

CHAPTER 30

NEW HARMONY VALLEY OVERLAY ZONE (NHVOZ)

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10-30-1: PURPOSE:

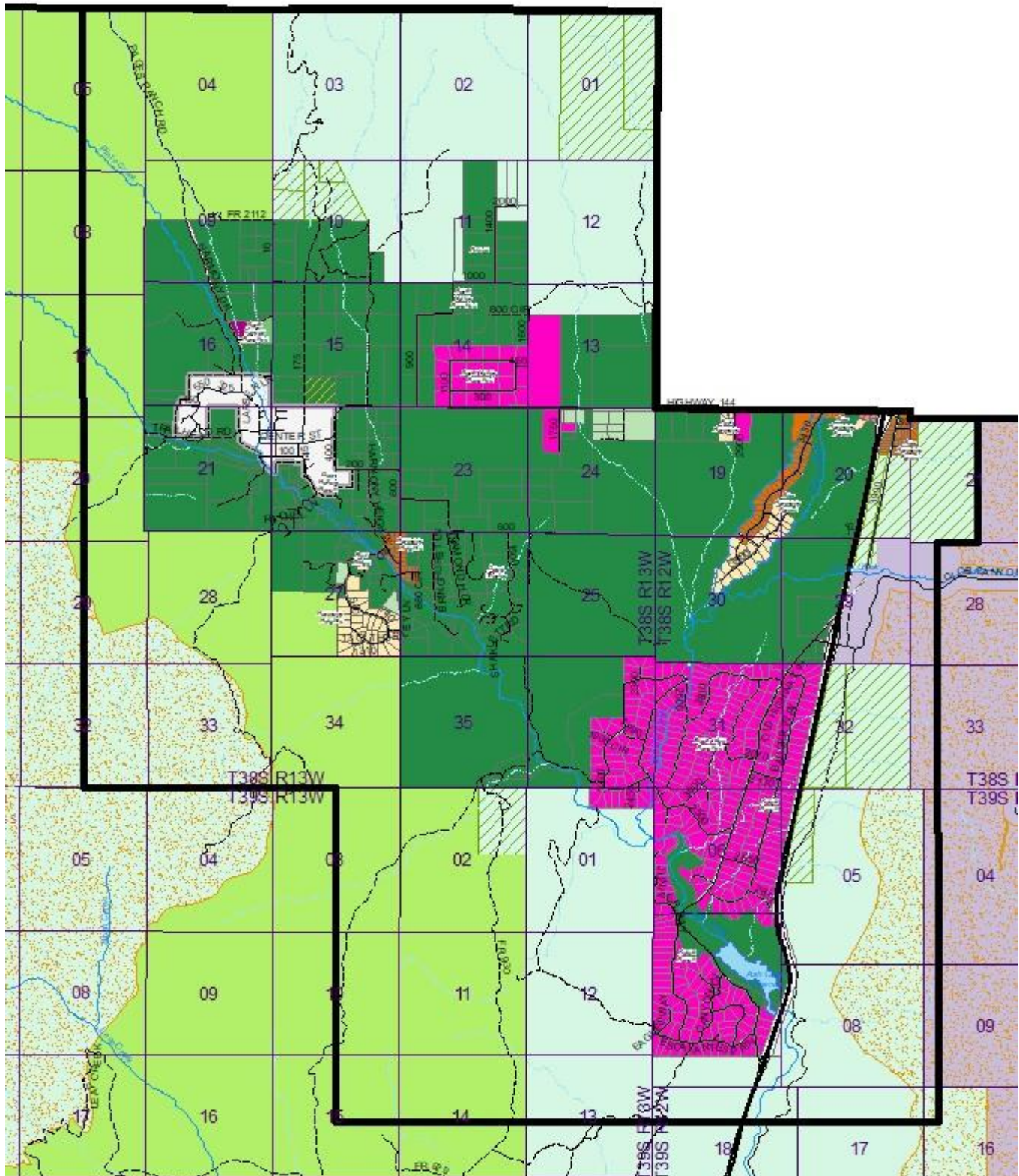
This chapter is to guide future development in a way that maintains the rural, historical and agricultural characteristics of the New Harmony Valley area and to preserve its agricultural lands, open spaces, and scenic vistas. New commercial development will be guided by design standards herein to ensure harmonious use with the community.

The New Harmony Valley area is the northern entrance to Washington County, one of the most scenic and iconic areas in Utah and the United States. The NHVOZ protects the iconic views along SR 144, and roadways in the New Harmony Valley area, including the views of Pine Valley Mountains, Kolob Fingers, Zion National Park, the scattered bucolic views of pastoral lands, or the traditional character of the community. The same views are the economic force that drives development, and they must be preserved to enhance compatible development. Road corridors form the ‘bones’ of our communities, roadscape are a primary means by which visitors and neighbors experience our communities. They are the outward expression of community identity and heritage. Ensuring that scenic corridors endure is important not only for the identity and heritage of Washington County and the New Harmony Valley area, but also its economic vitality. Scenic settings attract tourists, residents and businesses seeking to capitalize on this brand. The quality-of-life Washington County residence and visitors experience is due in large part to stepping out each day into vistas that feed the soul. In the past, communities seeking to protect scenic resources have found it difficult to establish the needed criteria. One purpose of this New Harmony Valley Overlay Zone is to quantify and record such criteria for the area. Both the natural and ‘built’ environment significantly contribute to the overall quality of a community. The criteria in this overlay zone balances the rights of property owners and the demands of development to proactively create refined standards and requirements to ensure that the New Harmony

Valley area maintains its character while growing and developing in the future.

10-30-2: AREA DEFINED:

The regulations for the New Harmony Valley Overlay Zone (NHVOZ) shall apply to the bounded area depicted on the map herein. The town of New Harmony is incorporated, as defined by Washington County zoning maps, and is exempt from this chapter.



10-30-3: ZONING DISTRICTS WITHIN THE NEW HARMONY VALLEY OVERLAY ZONE:

Some zoning districts available in the general county zoning ordinances are no longer available in the NHVOZ. If a land use zone is not listed below, then it is not permitted in the NHVOZ. However, at the time of adoption of the NHVOZ, any property with existing zoning eliminated in the overlay maintains its existing zoning and is governed by applicable general county zoning ordinances. For instance, for a property currently zoned C-2, County Ord. §§ 10-10-1, *et. seq.*, controls. No expansion of an existing property with the existing zoning that is eliminated in the overlay is permitted.

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

The purpose of this zone is to permit the use of open space land within the county for uses compatible with the protection of the natural and scenic resources of the county for the benefit of present and future generations. This zoning designation with the New Harmony Valley Overlay is to allow for the preservation of the New Harmony Valley. Permitted uses for this district are found in County Ord. § 10-6A-2. The conditional uses described in County Ord. § 10-6A-3 are conditional uses in NHVOZ OSC-20 zone.

NHVOZ 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. Permitted uses for this district are found in County Ord. § 10-6B-2. The following conditional uses described in County Ord. § 10-6B-3 are not conditional or permitted uses in the NHVOZ OST-20 zone:

Airports.

Golf course.

NHVOZ A-5 (AGRICULTURAL 5 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and conditional uses for this district are found in County Ord. §§ 10-7A-2 and 10-7A-3.

NHVOZ A-10 (AGRICULTURAL 10 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and conditional uses for this district are found in County Ord. §§ 10-7A-2 and 10-7A-3.

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

The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and conditional uses for this district are found in County Ord. §§ 10-7A-2 and 10-7A-3.

NHVOZ A-40 (AGRICULTURAL 40 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and conditional uses for this district are found in County Ord. §§ 10-7A-2 and 10-7A-3.

NHVOZ AEO (AGRICULTURE ESTATE OVERLAY) ZONE:

The purpose of the zone is to promote local agriculture, working farms, and multigenerational agriculture operations by adding flexibility to some regulations while

maintaining agriculture land for agriculture production. It is not to promote tourist, corporate, recreational or event uses inside agriculture zones that undermine the viability of agricultural operations. Permitted and conditional uses for this district are found in County Ord. §§ 10-7B-2 and 10-7B-3.

NHVOZ RA-5 (RESIDENTIAL AGRICULTURAL 5 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments. Permitted and conditional uses for this district are found in County Ord. §§ 10-8C-2 and 10-8C-3.

NHVOZ RA-10 (RESIDENTIAL AGRICULTURAL 10 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments. Permitted and conditional uses for this district are found in County Ord. §§ 10-8C-2 and 10-8C-3.

NHVOZ RE-5 (RESIDENTIAL ESTATE 5 ACRE MINIMUM LOT SIZE) ZONE:

The purpose of this zone is to provide permanent area for small farms, hobby farms and limited agricultural development for personal use. Permitted and conditional uses for this district are found in County Ord. §§ 10-8D-2 and 10-8D-3.

NHVOZ PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONE:

All residential development in the NHVOZ where the density is less than five acres for each lot or parcel, shall be in a PDR zone and not by standard lot size development. All NHVOZ-PDR development shall have 49% open space. Permitted and conditional uses for this district are found in County Ord. § 10-9-5(B) & (C), except "condotel or timeshare in residential properties" is not a conditional use in the NHVOZ-PDR zone.

COMMERICAL ZONING:

All commercial development in the NHVOZ must be approved with the base zoning and uses as a Planned Development Commercial (PDC), or Village Commercial (VC) development, and meet the project and design standard established in the New Harmony Valley Overlay Zone. All other commercial zones in the Zoning Ordinance of Washington County are not permitted in the NHVOZ. C-2 Highway Commercial Zone is limited to the existing zoned parcels and will not be allowed for future zone changes. Manufacturing and Industrial zoning and uses are prohibited. Commercial campgrounds, recreational vehicle parks, and Planned Development Short Term Rentals (PDSTR) are prohibited in the NHVOZ.

NHVOZ VC (VILLAGE COMMERCIAL) ZONE:

The Village Commercial (VC) zone is established to provide a district in which the primary use of the land is for small-scale commercial retail development, and services located at rural crossroads, along state highways, community gateways and in convenient and strategic locations of the county to meet community needs for both the residents and visitors to the area. Development in the VC zone should reflect the rural, pioneer, and agricultural heritage of "Small Town America" in the unincorporated communities throughout Washington County. As the "Downtown" area, the VC zone should be clearly

identifiable from other zones in appearance and intensity of development. The following uses described in 10-10B are permitted with standard in the NHVOZ VC zone. See chart below.

NHVOZ PDC (PLANNED DEVELOPMENT COMMERCIAL) ZONE:

See chart below.

10-30-4: ALLOWED USES IN THE NHVOZ (PDC AND VILLAGE COMMERCIAL) ZONES:

Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

A. Uses indicated by the letter “P” below are permitted uses in this zone.

B. Uses indicated by the letters “PS” are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in this title.

C. Uses indicated by the letter “C” are conditional uses in this zone.

NHVOZ COMMERCIAL USE CHART:

	Uses	PDC NHVOZ	VC NHVOZ
	Alcohol establishments, limited to the following:		
	Bar establishment	P	PS
	Off-premise beer retailer	P	PS
	Microbrewery or micro-winery (with restaurant or bar establishment)	P	PS
	Nightclub, dance hall (alcohol)		
	Ambulance service (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Amusement centers, recreation and entertainment facilities (indoor)		
	Indoor entertainment activities such as paintball, miniature golf, arcade	P	P
	Shooting range, indoor		
	Nightclub, dance hall (without alcohol)	P	
	Theater, performing arts (indoor)	P	P
	Amusement centers, recreation and entertainment facilities (outdoor)	C	
	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
	Animal boarding/care for large animals if boarded for less than 30 days. The lot or parcel shall be five or more acres and only in the following zones: NHVOZ-PDC, A-5 through A-40, RA-5 or RA-10.	P	
	Animal hospital and veterinary clinic, including overnight care of animals in a completely enclosed building	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	
	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	
	Automobiles and other similar vehicle sales lots (lot or parcel size unlimited)		
	Automobile parts sales (new parts only) provided conducted within completely enclosed building		
	Automobile rental (vehicles 26' in length or less) (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Automobile rental (vehicles 26' in length or less) (lot or parcel size unlimited)		
	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	
	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)		
	Car wash, self-serve and un-attended in-bay only, with recirculating water system (manual or auto spray) (vacuums located in the rear of the building)	P	
	Tire sales and service provided conducted within completely enclosed building	P	
Boat, vessel and watercraft sales and services within completely enclosed building (30' in length or less)		P	
Employment agency (indoor, not temporary day labor)		P	
Event center, social hall, reception center (indoor)		P	P
Event center, social hall, reception center (outdoor)		P	P
Food service establishments, limited the following:			
	Catering establishment	P	P
	Food truck	P	P
	Restaurant (without drive through)	P	P
	Restaurant (with drive through)	P	
Grocery store, supermarket		P	PS
Lodging, temporary, limited to the following and uses:			
	Bed and breakfast	P	P
	Lodge/Inn	P	PS
	Hotel/motel	P	
	RV parks (short term)		
	Timeshare units		
Manufacturing with retail on premises (all indoor, no noise, smoke or malodors)		P	
Hospitals		P	
	Counseling center, mental health, alcohol, drugs (non-residential, less than 24 hours)	P	
	Mental health treatment center, with overnight stay	C	
	Laboratory	P	
	Outpatient surgical	P	
Nursing home		PS	PS
Religious facility		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
Retail Shops (indoors):			
	Antique store	P	P
	Apparel sales or alterations	P	P
	Athletic and sporting goods store	P	P
	Bakery (retail on premises) (without drive through)	P	P
	Bakery (retail on premises) (with drive through)	P	
	Bicycle rental, sales, and service	P	P
	Building material sales	P	PS
	Confectionery (retail on premises) (without drive through)	P	P
	Confectionery (retail on premises) (with drive through)	P	
	Department store	P	P
	Furniture and appliance sales and service (used) (indoors)	P	
	Furniture and appliance sales and service (new) (indoors)	P	
	Liquor store	P	
	Office supply, office machines sales and service	P	
	Paint or wallpaper store	P	
	Pharmacy, drug store, medical supply (drive through permitted)	P	
	Pharmacy, drug store, medical supply (drive through not permitted)		PS
Retail sale of goods with limited outdoor display/uses:			
	Building materials sales	P	
	Convenience markets with gas pumps/gas station		
	Convenience markets with gas pumps located in the rear, not on a street or side street	P	
	Farm implement sales and services (outdoor display new equipment)	P	
	Fence sales and service		
	Garden supplies and plant material sales	P	
	Greenhouse and nursery; soil and lawn service	P	
	Landscape rock sales, ancillary to a permitted use		
	Recreational equipment rentals, sales and services (not vehicles/ATVs/boats/RVs/trailers)	P	
	Seed and feed store	P	
Retail sale of goods with outdoor display/uses			
	Fence sales and service		
	Garden supplies and plant material sales		
	Greenhouse and nursery; soil and lawn service		
	Landscape rock sales, ancillary to a permitted use		
	Recreational rentals, sales and services (vehicles/ATVs/boats/RVs/trailers)		
	Seed and feed store	P	
Service businesses, limited to the following uses:			
	Athletic club, health club	P	P
	Barbershop, beauty shop	P	P
	Body piercing, ancillary to a permitted use	P	P
	Carpet and rug cleaning (no outside storage)	P	
	Child care center, daycare, preschool	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	
	Construction trade sales and services, HVAC, plumbing, electrical, etc. (no outside storage)		

	Crematorium, human (if onsite with mortuary/funeral home)	PS	
	Dry cleaners (off site plant) (without drive through)	P	P
	Dry cleaners (off site plant) (with drive through)	P	
	Educational institutions, schools, college, learning centers, trade schools (no residential or 24 hour facilities)	P	P
	Financial, Medical and Professional Services	P	P
	Gunsmith		
	Janitor service and supply (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		
	Laundry, laundromat	P	P
	Library	P	P
	Live-Work Unit (LWU)	P	P
	Locksmith	P	P
	Massage establishment	P	P
	Mortuary	P	
	Moving and storage company (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Museum	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
	Pest control and extermination (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Pest control and extermination		
	Pet grooming	P	P
	Printing, lithographing, publishing or reproduction sales and service (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Printing, lithographing, publishing or reproduction sales and service		
	Post office, mail and copy services	P	P
	Psychic, tarot card reader, fortune teller, occult art practitioners, hypnotist	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)		
	Sign sales (no outside storage) (lot or parcel size limited to 40,000 sq. ft. or less)		
	Sign sales (no outside storage)		
	Tattoo establishment	P	P
	Taxidermist	P	
	Towing (towing service office only, no onsite vehicle storage or impound yards)		
	Work-Live Unit (WLU)	PS	PS
	Thrift shop/secondhand store/consignment store (no outside storage and no drop off of items during the hours the business is closed)	P	P
	Transportation, limited to the following uses:		
	Bus, train, rail terminal (lot or parcel size limited to 40,000 sq. ft. or less)	PS	PS
	Bus, train, rail terminal		
	Taxi/Shuttle (lot or parcel size limited to 40,000 sq. ft. or less)	P	
	Taxi/Shuttle		
	Government, public services and facilities, limited to the following uses:		

	County, all facilities	P	P
	Electrical substation, power stations (non-county)	PS	
	Public utility facilities, primary	PS	PS
Work-Live		PS	PS

AREA, SETBACK AND HEIGHT REQUIREMENTS:

	PDR NHVOZ	PDC NHVOZ	VC NHVOZ
Minimum new lot area	8,000 sf	10,000 sf	8,000 sf
Maximum lot area			
Minimum yard setbacks from property line:			
Front	20'	20 feet +1' for every foot of height over 20'	Zero to 10'
Side	10'	10 feet +1' for every foot of height over 15'	NA, unless adjacent to residential (10')
Side facing a street on corner lot	20'	20 feet +1' for every foot of height over 20'	NA, unless adjacent to residential (10')
Rear	10'	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'
Required screening from abutting residential property			
Min/Maximum Height	10'/35' (Accessory Building or Dwelling 25')	10'/35'	10'/35'
Maximum Structure Area	7,000 sq ft	No Structure Over 20,000 sf	No Structure Over 20,000 sf (10,000 sf , max per floor)
Maximum Lot Coverage	25% (51% if density bonus is granted)	51%	

Setback requirements along Hwy 144 and I-15 are 100' for all buildings, structures, and dwellings.

10-30-5: DEVELOPMENT STANDARDS:

New development should not overwhelm the existing built and natural environment. Small-town feel does not mean that new development cannot take place. Nor does having an increase in population density mean that all is lost for ensuring a small-town feel exists in the future. New development shall be planned intelligently and positioned respectfully to fit into nature and the community. All developments shall minimize the area disturbed by construction activities at any given time, particularly cuts and fills associated with road construction. Phased site grading and stabilization or revegetation shall be part of the grading and project plan. Over-grading, or the significant removal of soil material on the uphill side of a site and filling on the downhill side, when natural slope conditions exceed ten percent (10%) of the site, is not permitted. All development shall generally conform to the existing contours of the land.

A. Sensitive Area Protection Critical Lands include the natural drainages of Camp Creek, Taylor Creek, Kanarra Creek, Pinto Creek, Ash Creek and Ash Creek Reservoir and riparian habitats ("critical lands"). Critical lands shall be protected from development and permanently protected in their natural state to preserve riparian habitat, maintain storm water functions, minimize flood damage, and serve as a natural history focal point of New Harmony and character defining features of the area. Development within sensitive area protection of critical lands shall be clustered, so all structures, buildings, impervious surfaces and other development on the lot or parcel minimize the impact to the sensitive and critical areas.

B. Permanent structures shall be located outside critical lands with only minor improvements allowed such as trails, recreation amenities, or temporary structures.

C. Exceptions Allowing Development Within Critical Lands:

1. In the event a legally defined lot or parcel or its access consists of critical lands, and there are not permissible locations to develop on the lot or parcel, then the property owner shall locate development on the parcel in a manner that clusters development, limits disturbance, and protects 49% or more of the critical lands.

2. Road and driveway crossings shall bridge over all floodplains.

3. Development may occur in jurisdictional wetlands only if the applicant obtains a permit for development from the U. S. Army Corps of Engineers or other applicable governmental entity, which shall be delivered to the county for review prior to final approval of a development.

D. Geologic Hazards; Adverse Construction Conditions: Development upon lands containing high or very high geologic hazards, or adverse construction conditions, as defined by the Utah Geologic Survey, may not be suitable for development. If the risk is high or very high, the applicant shall submit a site-specific report prepared by a qualified, licensed geologist specializing in engineering geology, or a licensed civil engineer trained and experienced in the practice of geotechnical engineering or adverse construction conditions, depending on the issues that exist on the lot or

parcel. The report shall demonstrate the areas on the lot or parcel that are suitable for the proposed use, recommend specific placement of structures and infrastructure, and make specific development recommendations for mitigation. The county shall review the report, and it may accept, modify, or reject it in its discretion. If modified or rejected by the county, the applicant may request an independent review, and the county will order the review by independent, qualified professionals it selects. The professionals shall review and prepare written findings and comments on the applicant's report. The cost of the independent, qualified professionals shall be paid to the county by applicant. All development shall conform to the report adopted by the land use authority in the project approvals as conditions of development. The adopted report shall be specifically identified on the plat and available to all potential owners, owners, and interested parties. The Federal Emergency Management Agency (FEMA), the Utah Department of Natural Resources (DNR) and its Utah Geological Survey (UGS) hazard maps for the area, as amended, are adopted.

E. 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.

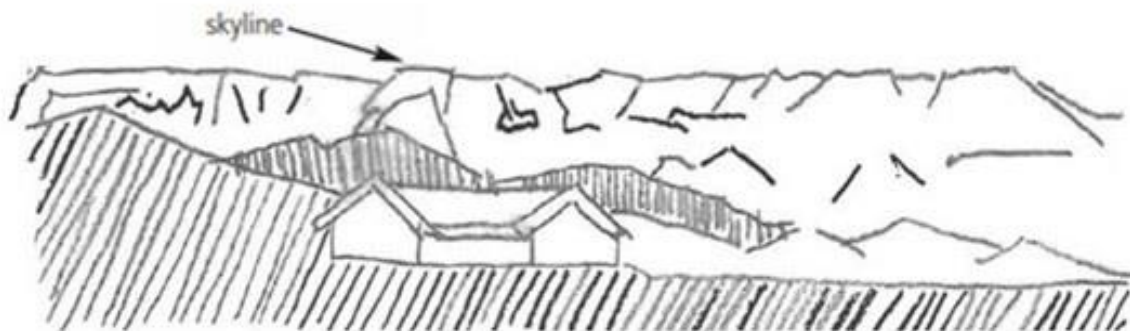


Figure 1: Proposal Remains Below the Hillside and Skyline

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.

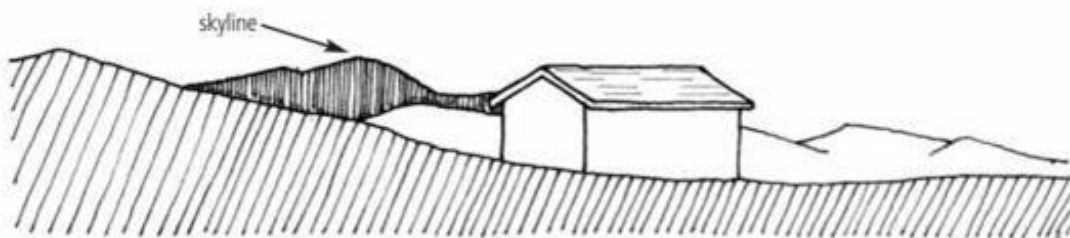


Figure 2: Proposal Breaks the Hillside and Skyline

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.

1. Site Planning And Structure Height: All new construction and associated disturbance shall occur in conformance with this chapter. Where that is not possible due to the size and configuration of the lot, or where locating a structure in conformance would result in a building site that is not suitable for development. The Community Development Director or designee may require structures to be built in the most suitable portion of the lot, designate building pad placement, limit building height, or prescribe other design standards to minimize the visual impact of the development. New construction shall be designed in such a manner that prevents projection into the horizon line or mountain backdrop. If this is not possible, and structures will project into the horizon line as viewed from Hwy 144 or I-15, building height shall be limited to 28 feet. All developments shall minimize the area disturbed by construction activities at any given time, particularly cuts and fills associated with road construction. Phased site grading and stabilization or revegetation shall be part of the grading and project plan. Retaining walls will conform with Washington County Code 10-15A, *et. seq.*

10-30-6: OPEN SPACE, PARKS, TRAILS AND TRAILHEADS:

A. Required Open Space: To ensure compatibility with the mountain environment, development shall meet the following minimum requirements:

1. There shall be no open space requirement for standard residential development with a five acre minimum lot size.
2. For single-family or two-family development where the base zone density is five acres or more, in order to get a density bonus of 50%, an applicant may propose the preservation of 49% of the development area as open space. Clustering of the residential units is required to obtain the density bonus.
 - a. Open space should be contiguous within a development site and, if possible, connect with open space on adjacent parcels.
 - b. Inclusions And Exclusions In Open Space Calculation: Open space may include setback areas, easements within which no aboveground structures are located, open space conservation easements, and other such areas. Open space shall not include any portion of a lot or parcel on which any structure, parking lot or other such feature is located on or above the surface of the ground. Lands that have been previously dedicated as open space as part of a development approval shall not be considered in the open space calculation.
 - c. Method Of Owning/Maintaining Open Space:
 - i. Within all developments that comply with the base zone densities, and where

open space is provided as part of the development approval, ownership and maintenance responsibilities shall remain with the owner, or a POA.

ii. The landowner/developer is responsible for the preservation of open space as a condition of development anytime a density bonus is granted. Open space may be passively or actively maintained, for private or public use. It shall be owned by the development, a POA, or other ownership structure approved in the county's sole discretion. It shall be preserved through deed restrictions, a conservation easement, or other means acceptable to the county to perpetually protect the area as open space. The county may, in its sole discretion, accept ownership of open space.

B. Pedestrian walkways, trails, or bike paths shall be provided within a development that connect to the public walkways, trails, or bike paths in the Washington County's Transportation Master Plan, Outdoor Recreation Master Plan or other regional active transportation plan to serve the needs generated by the development. If the development property is within 300 feet of a planned public walkway, trail, or bike path on the County Plans or public lands, the developer is responsible to construct 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. 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 § 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 dedicated to the public 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. Private development shall preserve access to private and public lands beyond the private development. Public infrastructure design and construction shall be consistent with design guidelines established by county and for the community wide active transportation system development standards.

C. 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 open space, as otherwise provided in this title.

1. Required: All development shall provide neighborhood park facilities in a manner that is sufficient to meet the specific recreational demands that will be generated by a development. In certain instances, cash in lieu of land and facilities may be permitted by mutual agreement.

2. Compliance With Standards: Neighborhood recreational land (parks), facilities and trails, when provided, shall be in compliance with applicable standards of the Washington County Transportation Plan, Southern Utah Regional Trail Standards or regional trail and recreation plan.

3. Maintenance: The long term care of neighborhood recreation lands (parks) and facilities shall be the responsibility of the developer or a POA.

4. Trailheads: Public access to major public land shall maintain area required for public

trailhead parking in an amount and configuration as follows:

a. One vehicle space for every 500 permanent resident in the New Harmony Valley as defined in the county's General Plan, and one trailer space for every 1,000 permanent residents.

b. Trailhead parking setbacks:

- i. Ten feet from the edge of a public or private right of way.
- ii. Side and rear setbacks: Ten feet from the side and rear property lines.
- iii. Ten feet from the facade of a structure.
- iv. Adjacent to preserved open space: No setbacks required.

c. If trailhead parking is provided for 20 vehicles or less, a through circulation pattern shall not be required.

d. At least 15% of the internal portion of the trailhead shall be landscaped using natural landscape elements, unless the trailhead is adjacent to preserved open space, in which case the landscape requirement shall be waived.

e. Parking in the road right of way may be permitted with approval from Washington County as part of development site plan or project plan review, in which case the setbacks and landscaping requirements would not be applicable. Parking may be designed parallel to the curb or with a parking angle of up to 90°.

i. Parking surfaces may be pervious or impervious as specified on the site plan and approved by the County.

ii. Concrete blocks, wheel stops, boulders, wood posts and rope or other appropriate fencing shall be installed to ensure that no part of a vehicle shall extend over or beyond a property line or into preserved open space.

iii. If fencing is found to be appropriate to enclose the boundaries of the established trailhead, it shall be compatible with the surrounding environment.

iv. All trailhead, designated, major parking shall be designed with a through circulation pattern, unless there is suitable turnaround space at the end of the parking area. While in certain instances on street parking will be permitted, public roads shall not be used as part of a parking lot circulation pattern or require ingress and egress from the lot to a road by forward motion of the vehicle.

A. D. Pedestrian Nonmotorized Trail Systems:

1. Pedestrian walkways or nonmotorized trails shall be provided within a development as recommended by County staff or land use authority to serve the needs generated by the development. In the event a community wide trail as identified on the Washington County Transportation Plan, Outdoor Recreation Master Plan or any other approved trail plan for the New Harmony Valley, is located on a development parcel, the county may, pursuant to the provisions of Utah Code Annotated § 17-27a-507, require as part of the development approval that the

proportional share of the community wide trail system running through their site be provided by the developer as a condition of approval. The proportional share may be provided by deed, easements, or rights-of-way in county's discretion for the community wide public trail system. When new development applications require community benefits in exchange for increased density as a condition of approval, trail dedication or construction will qualify in the criteria to be considered. Trail construction shall be consistent with the design guidelines established in the adopted Southern Utah Regional Trail Standards and county standards.

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

10-30-7: SPECIAL SITE DESIGN REQUIREMENTS:

The criteria in this section serve the public interest by requiring that the design of developments in the New Harmony Valley Overlay Zone be compatible with the natural, rural characteristics of their setting and with the image of the area which helps to support Washington County's economy. The design requirements also help to reduce the potential for land use conflicts by encouraging the protection of privacy and of scenic views.

- A. Integration Of Development: Development in the New Harmony Valley shall be integrated in a manner to promote a more complete and functional community. Integration shall be accomplished through, among other things, pedestrian and vehicular circulation, visual, open space, and other linkages and design techniques. A piecemeal approach to planning and development, where individual development parcels are designed and constructed without adequate ability to continue infrastructure and roadway connections to undeveloped areas is not permitted.
- B. Building Site Plan: Building site plans for single-family detached residential development in the PDR (Planned Development Residential) zone shall provide the locations for the proposed building envelopes and associated driveways when there are sensitive areas on the individual lots.
- C. Fences And Retaining Walls: (See 10-15B)
- D. Outdoor Lighting: See *(10-15C Outdoor Lighting)*.
- E. Signage: One on-premise, freestanding monument sign per New Harmony Valley Overlay Zone development is permitted for commercial and agritourism development not exceeding six feet in height and 10 feet in width (maximum 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 County ordinances. 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.

F. Landscaping: See Washington County Code 10-15B and 10-27-1, et seq.

10-30-8: ARCHITECTURAL REGULATIONS FOR ALL STRUCTURES:

These regulations do not apply to one-family or two-family residential dwellings unless they are located in an historic district or in a planned development residential zone. These regulations are prescribed for the exterior architectural character of all other buildings. They are intended to ensure unity in function, structure, and artistic character. They are intended to allow and promote creativity in design within the context of scenic Washington County, and Zion National Park. Variety and interest in architectural designs shall be incorporated into all structures. The incorporation of Parkitecture design, Rustic Rural, Desert Modern, or historic pioneer architecture is strongly encouraged.

- A. Height: Building heights shall be compatible with other structures in the area to preserve village scale, scenic views and to fit in with existing development.
- B. Setbacks: Minimum setbacks have been established by zone to soften the impacts of structures and maximize the dominance of natural features, vegetation and the views of New Harmony Valley.
- C. Density: Density restrictions have been established by zone to maximize the dominance of natural features, vegetation, the views of the Pine Valley Mountains and Zion Canyon to preserve the human scale of the built environment.
- D. Historic Elements: Design should be compatible with relationships of size, massing, color, materials and horizontal facades. All new construction shall be compatible with the "in the park" parkitecture, rustic rural, desert modern, or historic pioneer architecture and incorporate, preserve, or seamlessly blend with historic elements such as the rock work of Fort Harmony or the cut stone pillars along Hwy-144.
- E. Siding Materials:
 - i. The siding materials considered most typical of the region and encouraged are wood siding, log, heavy timber and fiber cement materials, native stone, and stucco. These principal materials shall be incorporated in each building design in a manner that is consistent with the design objectives herein.
 - ii. No single wall shall contain a single or predominant treatment, but shall include an appropriate balance of the desired principal materials identified in this section.
 - iii. Colored, textured, or split faced concrete block is prohibited. Plastic or vinyl siding is prohibited. Reflective metal for siding or roofing is prohibited.

- F. The application of a stone wainscot on the lower base of the building as the only stone application is prohibited. The design may include such wainscot applications only when applied to wrap around the corner in other areas of the buildings, such as at entry points, prominent walls, and other similar applications.
- G. F. Exterior Wall Architecture: Some buildings are visible from more than one public area, such as a roadway, a public parking lot, a park, or a residential area. In these instances, the wall treatment on all such sides of a building shall be of a character and quality as the materials used on the front side of the building.
- H. Color Palette And Texture:
- i. The predominant tones shall be colors selected from warm earth tones, muted natural colors, or light to dark shades of wood. The natural colors found in the area like meadow grasses or hillside vegetation are also appropriate.
 - ii. A uniform color and texture for walls is not acceptable. While color and texture changes shall be accomplished through the use of various principal materials described in this section, accent colors should be used. Such colors shall be compatible with the predominant color tones of the building.
- I. Roof Materials:
- i. Complementary Materials: The materials used on a pitched roof shall complement the building design and be compatible with the surrounding environment. The color of materials on a flat roof shall blend with the color of surrounding vegetation. Primary and closely related colors are not permitted.
 - ii. Prohibited Materials: The following materials are prohibited on any roof:
 - iii. Reflective materials (the color and slope of metal roofs shall be carefully considered since steeper slopes may increase reflectivity).
 - iv. Any bright colored or highly visible material.
- J. Roof Shapes:
- i. In immediately adjacent buildings, groups or clusters, particularly in Village Commercial centers, a general roof shape should be predominant. The smaller buildings shall vary roof shapes, like adding a pitched roof, or a mix of flat and pitched styles. The following predominate roof styles are prohibited; geodesic domes, conical, onion, or Mansford.
 - ii. 2 Where a pitched roof is provided on larger multiple-family, commercial, overhangs of at least 36" shall be provided. Overhangs of greater size may be required to ensure that they are

appropriately scaled to the size of the building.

iii. Large unbroken expanses of roof area are prohibited.

iv. Roof design architecture may be required on 35' tall buildings to help minimize the scale of the building (i.e., extending the eaves line below the ceiling level of the upper story). The basis for using such techniques will depend on the visibility of the building from public roadways and pedestrian areas.

K. Mechanical Equipment On Roofs: Mechanical equipment shall be hidden with a visual barrier, so it is not readily visible from adjacent properties or public roadways, parks or other public spaces. All rooftop mechanical equipment shall be painted or coated with an appropriate color to blend with other rooftop materials and minimize visual impacts.

L. Roof Appurtenances: Features including, but not limited to, shed dormers, gable dormers, hip dormers and/or articulation of the roof may add visual interest and character to minimize roof mass. . Such features are required on large pitched roofs as a means to minimize roof mass. Dormers shall be in scale with the roof

M. Window And Door Treatments:

i. Architecturally significant window treatment is encouraged to minimize repetitive uniformity, and particularly where there is an associated pedestrian streetscape.

ii. Windows shall be adequately trimmed on the exterior, and the size of the trim shall be in scale with the building facade. Larger trim will be required as the scale of the building facade increases.

iii. An area containing a large amount of window surface shall not be flush with the plane of the principal facade. The amount of offset shall be commensurate with the amount of window surface (the more window surface the greater the offset).

iv. Careful consideration should be given to the ratio of solid wall area to window area. In certain instances, larger and smaller windows should be used on a facade. Window selection and placement shall avoid the monotony of many identical windows or the confusion of too much variation in the windows.

v. Treatments which obscure the visual distinction between windows and walls are not permitted.

vi. Smoky or tinted windows are permitted. Mirrored glass is not permitted.

N. Facade Length And Variations:

i. All walls described in section that are greater than 60' in length, but less than 100' in length, must exhibit a prominent shift in the facade of the structure so that no greater than 75% of the length

of the facade appears linear. The shift shall be in the form of at least a ten foot change in facade alignment. A series of shifts may be appropriate; provided that, the cumulative offset is at least ten feet . A combination of both a roofline and facade change is encouraged, particularly when they occur at the same point.

- ii. All walls described in this section that exceed 100' in length shall provide a prominent shift in the mass of the structure so that no greater than 75% of the length of the facade appears unbroken. The shift or series of shifts in height and/or alignment that reflect a change in function and scale is required. A shift shall be in the form of at least a 15' change in facade alignment. A combination of both a roofline and facade change is encouraged, particularly when they occur at the same point on the facade. A series of shifts may be appropriate; provided that, the cumulative offset is at least 15'.
- iii. The required shift in facade alignment shall not be created by add on features such a porticos, porte cocheres, exterior vestibules, decks, and other similar features.
- iv. Any long horizontal building shall include vertical design elements to break up the building mass. The number and scale of such elements shall be commensurate with the length of the facade.
- v. Required vertical and horizontal elements shall not be created by using paint schemes on the siding material.
- vi. Commercial structures comprised of various tenant spaces shall emphasize the individuality of units by variation in rooflines, walls, or other appropriate design techniques.
- vii. Lodging: The structure shall be situated street facing and shall have zero lot line on either the primary or secondary façade.

O. Interpretation Of Standards: The above architectural requirements are prescribed in all applicable building designs. These standards are not meant to encourage the overuse of an existing architectural style or feature. Overuse is discouraged. These regulations are intended to restrict a small number of architectural approaches that are considered undesirable. Appropriate latitude shall be allowed and creativity promoted to achieve interest and vitality throughout the New Harmony Valley Overlay Zone.

10-30-9: DEFINITIONS:

Definitions found in 10-30-5 are adopted for the NHVOZ, with additions below:

LIVE-WORK UNIT(LWU): A mixed use unit that contains a commercial or office component and a residential component, and where the resident, owner, or employee

of the business is responsible for the commercial or office activity performed. The residential component exceeds 50% of the unit square footage. The commercial or office use shall have a valid business license. The Work component may be open for retail sales of goods created or produced on site, or for office services, any day of the week.

RUSTIC RURAL: Is a picturesque and pleasing architecture design that harkens to traditional small town America in the late 19th century and early 20th century. The charm of the traditional mercantile and barber shop infused with barn-style. The use of natural materials, such as stone or wood. See example images below.





