the case of slopes steeper than 3:1, erosion control blankets, or equivalent, shall be installed.

C. Drainage Considerations
   1. Building pads shall have a slope away from the structure towards an approved drainage facility at a minimum of two (2) percent.
   2. Cut or Fill slopes with a projected length less than one hundred and twenty (120) feet, shall have Benches established at a maximum of thirty (30) foot intervals. The Benches shall:
      a. be a minimum of ten (10) feet in width;
      b. have armored drainage swales that are:
         (1) a minimum of one (1) foot deep;
         (2) a minimum of five (5) feet wide; and
         (3) have a minimum slope of two (2) percent.

3. Cut or Fill Slope with a projected length greater than one hundred and twenty (120) feet, shall have Benches established as recommended by a Licensed Engineer.
4. All drainage Benches shall have adequate access for proper maintenance.
5. Armored interceptor drains shall be installed at the top of all Cut slopes where the tributary area has a horizontal drainage path greater than forty (40) feet. The armored interceptor drain shall be:
    a. a minimum of one (1) foot in deep;
    b. a minimum of four (4) feet in wide; and
    c. have a minimum slope of two (2) percent.

12-3-8: CONSTRUCTION MITIGATION STANDARDS

A. This chapter provides the minimum standards for mitigating the impact of all Development activity in Summit County. This chapter is not all inclusive and should not take the place of project planning and execution by design and construction professionals.

B. Mitigation Requirements
    1. Safety
        a. All Development activity shall be conducted in such a manner as to minimize risk to the public and damage to existing infrastructure and natural environment.
            (1) Notification, signage and detours shall be established to maintain safe pedestrian access to public spaces.
        b. Emergency access shall not be inhibited by Development activity.
        c. Personnel assign traffic control duties shall:
            (1) wear property high visibility clothing; and
            (2) be able to converse with the public.
    2. Project Sign
        a. All projects with an anticipated duration greater than thirty (30) days shall erect a project sign with the following information.
            (1) Permit Number
            (2) Project Address
            (3) Project Supervisor and Contact Information
            (4) Emergency Contact Information
        b. The sign shall be placed in a conspicuous area as to be legible from the street and not disrupt traffic flow or sight triangles. Under no circumstances shall the sign be placed in a right-of-way.
        c. The sign shall not exceed twenty (20) square feet in size or six (6) feet in height.
        d. The lettering shall not exceed six (6) inches in height.
    3. Work Hours
        a. Construction shall be limited to the hours of 7:00am to 9:00pm Monday through Saturday and 9:00am to 7:00pm on Sunday.

b. In extraordinary circumstances, work outside the hours listed about may be approved at the discretion of the County Engineer or the Chief Building Official.

4. Limits of Disturbance
    a. The property boundaries shall be clearly staked, and no disturbance shall cross the property boundary.
    b. If required by the Site Plan, construction fencing shall be installed and maintained for the duration of the project.
    c. All staging of materials and equipment shall be within the limited of disturbance shown on the Site Plan.
5. Construction Parking
    a. Realistic and sufficient onsite parking shall be provided for all project personnel.
        (1) Public transportation or carpooling is encouraged to minimize the demand for onsite parking.
    b. No parking is allowed in County rights-of-way from November 15th to April 15th of the following year, unless specially approved by a:
        (1) development agreement;
        (2) subdivision plat; or
        (3) Site Plan.
    c. Two-way traffic shall not be impeded from April 16th to November 14th unless a road closure has been approved as part of the engineering permit.
6. Sanitary Facilities
    a. Sanitary facilities shall be provided for the duration of the project. If portable toilets are used, they shall:
        (1) be located outside of any rights-of-way and not disrupt traffic flow or sight triangles;
        (2) be properly anchor to prevent tipping;
        (3) be serviced regularly by a licensed sanitary contractor; and
        (4) have spills cleaned or removed from Site by a licensed sanitary contractor.
7. Sediment and Erosion Control
    a. Sediment and erosion control measures (e.g. straw wattle, earthen berms, stabilized construction entrances, erosion control blankets), as specified on the Site Plan, shall be installed prior to any Development activity and maintained for the duration of the project.
    b. Additional sediment and erosion control measures shall be installed and maintained as requested by the County Engineer or the County Stormwater Manager.
8. Noise
    a. Equipment, tools, and activities shall be muffled to minimize project noise. Noise levels at the property line shall not exceed 115 decibels.
9. Air Quality
    a. Development activity shall not degrade air quality (e.g. blowing dust, blasting media) or create a nuisance for adjacent properties and roadways.
10. Temporary Lighting

a. If temporary lighting is required for safe Development activity, the lighting shall be limited to only what is necessary and identified on the Site Plan.

11. Snow Storage
    a. Snow moved to facilitate Development shall be storage on Site and out of any rights-of-way.
12. Waste Management
    a. All debris, litter, and trash shall be properly stored in a dumpster or similar receptacle and regularly removed from Site.
    b. Waste receptacles shall be covered at all times.

C. Special Mitigation Requirements for Non-Residential Projects
    1. A preconstruction meeting shall occur at the discretion of the County Engineer.
    2. The applicant shall be responsible for notifying all property owners within one thousand (1,000) feet of the following information.
        a. Permit Number
        b. Project Address
        c. Project Supervisor and Contact Information
        d. Emergency Contact Information
        e. Anticipated Start and End Date
        f. Anticipated Impacts to Others
    3. Cans, bottles, cardboard, and other recyclables shall be segregated from other trash and regularly disposed of to a recycling facility.
        a. Recycle Utah has a recycling bin leasing program that may be used for construction projects. https://recycleutah.org/recycling-bin-rentals/

CHAPTER 4
FLOOD CONTROL

SECTION
12-4-1: Purpose and Methods of Reducing Flood Losses
12-4-2: General Provisions
12-4-3: Administration
12-4-4: Provisions for Flood Hazard Reductions
12-4-5: Enforcement

12-1-1: PURPOSE AND METHODS OF REDUCTING FLOOD LOSSES:

A. Purpose: It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed to do the following:
    1. Protect human life and health;
    2. Minimize expenditure of public money for costly flood control projects;
    3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
    4. Minimize prolonged business interruptions;

5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard;
6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. Ensure that potential home buyers are notified that property is in an area of special flood hazard; and
8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

B. Methods Of Reducing Flood Losses: In order to accomplish its purposes, this chapter includes methods and provisions for:
   1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights and velocities;
   2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
   3. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;
   4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
   5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-4-2: GENERAL PROVISIONS:

A. Lands Applicable: This chapter shall apply to all areas of special flood hazard within the jurisdiction of Summit County, Utah. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

B. Basis For Establishing Areas Of Special Flood Hazard: The areas of special flood hazard identified by the federal emergency management agency in its flood insurance rate map (FIRM) dated March 23, 2021, is adopted by reference and declared to be a part of this chapter. The FIRM is on file at the office of the county engineer located at 60 North Main, Coalville, Utah. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C. Compliance: No structure or land shall hereafter be constructed, located, extended, or altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

D. Abrogation And Greater Restrictions: This chapter is not intended to repeal, abrogate or impair any existing easements, covenants, deed restrictions or ordinances. However, where this chapter and easement, covenant, deed restriction, or another ordinance conflict

or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

E. Interpretation: In the interpretation of this chapter, all provisions shall be:
   1. Considered as minimum requirements;
   2. Liberally construed in favor of the governing body; and
   3. Deemed neither to limit nor repeal any other powers granted under state statute. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

F. Warning And Disclaimer Of Liability: The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Summit County, any officer or employee thereof, or the federal emergency management agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-4-3: ADMINISTRATION:

A. Designation Of Administrator: The county engineer is hereby appointed to administer and implement this chapter by granting or denying flood hazard use permit applications in accordance with the provisions set forth herein. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

B. Floodplain Development Permit: A floodplain development permit shall be obtained before any construction or development begins within any area of special flood hazard established in section 12-4-2B of this chapter. Application for a floodplain development permit shall be made on forms furnished by the county engineer and shall include, but not be limited to, the following:
   1. Three (3) copies of a topographic site plan drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing and proposed structures, fill, storage of materials, and drainage facilities.
   2. Base flood elevation data for proposed development area.
   3. Elevation in relation to mean sea level of the lowest floor (including basements) of all structures.
   4. Elevation in relation to mean sea level to which any structure has been floodproofed.
   5. Certification by a licensed professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in subsection 12-4-4B2 of this chapter.
   6. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C. Duties And Responsibilities Of Administrator: Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this chapter.
2. Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this chapter.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the federal water pollution control act amendments of 1972, 33 USC 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the state department of natural resources, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal emergency management agency.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with section 12-4-2B of this chapter, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of chapter 4 of this chapter.
9. When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot (1') at any point within the community.
10. Under the provisions of 44 CFR chapter 1, section 65.12, of the national flood insurance program regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot (1'), provided that the community first applies for a conditional FIRM revision through FEMA (conditional letter of map revision). (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

D. Permit Procedures:

1. Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her along with a site plan drawn to scale showing the location, dimensions, and elevation of proposed

landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. The site plan shall include the horizontal boundaries of the special flood hazard boundaries, the base flood elevation at the furthest upstream edge of the structure.

2. An elevation view, drawn to scale, shall also be submitted which includes base flood elevation, existing and proposed topography, floodproof vents if the foundation is located at or below the base flood elevation. Floodproof vents must be on at least two (2) walls and located no more than twelve inches (12") above adjacent grade. Vents must be certified by a professional engineer. The minimum venting shall be one (1) square inch for every square foot of flooring.
3. Additionally, the following information is required:
    a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structure(s);
    b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
    c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of subsection 12-4-2B of this chapter;
    d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; provide a certificate from a professional engineer stating that flood carrying capacity of the watercourse has been maintained.
    e. Maintain a record of all such information in accordance with subsection 12-3-3A of this chapter.
4. Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:
    a. The danger to life and property due to flooding or erosion damage;
    b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
    c. The danger that materials may be swept onto other lands to the injury of others;
    d. The compatibility of the proposed use with existing and anticipated development;
    e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
    f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
    g. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
    h. The necessity to the facility of a waterfront location, where applicable;
    i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

j. The relationship of the proposed use to the comprehensive plan for that area. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

E. Appeal And Variance Procedures:

1. Appeal Board: The appeal board as established by the community shall hear and render judgment on requests for variances from the requirements of this chapter.
2. Error By Floodplain Administrator: The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.
3. Appeal To Courts: Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
4. Records Kept: The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the federal emergency management agency upon request.
5. Historic Structures: Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter.
6. Lot Size: Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 12-3-4 of this chapter have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.
7. Conditions: Upon consideration of the factors noted above and the intent of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter.
8. Increase In Flood Levels Prohibited: Variances shall not be issued within any designated floodway if any increase in flood levels during the base food discharge would result.
9. Historic Structure Designation Preserved: Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
10. Prerequisites For Granting Variances:
    a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
    b. Variances shall only be issued upon:
        (1) Showing a good and sufficient cause;
        (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant which is not self-imposed; and
        (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety,

extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

11. Dependent Use: Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
    a. The criteria outlined in subsections A through H of this section are met, and
    b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-4-4: PROVISIONS FOR FLOOD HAZARD REDUCTION:

A. General Standards: In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters;
7. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
8. Tanks located in SFHAs must be designed to resist flotation, collapse, and lateral movement. Anchoring straps and cables should resist the effects of corrosion and be able to withstand 1.5 times the buoyancy forces when the tank is empty. If tanks are elevated, component protections such as bollards or barriers shall be provided to protect them. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

Attachment B

B. Specific Standards: In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 12-4-2B of this chapter, subsection 12-3-3H of this chapter, or section 12-4-3 of this chapter, the following provisions are required:

1. Residential Construction: New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to one foot (1') above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in section 12-3-4 of this chapter, is satisfied.
2. Nonresidential Construction: New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot (1') above the base flood level (critical facilities to be elevated at least two feet (2') above BFE) or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
3. Enclosures: New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
    a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
    b. The bottom of all openings shall be no higher than one foot (1') above grade.
    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
4. Manufactured Homes:
    a. Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground

anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites: a) outside of a manufactured home park or subdivision, b) in a new manufactured home park or subdivision, c) in an expansion to an existing manufactured home park or subdivision, or d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection D be elevated so that either:

(1) The lowest floor of the manufactured home is at or above the base flood elevation, or

(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty six inches (36") in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles: Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either:

a. Be on the site for fewer than one hundred eighty (180) consecutive days,

b. Be fully licensed and ready for highway use, or

c. Meet the permit requirements of section 12-3-4 of this chapter, and the elevation and anchoring requirements for "manufactured homes" in subsection D of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

6. Bridges And Culverts: Specifications for bridges, culverts and other stream crossing devices within the 100-year floodplain shall take into account at least the 100-year frequency storm and upstream debris hazard. Bridges and culverts will provide two feet (2') of freeboard above the 100-year storm event. Bridges to critical facilities shall have three feet (3') of freeboard. Bridges and culverts deemed to be visible from a public roadway shall include materials such as natural stone, wood, or steel. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C. Standards For Subdivision Proposals:

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with subsections 12-1-1B, C, and E of this chapter.
2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet development permit requirements of sections 12-3-2, 12-3-4, and the provisions of subsection 12-3-3H of this chapter.
3. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is less, if not otherwise provided pursuant to section 12-4-2B or 12-3-4 of this chapter.
4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

D. Standards For Areas Of Shallow Flooding (Ao/Ah) Zones: Located within the areas of special flood hazard, established in section 12-4-2B of this chapter, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet (3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
    1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).
    2. All new construction and substantial improvements of nonresidential structures:
        a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or
        b. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
    3. A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, are satisfied.
    4. Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

E. Floodways: Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
   1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
   2. Any work done within a floodway will require a conditional letter of map change (CLOMR, CLOMR-F or CLOMA) to be reviewed and approved by FEMA prior to the county issuing a permit for the project.
   3. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of chapter 3 of this chapter.
   4. Under the provisions of 44 CFR chapter 1, section 65.12, of the national flood insurance regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

12-4-5: ENFORCEMENT:

A. Compliance: No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

B. Violation: Any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a class C misdemeanor, pursuant to section 26A-1-123, Utah Code Annotated, 1995, as amended. If a person is found guilty of a subsequent similar violation within two (2) years, he/she is guilty of a class A misdemeanor, pursuant to section 26A-1-123, Utah Code Annotated, 1995, as amended. Each day such violation is committed or permitted to continue shall constitute a separate violation. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)

C. Civil Or Criminal Action: The county attorney may initiate civil or criminal legal action, to abate any condition that exists in violation of these rules and regulations. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the county in removing or abating any violation of any of the provisions of these rules and regulations. (Ord. 710, 12-17-2008, eff. 1-1-2009; amd. Ord. 920, 3-3-2021)