

7.7.18

DESIGN STANDARDS

7.7.18.1

All developments shall comply with the following standards unless a variance from one or more provisions of this Section is approved by the County Commission in accordance with the variance procedure of this Code.

7.7.19

GENERAL STANDARDS:

7.7.19.1

The design of a development shall preserve insofar as possible the natural terrain, natural drainage, existing topsoil, and trees.

7.7.19.2

Land subject to hazardous conditions such as slides, mud flow, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, and polluted or non-potable water supply shall be identified and shall not be developed until the hazards have been eliminated or will be eliminated by the development and construction plans.

7.7.20

LOTS

7.7.20.1

No single lot shall be divided by a municipal or County boundary line.

7.7.20.2

A lot shall not be divided by a road, alley, or other lot.

7.7.20.3

No wedge-shaped lot shall be less than 30 feet in width at the front property line, or the lot frontage required in the zoning district, whichever is larger.

7.7.20.4

Side lot lines shall be at right angles or radial to street lines, except where justified by the developer and approved by the Planning Commission.

7.7.20.5

All residential lots in developments shall front on a public street, or on a private street approved by the Planning Commission and the County Commission of the County. Required frontage shall not be considered to be provided if vehicular access across the street-line is prohibited. Double frontage lots are prohibited unless approved by the Planning Commission for reasons of topography.

7.7.20.6

Corner lots shall be so designed as to provide for the same quality and size of building area as interior lots by such enlargement as necessary to accommodate the increased required setbacks and yards.

7.7.21

STREET REQUIREMENTS

7.7.21.1

The street layout shall conform to the General Plan of the County.

7.7.21.2

Minor streets shall be laid out to discourage through traffic.

7.7.21.3

Stub street shall be provided where needed to connect to adjacent undeveloped land and new streets must be provided where needed to connect to existing stub streets in adjacent developments. Not more than 6 lots shall front on a stub street, except where a temporary cul-de-sac turn-around is provided.

7.7.21.4

All streets shall be extended to subdivision boundaries and fully improved.

7.7.21.5

Intersections of minor streets with major streets shall be kept to the minimum.

7.7.21.6

Minimum right-of-way widths for public streets shall be determined by resolution of the County Commission for various categories of streets, but shall in no case be less than the following:

Street Category	Minimum ROW for Public Streets	Minimum ROW for Private Streets	Minimum Pavement Width for Public Streets	Minimum Pavement Width for Private Streets
Arterial	STATE & U.S. HIGHWAYS ONLY	STATE & U.S. HIGHWAYS ONLY	STATE & U.S. HIGHWAYS ONLY	STATE & U.S. HIGHWAYS ONLY
Major Collector	80'	NA	48' (12' Median)	NA
Dead End or Cul-de-sac	66'	NA	26'/6' Shoulder	NA
Minor Collector in Subdivisions	50' 50' Radius for Circle	33'	24'/6' Shoulder 40' Radius for Circle	18'
	60'	NA	24' /6' Shoulder	NA

TABLE 7.7.21.6.1

7.7.21.6.2

ROAD IMPROVEMENTS.

All roads in a subdivision onto which new lots front shall be paved to meet the minimum width standards as stated in Table 7.7.21.5.1, or as approved by the County Road Committee. All construction shall comply to County construction standards.

7.7.21.6.2.1

Where an existing road is the designated road and is a gravel road, the subdivider shall be required to improve the existing road to meet the design standards. The pavement shall be extended beyond the subdivision boundary in each direction a minimum of 200 feet or greater as determined by the Planning Commission to minimize the dust emissions.

In order to protect the subdivider's investment for the improved county road, the county shall impose an improvement fee to any owner or subdivider of land that is opposite this section of improved roadway. This fee shall be one half of the total improvement cost and shall be paid to the first subdivider if any additional subdivisions are created within a five (5) year period of when the original subdivision was approved.

7.7.21.7

When all the lots are 120 feet in frontage width or wider, curb and gutter, and sidewalks are not required and in their place a 6 foot shoulder shall be provided on each side of the street at the same grade as the pavement and appropriate drainage provisions shall be constructed.

7.7.21.8

No half-streets are permitted.

7.7.21.9

Dead-end streets, including stub streets, shall be permitted or required by the Planning Commission only to provide future access to adjoining property, except for dead-end street

systems in Cluster Developments, in Planned Unit Developments, Condominiums Developments, or similar special projects.

7.7.21.10

Permanent cul-de-sac streets serving no more than 20 lots, and not more than 600 feet long, whichever is more restrictive, may be permitted and shall be provided with a right-of-way width of 50 feet and at the turn-around a 50 feet radius or more, and the face of curb or pavement edge radius shall be 40 feet or more. Cul-de-sac streets intended to be only temporary must also satisfy the above requirements.

7.7.21.11

No more than 4 streets shall enter an intersection.

7.7.21.12

Streets shall intersect at 90 degrees, except where otherwise approved as necessary by the Planning Commission.

7.7.21.13

The center lines of 2 subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the center lines shall be offset at least 150 feet.

7.7.21.14

STREET NAMES.

Streets shall be numbered based on the adopted grid system. Streets may also be named but there shall be no duplication of street names within the area. All street names must be approved by the Planning Commission and shall be given to the County Recorder and Building Official for review and recommendation prior to the approval of street names by the Planning Commission.

7.7.21.15

CURVATURE AND ALIGNMENT

7.7.21.15.1

To ensure adequate sight distances, street roadway line connections shall be made by horizontal curves. The minimum center lines radii for minor streets shall be 150 feet and of all other streets shall be 300 feet. On collector and major streets a minimum tangent of 100 feet shall be required between a curve and street intersection; a minimum tangent of 100 feet shall be required between reserve curves.

7.7.21.15.2

Vertical curves shall be used at all changes of grades exceeding 1 percent and shall be designed to provide minimum sight distances of 200 feet for minor streets and 300 feet for all other streets, except that vertical curves for major streets shall be as determined by the current specifications of the Utah State Department of Transportation.

7.7.21.16

FRONTAGE ON MAJOR HIGHWAYS AND MAJOR COLLECTOR STREETS

7.7.21.16.1

Where a subdivision borders on or contains an existing or proposed major street, county highway, or major collector street, access to such streets shall be limited to a minimum distance of one thousand three hundred twenty (1320) feet, unless otherwise approved by the Planning Commission. Screening may be required as a buffer to such streets.

7.7.21.16.2

Roadbed Construction Standards for Paved Roadways for Public Streets.

7.7.21.16.3

Minimum roadbed grading and paving for minor, collector, and major streets shall be established by the County Commission. Reduction of such roadway grading and paving may be approved by the Planning Commission and County Commission for one-way streets, mountain developments, or other justifiable design or topographical reasons.

7.7.21.17

STREET GRADES

7.7.21.17.1

All street grades shall be designed as follows:

7.7.21.17.1.1

Major and collector streets shall be limited to a maximum grade of 10%. Sustained grades shall be limited to 7%.

7.7.21.17.1.2

Minor streets shall be limited to a maximum grade of 12%. Sustained grades shall be limited to 9%.

7.7.21.17.1.3

Cul-de-sacs with a negative grade (if negative grade is permitted) progressing toward the turnaround shall be limited to a maximum grade of 6% and have adequate easement for drainage. All cul-de-sacs shall terminate with a grade not to exceed 3% for the last 100 feet of traveled surface.

7.7.21.17.1.4

Street intersections shall have a vertical alignment such that the grade shall not exceed 3% for a minimum distance of 50 feet each way from the centerline of the intersection.

7.7.21.17.1.5

Maximum grades shall be approved only when accompanied by changes to a lesser grade, and where length of that portion of that road at maximum grade is less than 600 feet.

7.7.21.17.1.6

All changes in vertical alignment shall be made by vertical curves with minimum length of 50 feet for local (minor) streets and 100 feet for collector and major streets.

7.7.21.17.1.7

Streets in mountainous terrain shall be designed at less than maximum allowable grade in order that they can be safely negotiated and that snow can be removed during winter.

7.7.22

SIDEWALKS, CURBS AND GUTTERS

7.7.22.1

Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public, unless approved otherwise by the Planning Commission and County Commission as per subsection 7.7.21.6. Sidewalks, curbs and gutters may be required by the County Commission on existing streets bordering the development.

7.7.23

BLOCK STANDARDS

7.7.23.1

Block lengths shall be reasonable as approved by the Planning Commission, and shall be limited to a distance not more than 1600' and not less than 1300' and in total design shall provide for convenient access and circulation for emergency vehicles.

7.7.24

PEDESTRIAN CROSS-WALKS

7.7.24.1

Where blocks exceed 1,000 feet in length, pedestrian right-of-way of not less than 10 feet in width may be required by the Planning Commission through blocks where needed for adequate pedestrian circulation. Walk improvements (paving) of not less than 5 feet in width shall be placed within the right-of-way, when required by the Planning Commission.

7.7.25

LOT SIZE STANDARDS

7.7.25.1

All lots shall conform to area requirements of any existing zoning regulations. Where no zoning regulations are in effect, density standards or minimum lot size requirements may be specified by the Planning Commission or as approved by the Bear River Health District.

7.7.26

EASEMENT STANDARDS

7.7.26.1

Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet, apportioned equally in abutting properties (7.5 feet each lot).

7.7.26.2

Where front-line easements are required, a minimum of 7 feet shall be allocated as a utility easement. Perimeter easements shall be not less than 15 feet in width, extending throughout the peripheral area of the development, if required by the Planning Commission.

7.7.26.3

All easements shall be designed so as to provide efficient installation of utilities or street planting. Special guying easements at corners may be required if any utilities are to be overhead. Public utility installations shall be so located as to permit multiple installations within the easements. The developer shall establish final utility grades prior to utility installations.

7.7.27

UTILITIES TO BE UNDERGROUND.

7.7.27.1

Unless the Planning Commission and County Commission determine, upon application by the developer, and recommendation of the County Engineer, that it is not feasible to do so, all power lines, telephone lines, and other normally overhead utility lines shall be placed underground by the developer.

7.7.28

ALLEYS

7.7.28.1

The Planning Commission may approve service access to the interior of blocks where deemed to be in the public interest, in which case such alleys must be indicated in the Preliminary Design Plans and on the Final Plat.

7.7.29

SANITARY SEWER DISPOSAL – GENERAL REQUIREMENTS

7.7.29.1

Except as otherwise provided below, the developer shall provide, or have provided, a piped sanitary sewerage system to the property line of every lot in the development. The sewerage system shall meet the minimum standards and requirements of the County and Bear River Health Department.

7.7.29.2

Septic tanks and/or sealed vaults may be approved only if approved in writing by the Bear River Health Department. In order to determine the adequacy of the soil involved to properly absorb sewage effluent and to determine the minimum lot area required for such installations, the County or the Health Department may require the digging of test holes to verify soil types and depth to water table. Percolation tests may also be required. The results and data collected from these tests will be reviewed by the Health Department, in addition to any other information available to them, for recommendations to the Planning Commission. The following requirements shall be met:

7.7.29.2.1

Land made, altered, or filled with non-earth materials within the last 10 years shall not be divided

into building sites which are to be served by soil absorption waste disposal systems.

7.7.29.2.2

Each developed lot to be served by an on-site soil absorption sewerage disposal system shall contain an adequate site for such system. An adequate site requires:

1. A minimum depth of 4 feet from bottom of absorption system to impermeable bedrock;
2. A minimum depth of 2 feet from bottom of absorption system to groundwater surface (based on annual high water level);
3. The site must be 100 feet from any stream, water course or body of water;
4. The site must be 10 feet from any dwelling or property line for new septic systems;
5. The site must be at least 200 feet from shallow wells located on the same lot.

7.7.29.2.3

Soils having a percolation rate slower than or faster than standards allowed by the Bear River Health Department shall not be divided into building sites to be served by soil absorption sewerage disposal systems.

7.7.29.2.4

Other standards adopted by the County Commission or State Division of Health shall also apply in the permitting of soil absorption sewerage disposal systems and lots that will be served by them.

7.7.30

SANITARY SEWER MAINS, LATERALS, AND HOUSE CONNECTIONS - FUTURE

7.7.30.1

Where local, county and regional master plans indicate that construction or extension of sanitary sewers may serve the development area within a reasonable time, the Planning Commission may require the installation and capping of sanitary sewer mains and house connections by the developer, in addition to the installation of temporary individual on-lot sanitary disposal systems by the developer or lot purchaser. Whenever individual on-lot sanitary sewerage disposal systems are proposed, the developer shall either install such facilities or require by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such development that on-lot sanitary sewerage disposal facilities be installed by the purchaser of said lot at the time the principal building is constructed, and no building permit shall be issued until such installation is assured. In all other cases, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a complete community or public sanitary system. All sewer mains shall be a minimum of 8 inches in diameter.

7.7.30.2

Where a current public sewer system exists, a connection is required for the development if it falls within 300' distance of said sewer system.

7.7.31

TEST PROCEDURES

7.7.31.1

Test of sanitary sewer mains, laterals, and house connections shall be conducted in accordance with Local and State Health requirements.

7.7.32

WATER IN SUFFICIENT QUANTITY TO BE OBLIGATION OF DEVELOPER

7.7.32.1

The procurement of water, whether by purchase of water rights, water shares, exchange, or service agreement, shall be the responsibility of the developer; and the water shall be provided for the use of the development in an amount sufficient to meet minimum flows of 250 gallons per person per day plus outside irrigation and minimum static pressures of 50 pounds per square inch (psi), unless it can be proved to the Planning Commission that a lesser amount is adequate.

7.7.32.2

However, in no event shall the quantity of water provided by the developer be less than that required to meet fire flow standards as established by the Fire Department and the County Commission, and the County Commission shall be given first right of refusal to purchase any excess water formerly used on the land.

7.7.33

CULINARY WATER SYSTEM

7.7.33.1

Culinary water shall be provided by a public culinary water company if a water company has water lines within 1000 feet of the lot and **the water company is willing to provide water**. Proof of contacting the closest water company shall be provided that shall indicate:

7.7.33.1.1

The water company will provide water to the proposed development lots,

7.7.33.1.2

OR, the water company will not provide water to the proposed development lots and the reason why.

7.7.33.2

If a culinary water company will not provide water to the building site(s), then private wells may be utilized to provide drinking water according to the following provisions:

7.7.33.2.1

Lots to be served by private deep wells (confined aquifers) -

For lots receiving water from a private confined aquifer (a "deep well" in which water is tapped from an aquifer that has a 30 foot layer of confining clay above it), the well water must meet the U.S. Environmental Protection Agency standards for non-community water systems for coliform bacteria, nitrates and sulfates.

7.7.33.2.2

Lots to be served by private shallow wells (unconfined aquifers) -

Shallow wells which receive water from an unconfined aquifer (one that does not have a 30 foot layer of confining clay above it) must be placed at least 200 feet from any property line, any on-site soil absorption sewerage disposal system, or any other point source of contamination such as a feed yard, manure pile, or salt pile. In addition, the well water from these wells must either:

7.7.33.2.2.1

meet the standards for coliform bacteria, nitrates and sulfates, inorganics, organics, and pesticides that the U.S. Environmental Protection Agency has established for non-community water systems,

7.7.33.2.2.2

OR, be treated with a reverse osmosis unit or its equivalent and a chlorinator with a retention time of 30 minutes.

7.7.33.2.3

Determination of whether well water meets the standards mentioned above must be done through tests conducted by a certified lab in accordance with procedures established by the Health Department. All costs of testing must be covered by the developer.

7.7.33.3

The culinary water delivery system shall extend to the property line of every lot and shall be capable of delivering the flows and pressures as required. All water mains shall be a minimum of 6 inches in diameter.

7.7.34

IRRIGATION SYSTEMS, (INCLUDING DRAINAGE FACILITIES)

7.7.34.1

Where an existing irrigation system consisting of open ditches is located on or adjacent to or

within 100 feet of a proposed development, complete plans for relocation, piping, covering or other safety precautions shall be submitted with an application for preliminary approval of a plat.

7.7.34.2

In all developments in which the smallest lot is less than one acre, all irrigation systems shall be underground.

7.7.34.3

All pressure irrigation systems in or within 100 feet of a proposed development shall be identified and otherwise color coded as to pipe and valve color to meet State standards and regulations.

7.7.35

PERMIT REQUIRED

7.7.35.1

A conditional use permit shall be required prior to construction of any development. Final plan approval shall constitute such conditional use permit for any development.

7.7.36

STORM DRAINAGE AND FLOOD PLAINS

7.7.36.1

Complete drainage systems for the entire development area shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work, and shall be shown graphically. All existing drainage features which are to be incorporated in the design shall be so identified. If the Final Plat is to be presented in sections, a general drainage plan for the entire area shall be presented with the first section, and appropriate development stages for drainage system for each section indicated. All drainage plans shall meet adopted flood control standards and limit run-off to a maximum of 0.2 second feet per acre.

7.7.36.2

The drainage and flood plain systems shall be designed to:

7.7.36.2.1

Permit the unimpeded flow of natural water courses.

7.7.36.2.2

Ensure adequate drainage of all low points.

7.7.36.2.3

Ensure applications of the following regulations regarding development in designated flood plains:

7.7.36.2.3.1

Construction of buildings shall not be permitted in a designated floodway with a return frequency more often than a 100-year storm.

7.7.36.2.3.2

Building construction may occur in that portion of the designated flood plain where the return frequency is between a 100-year and a maximum probable storm provided all usable floor space is constructed above the designated maximum probable flood level.

7.7.36.2.3.3

Where flow velocities in a flood plain are generally determined to be under 5 feet per second and maximum flood depth will not exceed 3 feet, such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted.

7.7.36.2.3.4

Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, uncased deep wells, sanitary landfills, septic tank and on-lot sewage disposal systems, water treatment plants, and also sewage disposal systems not completely protected from inundation.

7.7.36.2.3.5

Any contemplated flood plain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken. Any construction, dumping, and filling operations in a designated floodway constitute an encroachment and must be approved by the Planning Commission before accomplishment.

7.7.36.2.3.6

No lot 1 acre or less in area shall be included within a 100 year flood plain. All lots more than 1 acre shall contain not less than 40,000 square feet of land which is at an elevation at least 2 feet above the elevation of the 100 year recurrence interval flood, or, where such data is not available, 5 feet above the elevation of the maximum flood record.

7.7.36.2.4

The drainage basin as a whole shall accommodate not only runoff from the development area but also, where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.

7.7.36.2.5

All proposed surface drainage structures shall be indicated on the plans.

7.7.36.2.6

All appropriate designs, details, and dimensions needed to clearly explain proposed construction materials and elevations shall be included in the drainage plans.

7.7.36.2.7

All necessary permits shall be obtained from applicable local, state, and federal agencies (i.e. State Engineer, US Army Corps of Engineers, State Division of Health etc.)

7.7.37

IMPROVEMENTS AND GUARANTEES.

7.7.37.1

The owner of any land to be platted as a subdivision and recorded pursuant to the provisions of this code, shall at his own expense install the required improvements within a period of two (2) years from the date the final plat is recorded. Said owner(s) shall insure or guarantee the installation of such improvements by one of the following methods specified as follows:

7.7.37.1.1

Performance Bonds.

The developer may furnish and file with the County Clerk a corporate surety bond, approved by the County Commission and County Attorney, in an amount equal to the cost of the required improvements plus 10 percent (10%) as estimated by the developer and approved by the County Commission to secure the installation of required improvements within two (2) years from the date the final plat is recorded and to secure the ten percent (10%) guarantee amount for one (1) year beyond the date of final acceptance of improvements.

7.7.37.1.2

Deposit in Escrow.

The developer may deposit in escrow with an escrow holder approved by the County Commission an amount of money equal to the cost of improvements required plus ten percent (10%) as estimated by the developer and approved by the County Commission under an escrow agreement conditioned for the installation of said improvements within two (2) years from the date the final plat is recorded. The escrow agreement shall be approved by the County Commission and County Attorney and shall be filed with the County Clerk. The ten percent (10%) improvement guarantee amount will be held for one (1) year beyond the date of conditional final acceptance of improvements.

7.7.37.1.3

The County Surveyor or County Planner shall be authorized to recommend to the County

Commission the release of a determined amount of escrow funds for completed phase improvements subject to a site inspection.

7.7.37.3

Default.

In the event the developer defaults, fails or neglects to satisfactorily install the required improvements within two (2) years from the date the final plat is recorded, the County may declare the bond or escrow deposit forfeited, and the County may install or cause the required improvements to be installed using the proceeds from the collection of the bond or escrow to defray the expense thereof. The County Commission may, upon proof of difficulty, extend the completion date.

7.7.37.4

Reduction of Performance Bond or Escrow Funds.

The County shall not release nor reduce a performance bond or escrow funds on any required improvement until the developer provides a statement for monies requested signed by the County Commission noting the improvements have been satisfactorily completed. In no event shall escrow funds or a performance bond be reduced below ten percent (10%) of the principal amount.

7.7.38

ACCEPTANCE OF OFF-SITE IMPROVEMENTS

7.7.38.1

Conditional Acceptance.

After the completion of all off-site improvements and upon receiving a written statement from the County Surveyor that all required improvements have been satisfactorily completed, the County Commission shall conditionally accept the improvements for a one (1) year guarantee period. Such approval shall not be given until the applicant's engineer has certified to the County, through submission of a detailed set of "as built" construction plans of the subdivision, indicating location, dimensions, materials and other information required by the County, that the layout of the line and grade of all public improvements is in accordance with the construction plans filed with the final plat. Said "as built" plans shall be submitted in ink on reproducible plat map. A minimum of ten percent (10%) of the total principal amount of the escrow funds or performance bond or letter of credit commitment, will be held during a one (1) year guarantee period.

7.7.38.2

Guarantee Period.

The developer shall warrant and guarantee all the improvements within the subdivision will remain in good condition for a period of one (1) year after the date of conditional acceptance by the County, and agrees to make all repairs to maintain the improvements during the guarantee period at no cost to the County. The guarantee shall extend to and include, but shall not be limited to, the entire street, sub-grade base and surface, all pipes, curbs, gutters, approaches, sidewalks, fences, and other accessories that are or may be affected by the construction operations.

Whenever in the judgment of the County Surveyor, said work shall be in need of repair, maintenance, or rebuilding, he shall cause a written notice to be served upon the developer and thereupon the developer shall undertake and complete such repairs, maintenance or rebuilding. The determination of the necessity for repairs and maintenance of the work rests with the County Surveyor whose decision upon the matter shall be final and binding upon the developer. Upon the developer's failure to perform the required repair work within sixty (60) days from the date of service of such written notice, the County shall have such repairs made, and the cost of such repairs shall be paid for by use of the 10% guarantee funds.