

CHAPTER 30

SCENIC BYWAY OVERLAY ZONE

SECTION:

10-30-1: Purpose

10-30-2: Area Defined

10-30-3: Zoning Districts Within The Scenic Byway Overlay Zone

10-30-4: General Standards And Requirements

10-30-5: Definitions

10-30-1: PURPOSE:

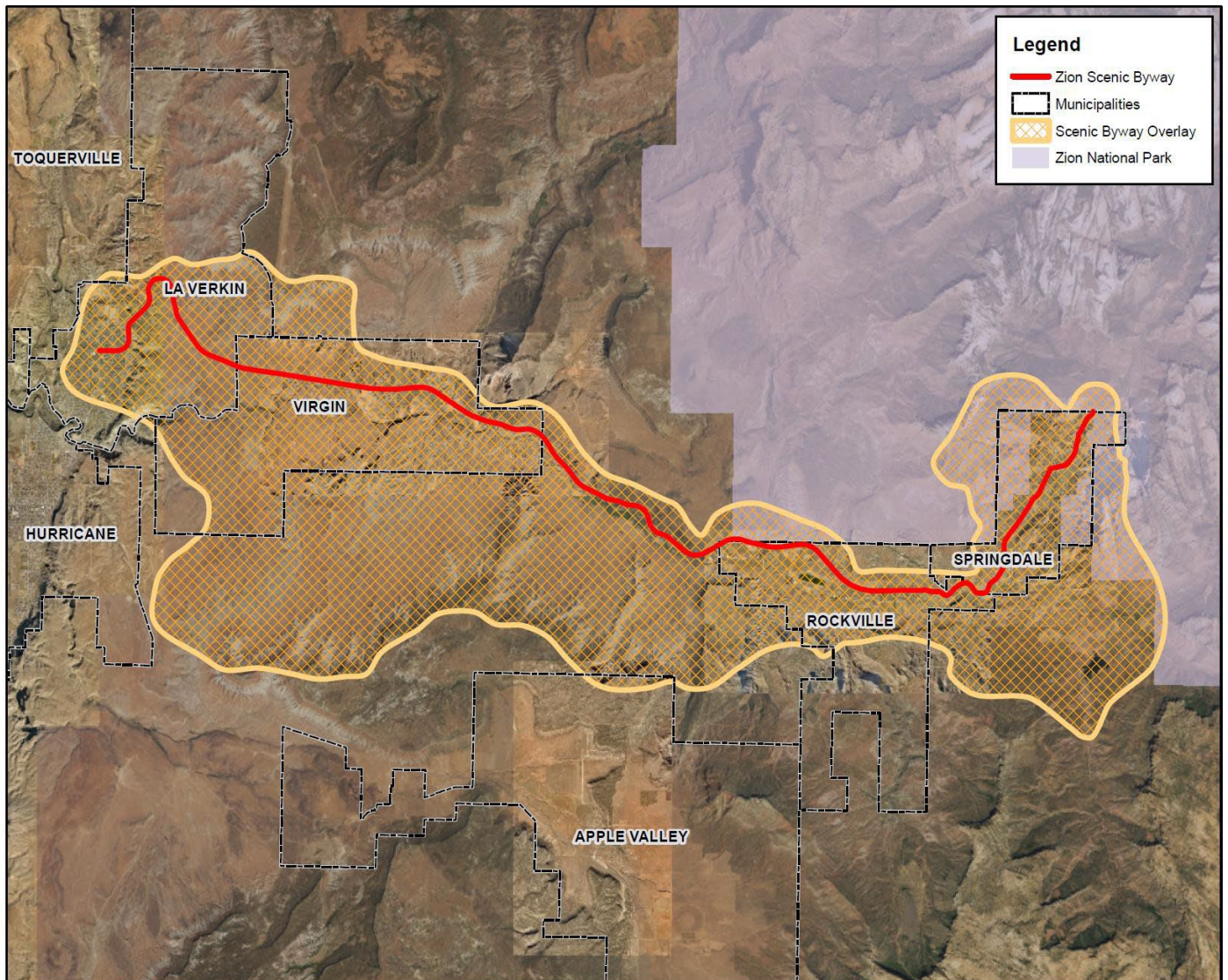
The purpose of these regulations is to enhance the economic viability of the Scenic Byway Overlay Zone ("SBOZ") through preserving and enhancing the natural environment and enhancing aesthetic protections for development in the zone. The Zion Park Scenic Byway SR-9 is an iconic entrance to Zion National Park where the natural Virgin River shoreland, and the corridor, cliffs, and canyons carved by eons of river erosion, interfaces with development.

10-30-2: AREA DEFINED:

A designated scenic byway is a roadway in Washington County, Utah that has a National or State designation as a scenic byway. The Zion Scenic Byway SR-9 is the only currently designated national or state scenic byway in Washington County where substantial portions of the roadway are outside of the designated area of a National Park, and it is the area subject to these overlay regulations. The section of the designated Zion Scenic Byway that is the subject of this chapter begins in La Verkin at the intersection of SR-17 and SR-9 and continues to the south entrance of Zion National Park. The affected area located in Washington County is shown on Map 1: Scenic Byway Overlay Zone: below. Designated scenic byways enhance the natural, archeological, historic, cultural, recreational, and scenic qualities of the areas through which they pass. They enhance the experience of residents, travelers, and tourists. They are an engine of economic vitality if limited and reasonable standards preserve and protect views to enhance the visitor and resident experience along the scenic corridor.

Any lot or parcel along, accessed by, or viewed from the designated Zion Scenic Byway, or within the Scenic Byway Overlay Zone, as depicted on the overlay zone map that is in Washington County, and outside of the designated area of a National Park, is subject to these standards. In addition to these standards, other existing county regulations and standards applicable to the property, or in the underlying zone for the property, also apply. In the event of a conflict between other regulations or standards, the provisions of this overlay zone shall govern. In the event of a dispute pertaining to the boundary or location of a property within the SBOZ, the Planning Commission shall make a recommendation to the Washington County Commission. The County Commission is the final authority to interpret and render a written determination of the applicable boundary of such category or district.

Map 1: Scenic Byway Overlay Zone



10-30-3: ZONING DISTRICTS WITHIN THE SCENIC BYWAY OVERLAY ZONE:

Only certain zoning districts listed below are permitted in the SBOZ. Current uses and zoning designations that are not permitted in the SBOZ, are now existing, nonconforming. Any newly proposed development projects will be required to seek and obtain a zone change to PD-SBOZ (Planned Development Scenic Byway Overlay Zone) before development (see use charts below). Standard commercial development is more appropriate in C-1, C-2, or C-

3 zones and should be located close to freeway interchanges and at the intersections of important transportation routes or clustered in existing communities and not along a Zion Scenic Byway. To meet the demand and possible need for commercial development within the SBOZ, all such proposed development shall require a zone change to the PD-SBOZ. If any other zoning and uses are no longer permitted in the zone, like manufacturing or industrial, current zoning or their uses are now existing, nonconforming. Any use of land that is not plainly designated as a permitted use in the zone is prohibited.

A. A-20 (AGRICULTURAL 20 ACRE MINIMUM LOT SIZE ZONE):

The purpose of this zone is to preserve appropriate areas for agricultural uses in the SBOZ. Permitted and conditional uses for this district are found in Titles 10-7-2 and 10-7-3.

B. OSC-20 (OPEN SPACE CONSERVATION 20 ACRE MINIMUM LOT SIZE ZONE):

The purpose of this zone is to allow for the preservation of the scenic natural undeveloped land in the SBOZ. No development is allowed within this zoning district except permitted uses found in Title [10-6A-2](#). The conditional uses described in [10-6A-3](#) are permitted in the SBOZ except outdoor shooting range/tactical training facility.

C. OST-20 (OPEN SPACE TRANSITION 20 ACRE MINIMUM LOT SIZE ZONE):

The purpose of this zone is to provide for the protection of primarily undeveloped private land in the SBOZ. Permitted and conditional uses for this district are described in [10-6B-2](#). The conditional uses described in [10-6B-3](#) are permitted in the Scenic Byway Overlay Zone except airports, golf course and outdoor shooting range/tactical training facility.

D. USES PERMITTED IN THE PD-SBOZ:

The overall purpose of the PD-SBOZ (Scenic Byway Overlay Zone) is to allow and encourage applicant flexibility and creativity in design and development of comprehensively planned projects in the PD-SBOZ. The specific purposes and intent of the planned development zoning regulations are:

1. To provide greater compatibility with surrounding land uses consistent with the Washington County General Plan.
2. To allow for a more efficient and creative site design for a specific property.
3. To encourage property owners to develop master plans of their total land while still allowing for phased development.
4. All planned developments in the PD-SBOZ shall conform to all requirements herein, and to all requirements in 10-9-1 through 10-9-8 for planned developments. Density also shall conform to the density limits under Roadway Design herein. If there is a conflict, the requirements herein control over the requirements in Title 10 chapter 9.
5. The uses for the PD-SBOZ are listed below in the Use Chart. Uses indicated by the letter "P" are permitted; uses indicated by the letter "PS" are permitted with required standards; and uses indicated by the letter "C" are conditional. Uses not specifically identified are not permitted in the PD-SBOZ.

PD-SBOZ RESIDENTIAL USE CHART	PD- SBOZ
Accessory dwelling unit (ADU) for temporary guest or family member of main dwelling owner/occupant	P
Apartment rental developments	P
Assisted living or independent living care facilities	PS
Cemeteries	P
Churches with or without attendant educational and recreational buildings	P
Clubs, private and public, including, but not limited to, golf and country clubs	
Condominiums	P
Condotel or timeshare in residential properties	P
Detached residential units;	P
Standard single family detached residences	P
Zero lot line residences	P
Cluster housing	P
Minor home occupations	P
Neighborhood commercial uses in PDR zones provided;	

Mixed use, i.e., commercial, office, or residential, are within the same building or on the same site	
County facilities;	P
Other public facility development in County's discretion	P
Residential facilities for persons with disability	PS
Schools, public or private, offering general educational courses to the public at the preschool, elementary, secondary, or college level.	P
Townhouses	P

PD-SBOZ COMMERCIAL USE CHART					
Uses	C1	C2	C3	PDC	PD-SBOZ
Alcohol establishments, limited to the following:					
Bar establishment		C	C	C	C
Off-premises beer retailer		P	P	P	
Microbrewery or micro-winery (with restaurant or bar establishment)	P	P	P	P	P
Nightclub, dance hall (alcohol)		C	C	C	
Ambulance service (lot or parcel size limited to 40,000 sq. ft. or less)		P	P		
Amusement centers, recreation and entertainment facilities (indoor)					
Indoor entertainment activities such as paintball, miniature golf, arcade		P	P	P	
Shooting range, indoor		P	P		
Nightclub, dance hall (without alcohol)		P	P	P	
Theater, performing arts (indoor)	P	P	P	P	
Amusement centers, recreation and entertainment facilities (outdoor)		C	C		
Amusement Park (incl. water park, Ferris wheel, alpine slide, etc.)					
Animal services, limited to the following:					
Animal boarding/care for small animals only and boarded for less than 30 days a year in a completely enclosed building		P	P	P	
Animal hospital and veterinary clinic, including overnight care of small animals in a completely enclosed building		P	P	P	
Crematorium, animal (if onsite with County business license for a veterinary clinic; comply with permitted with standards provisions in Title 10, Chapter 18B. If the animal crematorium is in a commercial district, the district shall not be adjacent to any residential zoning district (R, FR, RA, RE or SFR) where the minimum lot size is 2.5 acres or less).		PS	PS	PS	
Automobile and vehicle sales and services, limited to the following uses:					
Automobiles and other similar vehicle sales lots (lot or parcel size limited to 40,000 sq. ft. or less)		P	P	P	
Automobiles and other similar vehicle sales lots (lot or parcel size unlimited)			P		
Automobile parts sales (new parts only) provided conducted within completely enclosed building		P	P	P	
Automobile rental (vehicles 26' in length or less) (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Automobile rental (vehicles 26' in length or less) (lot or parcel size unlimited)			P		
Automobile repair, storage, including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within completely enclosed building (< 14,001 # GVW) (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	

Automobile repair, storage, including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within completely enclosed building (< 14,001 # GVW) (lot or parcel size unlimited)			P		
Car wash with recirculating water system (manual or auto spray) (vacuums located in the rear of the building)		P	P	P	
Tire sales and service provided conducted within completely enclosed building		P	P	P	
Boat, vessel and watercraft sales and services within completely enclosed building (30' in length or less)		P	P	P	
Employment agency (indoor, not temporary day labor)		P	P	P	
Event center, social hall, reception center (indoor)	PS	P	P	P	PS
Event center, social hall, reception center (outdoor)	PS	PS	PS	PS	PS
Food service establishments, limited the following:					
Catering establishment		P	P	P	P
Food truck	P	P	P	P	P
Restaurant (without drive through)	P	P	P	P	P
Restaurant (with drive through)		P	P	P	
Grocery store, supermarket	P	P	P	P	
Lodging, temporary, limited to the following and uses:					
Bed and breakfast	PS	P	P	P	P
Hotel/motel		P	P	P	P
RV parks (short term)			PS	PS	
Timeshare units		PS	PS	PS	PS
Manufacturing with retail on premises (all indoor, no noise, smoke, or malodors)		P	P	P	
Hospitals			P	P	
Counseling center, mental health, alcohol, drugs (non-residential, less than 24 hours)		P	P	P	
Mental health treatment center, with overnight stay		C	C	C	
Laboratory		P	P	P	
Outpatient surgical		P	P	P	
Nursing home	PS	PS	PS	PS	PS
Religious facility	P	P	P	P	P
Residential, limited to the following use:					
Living quarters for manager or security personnel for business which requires 24-hour assistance or security (1,000 sq. ft. or less)		PS	PS	PS	PS
Retail Shops (indoors):					
Antique store	P	P	P	P	P
Apparel sales or alterations	P	P	P	P	P
Athletic and sporting goods store		P	P	P	
Bakery (retail on premises) (without drive through)	P	P	P	P	P
Bakery (retail on premises) (with drive through)		P	P	P	
Bicycle rental, sales, and service	P	P	P	P	P
Building material sales		P	P	P	
Confectionery (retail on premises) (without drive through)	P	P	P	P	P

Confectionery (retail on premises) (with drive through)		P	P	P	
Department store		P		P	
Furniture and appliance sales and service (used)(indoors)		P	P		
Furniture and appliance sales and service (new) (indoors)		P	P	P	
Liquor store		P	P	P	
Office supply, office machines sales and service		P	P	P	
Paint or wallpaper store		P	P	P	
Pharmacy, drug store, medical supply (drive through not permitted)		P	P	P	P
Retail sale of goods with limited outdoor display/uses:					
Building materials sales			P		
Convenience markets with gas pumps/gas station			P		
Convenience markets with gas pumps located in the rear, not on a street or side street	P	P	P	P	
Farm implement sales and services (outdoor display new equipment)			P		
Fence sales and service		P	P		
Garden supplies and plant material sales		P	P		
Greenhouse and nursery; soil and lawn service			P		
Landscape rock sales, ancillary to a permitted use		P	P		
Recreational equipment rentals, sales and services (not vehicles/ATVs/boats/RVs/trailers)		P	P	P	
Seed and feed store		P	P		
Retail sale of goods with outdoor display/uses					
Fence sales and service			P		
Garden supplies and plant material sales			P		
Greenhouse and nursery; soil and lawn service			P		
Landscape rock sales, ancillary to a permitted use			P		
Recreational rentals, sales and services (vehicles/ATVs/boats/RVs/trailers)			P		
Seed and feed store			P		
Service businesses, limited to the following uses:					
Athletic club, health club	P	P	P	P	
Barbershop, beauty shop	P	P	P	P	P
Body piercing, ancillary to a permitted use		P	P	P	
Carpet and rug cleaning (no outside storage)		P	P	P	
Childcare center, daycare, preschool	P	P	P	P	P
Construction trade sales and services, HVAC, plumbing, electrical, etc. (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Construction trade sales and services, HVAC, plumbing, electrical, etc. (no outside storage)			P		
Crematorium, human (if onsite with mortuary/funeral home)		PS	PS	PS	
Dry cleaners (off site plant) (without drive through)	P	P	P	P	
Dry cleaners (off site plant) (with drive through)		P	P	P	
Educational institutions, schools, college, learning centers, trade schools (no residential or 24 hour facilities)		P	P	P	
Financial, Medical and Professional Services		P	P	P	
Gunsmith		P	P	P	

Janitor service and supply (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)			P		
Laundry, laundromat		P	P		
Library	P	P	P	P	P
Locksmith		P	P	P	
Massage establishment	P	P	P	P	
Mortuary		P	P	P	
Moving and storage company (lot or parcel size limited to 40,000 sq. ft. or less)			P		
Museum	P	P	P	P	P
Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s) /barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations	P	P	P	P	
Pest control and extermination (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Pest control and extermination			P		
Pet grooming		P	P	P	
Printing, lithographing, publishing or reproduction sales and service (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Printing, lithographing, publishing or reproduction sales and service			P		
Post office, mail and copy services	P	P	P	P	
Psychic, tarot card reader, fortune teller, occult art practitioners, hypnotist		P	P	P	
Rental of home or garden equipment (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		P			
Rental of home or garden equipment (no outside storage)			P		
Sign sales (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Sign sales (no outside storage)			P		
Tattoo establishment		P	P	P	
Taxidermist		PS	PS		
Towing (towing service office only, no onsite vehicle storage or impound yards)			P		
Thrift shop/secondhand store/consignment store (no outside storage and no drop off of items during the hours the business is closed)	P	P	P	P	P
Transportation, limited to the following uses:					
Bus, train, rail terminal (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	PS
Bus, train, rail terminal			P		P
Taxi/Shuttle (lot or parcel size limited to 40,000 sq. ft. or less)		P		P	
Taxi/Shuttle			P		
Government, public services and facilities, limited to the following uses:					
County, all facilities	P	P	P	P	P
Electrical substation, power stations (non-county)		PS	PS	PS	PS
Public utility facilities, primary		PS	PS	PS	PS

10-30-4: GENERAL STANDARDS AND REQUIREMENTS:

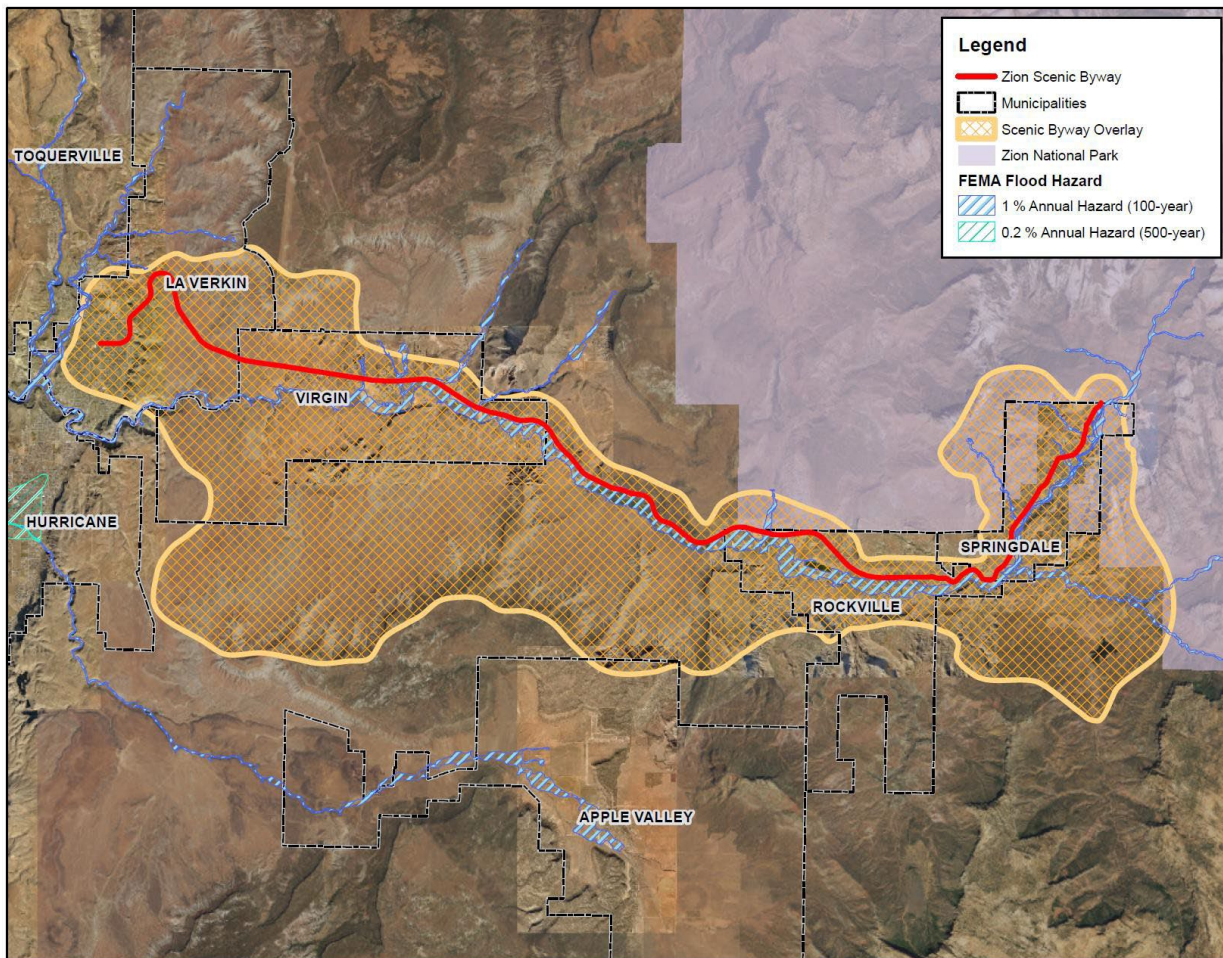
A. Access and Visibility: All development visible from the Zion Scenic Byway or in the SBOZ shall maintain and enhance the scenic views along it.

B . Setback from the Virgin River: Setbacks from the edge of the Virgin River channel as defined by FEMA shall be a minimum of 100 feet. See Map 2: Flood Plain: below. Development along the Virgin River shall meet the requirements and standards set forth in Title 12 Chapter 5: Provisions for Flood Hazard Reduction.

C. Distance and Setback Requirements: All buildings or structures shall be setback a minimum of 100 ft. from the Zion Scenic Byway. All surface parking areas shall be setback a minimum of 50 ft. from the Zion Scenic Byway. All buildings, structures, or surface parking areas shall be screened from the Zion Scenic Byway with designed and irrigated landscape screening and berms including tree plantings a maximum of 30 ft. apart, with some clustering permitted in county's sole discretion.

D. Grading: Natural slopes on the lot or parcel exceeding 10% grade shall not be cut or used to cut and fill other areas for the development. Significant removal of soil material on the uphill side, and filling on the downhill side, when natural slope conditions exceed 10% to create a large, flat development pad is not permitted. All development shall conform to the existing contours of the land.

Map 2: Flood Plain



E. Architecture and Design: All buildings, dwellings, or structures in the SBOZ shall be approved as part of the planned development, or at the time of obtaining a building permit. All buildings, dwellings, or structures shall enhance the visual environment of the SBOZ by blending harmoniously into the natural environment. Mass and bulk shall be minimized through articulations, a variety of vertical and horizontal planes, rooflines, windows, reveals, alcoves, corners and architectural interest. Because the aesthetic features in the SBOZ design and color selection is important and shall be limited as set forth herein. Parkitecture and desert modern architecture (see definitions in 10-30-5) are appropriate architectural styles for the SBOZ. The architecture and design of structures shall be authentic for its place in time and location. The light house in Cedar City is an example of an inappropriate, not authentic structure for the context of its location. The height limit of any building, dwelling, or structure is 28 feet. Height variation between one- and two-story sections of any building, dwelling, or structure is required creating a tier effect. No box or modified box structures are permitted. Natural or natural appearing materials shall be used. Rusted or non-reflective metal are permitted. Colors shall conform to the surrounding earth tones, such as: clay, stone, golden burnt umber, sandstone, beige, off white, natural gray, sage, or olive green. Finishes shall be matte and complement the natural environment. High contrast coloration is prohibited. All buildings or structures shall blend into the natural environment without excessive, unamended grading or visual scarring. In the SBOZ, the visual impact of any development shall be minimized. Due to the goals of the SBOZ, all buildings, dwellings, or structures in all zones in the SBOZ shall comply with the architecture and design requirements herein.

F. Roadway Design: Roadway design can be one of the most visually disruptive portions of development in

the SBOZ. These standards preserve public safety while minimizing the visual disruption of roadways for development along the Zion Scenic Byway and in the SBOZ. Any development on a lot or parcel in the SBOZ shall obtain access from a public roadway, or a private roadway acceptable to the county. Private roadway access width is acceptable at 20' of improved road surface, or a combination of road surface and up to two feet of drivable shoulder to provide enough room for two vehicles to pass if approved as part of the SBOZ project plan. Roadways in the SBOZ may have narrower improved road surface widths, low impact layouts following the natural contours of the site, and low contrast coloration. The design of the roadway network may involve some give and take in achieving layouts compatible with topography and to avoid unnecessary cuts and fills. All surfaces shall be sloped or crowned to evenly drain and prevent erosion. The primary road design shall be "open" drainage with filter strips and swales, not curb and gutter. If curbs are deemed necessary, the design should consist primarily of invisible curbs set at the same level as the surface of the road. Grading shall use swales to direct water onto adjacent vegetative areas where runoff will infiltrate or sheet flow naturally. Minimum roadway width shall be based on the SBOZ plan approvals, the International Fire Code, fire apparatus access and turnaround, and the density and use of the lot or parcel. Density and use determine roadway width, as follows:

1. Two accesses for commercial development are required unless all of the following factors exist on the developing property:
 - a. Helicopter access is provided for secondary access and emergency access or evacuation;
 - b. Access is obtained via a bridge over the Virgin River, and providing two accesses would necessitate the construction of a second bridge, and the construction of a second bridge would be impractical or impossible due to the regulatory requirements of other governmental agencies; and
 - c. Looped or two-way traffic is accommodated through the commercial development that provides for in and out traffic on two separate roadways or widths of roadways, except for areas servicing the bridge over the Virgin River and the connection to SR-9.
2. Roadway width for commercial, hybrid, or short-term rental development may be reduced as part of the overall PD-SBOZ project plan approval if all of the following factors exist on the developing property:

In an effort to minimize impact of development along the Zion Scenic Byway corridor, both existing, and to be constructed private lanes and private roads for PD development may be the minimum size necessary to provide services. The density for the combined residential or commercial uses in the PD (all phases counted as one development) shall comply with traffic volumes determined by a traffic engineering study acceptable to the county. The traffic study conclusions shall be based on accurate and complete traffic volume measurements year-around, and on every day of the week, free from data bias;

If the PD use includes hotel, transient room, short term rental, or other nightly rental uses, the project shall have less than 75 units total, no lockouts, and the total nightly occupancy for the project shall be less than 350 people;

- a. Traffic volume shall accommodate the development considering number of lanes, width of lanes, traffic speed, proportion of heavy vehicles, conflicting or opposing traffic, roadway alignment, and width and type of shoulder or pull-out areas.
- b. Impacts, infrastructure: Providing adequate public infrastructure to the development is the responsibility of the developer. A traffic impact study (TIS) is required unless otherwise

approved by the county engineer or designee. The TIS aids in determining the off-site impact mitigation of the development. Where a development abuts a road, utilities, or drainage system, the developer shall complete the portion of the improvements to the full length of the property.

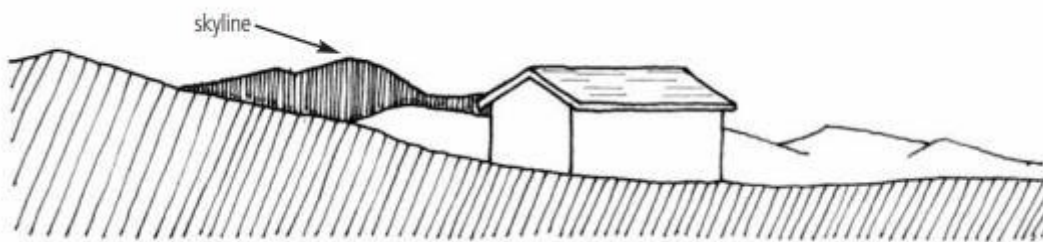
G. Visual Protection: All development shall blend with the unique visual character of the natural environment, ensuring that it blends rather than interrupts the natural contours and elevations of the landforms. Development shall be sited and designed to retain the existing topography and minimize grading activities to the maximum extent. Development shall be sited so it does not create a silhouette against the ridgelines or sky. All cuts, fills, and grading shall be amended and revegetated with site appropriate vegetation approved in the project plan.

Figure 1: Proposal Remains Below the Hillside and Skyline



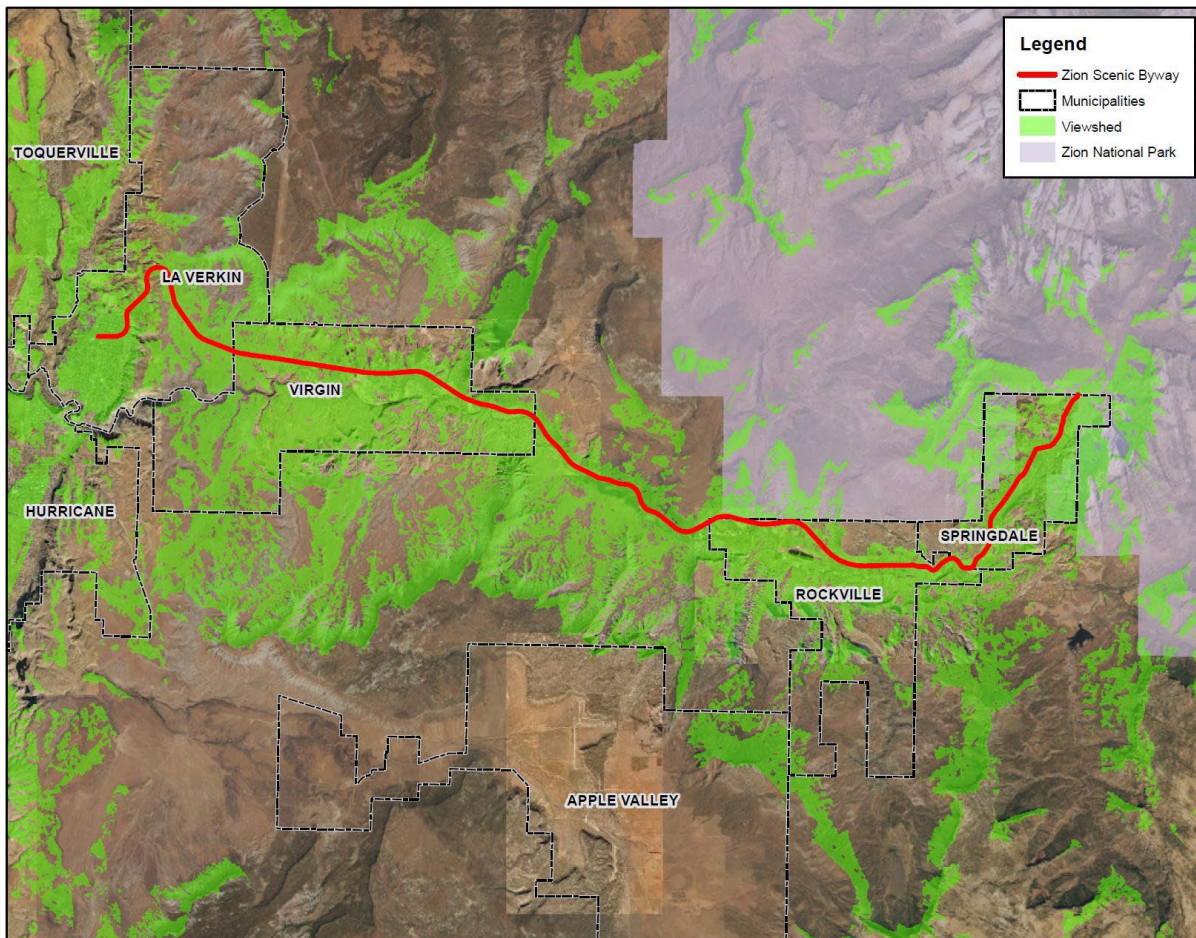
GOOD: The site selection and design of this structure keep the roofline below the hillside and skyline, allowing it to blend in with the backdrop created by the hillside.

Figure 2: Proposal Breaks the Hillside and Skyline



BAD: The structure stands out much more clearly against the hillside and skyline because the roofline breaks the hillside and skyline rather than blending into the hillside.

Map 3: View Shed



H. Key Viewing Areas: Key Viewing Areas are important roads, trails, recreational sites, and other places offering the public scenic views of the corridor and shall be protected in the SBOZ as important areas for visual protection. Key Viewing Areas also provide travelers with areas to safely park off of the National Scenic Byway and engage with the interpretive sites and scenic beauty of the area. Key Viewing Areas, and the seven Zion Scenic Byway Interpretive Sites identified on Map 4 below, include portions of public roads, parks, trails, and other historic sites or other vantage points within the designated National Scenic Byway and from which the public views Zion National Park. Scenic area landscapes also are important areas for visual protections in the SBOZ, including gathering points, rest areas, roads, and trails that provide primary access to the area, parking lots, and associated recreation areas. Identified Key Viewing Areas and landscapes include:

Map 4: Interpretive Site

ZION SCENIC BYWAY INTERPRETIVE SITES



I. Outdoor Lighting: Outdoor lighting shall conform to “night sky” principles including fully shielded, downward fixtures, while providing low level artificial outdoor lighting for safety and navigation. No artificial light source shall project direct artificial light into the nighttime sky. The impacts of artificial lighting shall be minimal. Outdoor lighting in the SBOZ also shall conform to all of the following principles:

All exterior lighting shall utilize light sources with correlated color temperature not to exceed 3000 Kelvin (K).

1. Minimize light pollution, glare, light trespass, and sky glow to curtail the degradation of the nighttime visual environment.
2. Fixtures shall be Energy Star certified and promote energy conservation.
3. Maintain nighttime safety, utility, and security.
4. Prevent unnecessary or inappropriate outdoor lighting.
5. Maintain the rural atmosphere and village character of the area.
6. Maintain nighttime safety, utility, and security.
7. Prevent unnecessary or inappropriate outdoor lighting.



Exception: Outdoor lighting reasonable and necessary for air traffic control supporting helicopter access for the purpose of providing required secondary access and emergency access or evacuation only; county facilities.

J. Lighting Plan: All applications, subdivision, site plan, sign permit, building permit, and other development review applications within any zoning district in the SBOZ shall include a lighting plan, showing that all proposed and installed light fixtures and light sources comply with this chapter. Complete plans shall be presented in a manner that clearly demonstrates compliance with this section without the county having to reference other sources like manufacturers' specifications. Lighting plans shall include the following:

1. Plans or drawings indicating the proposed location of light fixtures, height of fixtures, type of illumination devices, lamps, supports, shielding and reflectors, and all installation and electrical details.
2. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lights and fixtures. For commercial uses, photometric diagrams of proposed light fixtures are also required. In the event photometric diagrams are not available, the applicant shall provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the county to be able to determine compliance with the provisions of this chapter.
3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.
4. Approval Procedure:
 - a. The lighting plan for all new development shall be submitted for approval concurrent with the associated application for development.

- b. A certificate of occupancy shall not be issued until such time as the property is subject to a post-installation nighttime inspection as part of the site improvement inspection by County Zoning and Code Compliance.

K. Signage: One on-premises, freestanding monument sign per SBOZ development is permitted not exceeding six feet in height and 10 feet in width (60 square feet), and shall be located proximate to the ingress. Only one sign per street frontage is permitted. The monument sign shall be incorporated into the landscape design of the development. Sign lighting shall comply with the outdoor lighting requirements in the SBOZ. The following signage and types are prohibited: pole, roof mounted, flying, abandoned, electronic, EMS, video, animated, temporary, inflated, painted, reflective, fluorescent, dilapidated, A-frame, mobile, audible, off-premise, billboard, or reader board. The back of signs shall be visually unobstructive, non-reflective, and blend in with the setting. The visual impact of the support structure shall be minimized. Sign illumination may be accomplished by fully shrouded, downward facing fixtures and light sources in compliance with the lighting provisions herein.

L. Landscaping: The purpose of these landscape regulations is to promote water conservation and prevent water waste through the implementation of xeriscape landscaping principles to maintain the quality and character of the landscaping in the SBOZ and the high desert nature of the area. Landscaping protects and enhances the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water, reducing water waste, and establishing a structure for the design, installation, and maintenance of xeriscape landscaping areas. To the full extent possible, native vegetation areas shall be protected during construction and retained thereafter. The use of turf should be limited to active recreation areas and limited to the greatest extent possible.

1. New Development: All new development requiring a land use permit from the County shall comply with the provisions of Chapter 27 LANDSCAPE AND WATER CONSERVATION STANDARDS of Title 10 and this section.
2. Existing Development: All projects that increase the square footage of the footprint of an existing building or the parking requirement by twenty percent (20%) or more shall comply with the provisions of this section.
3. Exemptions: The following are exempt from the requirements of this section:
 - a. The use of water for agricultural purposes, including the irrigation of pastures and crops.
 - b. The use of water pursuant to water shares, or State Engineer approved, or water rights that are not held by a public water supplier, provided that such water shares, water rights, or State Engineer approved water exchanges if used to irrigate parks or improved open space shall comply with this title.
 - c. Ecological restoration projects that do not require a permanent irrigation system.
4. Improvement Completion Assurance Required:
 - a. An improvement completion assurance for landscaping is required for public landscaping improvements that will be dedicated to the county, or proximate to trail improvements that connect to planned or existing public infrastructure, unless the terms of a development agreement provide otherwise. The acceptable forms of assurance are cash or cash escrow under terms acceptable to the county.

- b. The improvement completion assurance shall be for 100% of the estimated cost of completion of the landscaping. The improvement completion assurance is to ensure the proper installation and maintenance of the landscape and irrigation system.
- c. The improvement completion assurance may be reduced to 10% when the County determines the landscape has been adequately installed. This determination shall be based on a certificate of substantial completion issued by the contractor or landscape designer/landscape architect designer who prepared the landscape plan and shall indicate that the landscape was installed correctly with healthy plants.
- d. This remaining ten percent 10% shall constitute the warranty under Utah Code Annotated section 17-27a-604.5(3) and shall be maintained for the warranty period and released only upon successful completion of a county inspection.
- e. This improvement completion assurance for landscaping may be combined with the improvement completion assurance for public infrastructure improvements and the development improvement agreement.

5. Landscape Plan:

- a. A landscape plan shall be required for all applicable development projects in accordance with County development standards. The Community Development Department is the land use authority for the approval of all landscape plans. Modifications to landscape plans must be approved prior to installation of any landscape improvements.
- b. The landscape plan shall include the following information:
 - i. Site plan showing the location and identification of all significant native vegetation.
 - ii. Site plan showing the location, size in square feet, and identification of all proposed irrigated landscape areas, hardscape areas, xeriscape landscaping areas, and native vegetation areas. A summary table of this information shall appear on the site plan
 - iii. Quantity and size of all proposed plantings.
 - iv. Site plan showing the location of all proposed stormwater detention and retention areas.
 - v. Irrigation plan, indicating the layout and details of the irrigation system.
- c. Standards: The landscape plan shall comply with the following Turf Area Restrictions:
 - i. In the SBOZ where it is a single family, two family, or multi-family development, the turf area within the irrigated landscaped area shall not exceed the lesser of 15% of the irrigated landscaped area or 2,000 square feet.
 - ii. In the SBOZ where it is a commercial or mixed use commercial and residential development, the turf area within the irrigated landscaped area shall not exceed the lesser of 15% of the irrigated landscaped area or 250 square feet.
 - iii. Consult a landscape architect or local nursery for a list of plants that satisfy these requirements, thrive in the area, and are available to purchase. The Washington County Water Conservancy District has a list of recommended plants.

- iv. The use of turf in narrow, small, or oddly shaped areas less than eight feet wide, is prohibited.
 - v. The use of turf on slopes greater than 15% is prohibited.
 - vi. Turf shall be irrigated separately from other landscaped areas.
- d. Environmental Considerations: The landscape plan shall demonstrate that plants are placed in the optimum location for water conservation, soil stabilization, and erosion control.
 - e. Landscape Watering Zones: Plants with similar water needs shall be grouped together. Areas landscaped with high water use plants shall be separated from those with low and very low water usage.
 - f. Critical Lands: Existing plants within critical land areas, as defined shall be disturbed only at the County's discretion. If slopes greater than 30% are disturbed, the area shall be landscaped with deep rooting, water conserving plants for erosion control and soil stabilization.
 - g. Required Plants: All landscapes shall use plants identified as being "water wise" or "low water" plants. A list of plants that satisfy these requirements, thrive in the area, is available from the Washington County Water Conservancy District.
 - h. Plant Substitutions: Landscaping shall be installed consistent with approved planting plans, but plant substitutions may be made provided that the substituted plants are of a similar plant type (bush-for-bush, tree-for-tree, etc.) and have a similar water need as the plant originally specified in the approved landscape plan.
 - i. Soil Amendment/Preparation: Where appropriate, the use of organic soil amendments or additives, such as aged compost, are encouraged.
 - j. Mulch: Mulch, landscape rock or chat shall be installed and maintained at a minimum depth of three inches to four inches. Fiber barriers and plastic sheeting that are not porous to air and water are prohibited.
 - k. Preservation Of Existing Vegetation: To the extent possible, significant native vegetation shall be maintained on property and protected during construction. When allowed to be removed, based on an approved development permit, the native vegetation shall be replaced with landscaping similar in type. To ensure survivability, replacement plantings may be smaller sized and slightly denser than the original. The County may grant exceptions if it is found that replacement is impossible or would require excessive amounts of water.
 - l. Parking Area Landscaping:
 - i. Internal landscape shall equal at least 15% of the total parking area.
 - ii. The use of turf within a parking area is prohibited.
 - iii. Landscape islands shall be a minimum of nine feet in width and shall be landscaped with plants no more than four feet in height or high canopy trees.

- iv. Internal landscape shall be located so that pedestrians are not required to cross landscaped areas without pathways to reach building entrances from parked cars. This should be achieved through proper orientation of islands and spaces.
- v. Bioretention systems or other sustainable natural drainage systems which reduce the stormwater runoff created by the development and which promote infiltration of the generated stormwater into the subsurface are required. Such systems include stormwater planter strips, infiltration swales or trenches, stormwater curb extensions, rain gardens, etc. Exceptions to any standards within this section may be granted by the County to accommodate the design of such systems.

m. Irrigation System Requirements:

- i. Automatic Controller: All irrigation systems shall include an WaterSense labeled smart irrigation controller with multiple programs, multiple repeat cycle capabilities to reduce runoff on slopes and soils with slow infiltration rates, and a flexible calendar program. All controllers shall be capable of utilizing an automatic rain shut-off device, and the ability to adjust run times.
- ii. Irrigation Zones And Use: Each irrigation zone/valve shall be used in a landscape with similar site, slope and soil conditions and plant materials with similar watering needs.
- iii. Drip Irrigation: Drip emitters or bubblers with a filter and pressure regulator shall be used in areas where turf is not used.
- iv. Time Of Irrigation: Zones with spray or stream sprinklers shall not be scheduled to operate between the hours of 10:00 a.m. to 7:00 p.m. in order to reduce water loss from wind and evaporation.

n. Prohibition On Restrictive Covenants Requiring Uniform Plant Material Irrigated With Spray Irrigation are as follows:

- i. Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are prohibited and contrary to public policy and are thereby void and unenforceable if they:
- ii. Require turf areas in violation of this section;
- iii. Prohibit, or include conditions that have the effect of prohibiting, the use of xeriscape landscaping areas; or
- iv. Have the effect of prohibiting or restricting compliance with this section.

M. Washington County Transportation Master Plan; Outdoor Recreation Master Plan; Trail System Plans (County Plans):

- 1. Pedestrian walkways, trails, or bike paths shall be provided within a development that connects to the public walkways, trails, or bike paths in the county's active transportation plan to serve the needs generated by the development.
- 2. If the development property is within 300 feet of a planned public walkway, trail, or bike path on the County Plans, the developer is responsible for constructing a connection to the planned public

infrastructure. The space dedicated in trails may be included in the calculation of the open space, as otherwise provided in this title.

3. In the event a public walkway, trail, or bike path on the County Plans is located on a development parcel, pursuant to the provisions of Utah Code Annotated section 17-27a-507, the county may require as part of the development approval that the proportional share of the public infrastructure running through the development site be constructed and provided by the developer as a condition of approval. The proportional share shall be dedicated to the county or memorialized by a recorded public easement under terms acceptable to the county. Public infrastructure design and construction shall be consistent with design guidelines established by county and for the community wide active transportation system development standards.

Developments shall connect an internal trail system to community wide trail systems where possible. The space dedicated in trails may be included in the calculation of the open space, as otherwise provided in this title.

10-30-5: DEFINITIONS:

The following terms are defined as follows. Terms used in the present tense include the future tense. Terms defined in the singular number include the plural and the singular. Terms that have not been defined herein but are separately defined in the building code and/or other sections of the zoning code shall be construed as defined therein:

CORRELATED COLOR TEMPERATURE (CCT): A specification of the color appearance of the light emitted by a lamp, relating its Kelvin color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K).

DARK SKY: A nighttime sky that is substantially free of interference from artificial light.

DESERT MODERN ARCHITECTURE: Inspired by the majestic High Desert climate and landscape. The use of horizontal lines, low pitch, or flat roof, large windows and glass doors that help blend the indoor space with the outdoors. Style incorporates colors of clay, stone, golden burnt umbers, sandstone beiges to off white and natural grays, sage and olive green with an emphasis on unique textures. The design takes advantage of bountiful sunshine and gorgeous vistas through the use of sprawling windows, while seamlessly integrating the rocks, trees and landscaping.





DIRECT ILLUMINATION: Illumination resulting from light emitted directly from a lamp, luminary or reflector. This does not include light reflected from other surfaces, such as the ground or building faces.

FLOOD LIGHT: A fixture or lamp designed to “flood” an area with light. A specific form of lamp or fixture designed to direct its output in a specific direction. Such lamps are often designated by the manufacturer and are commonly used in residential outdoor lighting. Comply with County ordinance 10-13-23(N).

FLOODPLAIN OR FLOOD PRONE AREA: Any land area susceptible to being inundated by water from any source.

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.

HELICOPTER LANDING SITE: An area on land or a structural surface that is used, or intended for use, for the landing and taking off of helicopters within the Scenic Byway Overlay Zone, subject to the specific criteria set forth in this chapter for secondary access and emergency access or evacuation. A helicopter landing site in the SBOZ shall not be used as a heliport, or for refueling, construction, commercial, or recreational purposes.

LIGHT POLLUTION: Any adverse effect of manmade light source. Often used to denote “sky glow” from cities or towns, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

LIGHT SOURCE: The part of a lighting fixture that produces light, e.g., the bulb.

LIGHT TRESPASS: Light falling where it is not wanted or needed. Spill light falling over property lines that illuminates adjacent grounds or buildings.

MANUFACTURES CATALOG CUTS: A publication or other printed material of a lamp or lighting manufacturer

offering visual and technical information about a light fixture or lamp.

MONUMENT SIGN: A sign whose base is a minimum of seventy-five percent (75%) of the width of the sign and is permanently set on the ground and has an opaque pedestal as part of the sign foundation which conceals any pole support. Upon approval of the county, and where pole supports are not visible, the opaque pedestal may be omitted.

OUTDOOR LIGHT FIXTURE: An outdoor electrically powered illuminating lamp or similar device used for lighting structures, parking lots, pathways, development areas, recreation areas, signs or other similar areas.

PARKITECTURE: Also known as "National Park Service Rustic" is a style of 20th-century architecture developed by the United States National Park Service in its effort to create buildings that harmonize with natural environment.

The CCC (Civilian Conservation Corps) built many structures in this style. The style draws from craftsman, Swiss chalets and Adirondack architecture. It includes horizontal lines, sloped roofs to break up the mass and height, natural materials, porches, and the blending of indoor spaces with the outdoor surroundings. Examples include Yosemite's Ahwahnee Hotel, Old Faithful Inn, The Glacier Park Lodge, Timberline Lodge, Vista House at Mt. Spokane State Park, Paradise Inn and Crater Lake Lodge. Local examples include the Browse Guard station at the Sequoia in the Dixie National Forest, and the Zion National Park Lodge.

UNSHIELDED FIXTURE: A fixture which allows light to be emitted above the horizontal plane either directly from the lamp or indirectly from the fixture or reflector.