San Juan County Spanish Valley Development Ordinances

of the

San Juan County Zoning Ordinance

~~**September 13, 2019**~~
~~**November 14, 2019**~~
November 19, 2019

Recommended for Adoption by the San Juan County Planning Commission

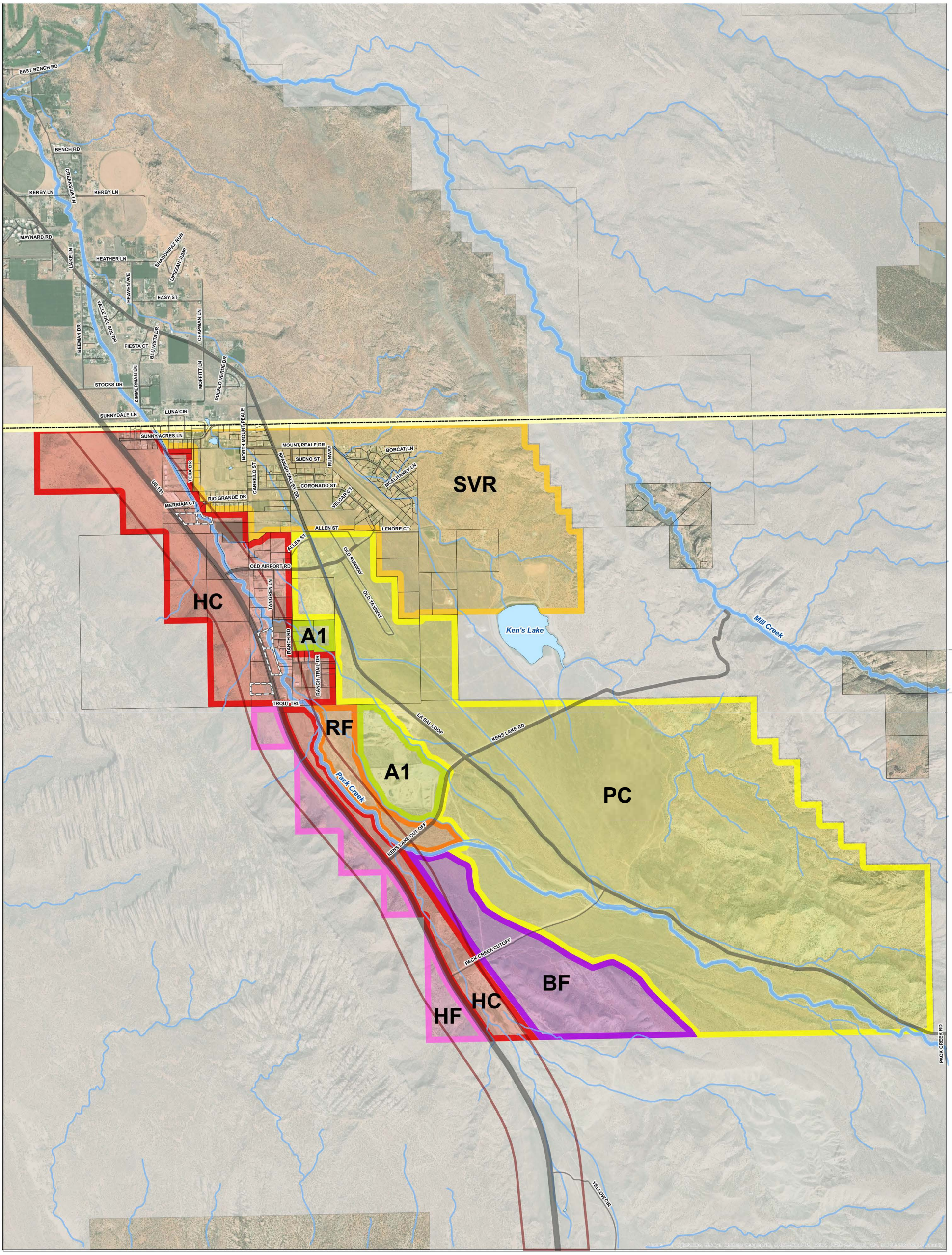
TABLE OF CONTENTS

Chapter	Title	Page
1	Spanish Valley Residential (SVR) District	1
2	Spanish Valley Planned Community (PC) District	13
3	Spanish Valley Residential Flex Planned Community (RF) District	26
4	Spanish Valley Business Flex Planned Community (BF) District	28
5	Spanish Valley Highway Flex Planned Community (HF) District	30
6	Spanish Valley Highway Commercial (HC) District	31
7	Spanish Valley Water Efficient Landscape Requirements	41
8	Spanish Valley Outdoor Lighting and Sign Illumination Requirements	48
~~9~~	~~Spanish Valley Sign and Display Requirements~~	~~60~~
~~10~~	~~Spanish Valley Overnight Accommodations Overlay District Requirements~~	~~76~~

San Juan County Spanish Valley Zoning Map (DRAFT)

Recommended for Adoption by Planning Commission

(NOVEMBER 19, 2019)



Planned Community (PC)
Spanish Valley Residential (SVR)
Residential Flex (RF)
Agricultural (A1)
Business Flex (BF)
Highway Flex (HF)
Highway Commercial (HC)
Known Existing Overnight Accomodation
Existing HC Zone (1000' from Center Line)
BLM Land
County Boundary
Rivers/Streams
Roads

NORTH

2,000 1,000 0 2,000 Feet

Chapter 1: Spanish Valley Residential (SVR) District

An Ordinance creating the *Spanish Valley Residential District* of the San Juan County Land Use Ordinance for the purpose of managing growth and development in the non-federal lands in northernmost part of the San Juan County portion of Spanish Valley. See proposed Spanish Valley Zoning Map for applicable locations.

Purpose
Uses
Lot Design Standards
Mix of Housing Types
Constrained Lands
Measurements and Exceptions
District Standards
Subdivision Standards
Streets
Sidewalks and Trails
Easements
Drainage
Water Supply

Purpose
The Spanish Valley Residential (SVR) District is designed primarily to accommodate residential uses in large lot (one-acre or greater) and smaller lot (1/4 acres up to 1 acre) developments. In addition to the Uses and Lot Design Standards of this section, development in this district shall be in compliance with all other applicable provisions of the San Juan County Land Use Ordinance, and shall promote and protect public health, safety, and welfare.

Uses
Uses are allowed in the SVR District in accordance with Table 1-1:

Permitted Uses
Uses identified with a "P" in the table shall be permitted in the SVR District, subject to compliance with all applicable conditions and all other provisions of this Code.

Conditional Uses
Uses identified with a "C" in the table shall be permitted in the SVR District only upon approval of a Conditional Use Permit by the County in accordance with the Conditional Use procedures and standards of the Zoning Ordinance.

Lot Design Standards
All development in the SVR District shall be subject to the following lot design standards, which generally allow for variety in housing and building types while maintaining the overall character of residential neighborhoods. This approach promotes better site layout and energy efficient

development, affordable life-cycle housing, and development intensities that match existing and proposed infrastructure investments.

Table 1-1
Spanish Valley Residential (SVR) District Uses

Use Category	Specific Use
RESIDENTIAL USES	
Dwelling, single-family	P
Dwelling, two-family (duplex)	P
Dwelling, Manufactured	P
Accessory Buildings and Uses	P/C
All other household living uses (5th wheels, trailers, etc.)	C
CIVIC AND INSTITUTIONAL USES	
Day Care	C
Educational Facilities, Public	P
Educational Facilities, Private	C
Government Facilities and Public Institutions	C
Institutions, Private or Non-Profit	C
Medical Facilities	C
Places of Worship	P
Utilities	C
PARKS, OPEN SPACE AND AGRICULTURAL USES	
Parks and Open Spaces, Public	P
Parks and Open Spaces, Private	C
Farmland, Grazing and Pasture	P
Animal Husbandry - small animals (pigs, goats, lambs, etc.)	P
Animal Husbandry - large animals (cows, cattle, horses, etc.)	P (=/> 1 acre lots only)

Minimum Requirements

Every building erected or installed must be located on, and every plat submitted for approval must show, a lot or building parcel that meets the minimum requirements of at least one lot type permitted under this article, based on underlying zoning and subdivision type.

Every building and lot must have direct access to one of the following:

1. A public street
2. An approved private street or driveway
3. A public or private street via a public or private alley

All structures must be located on lots or parcels that provide safe and convenient access for servicing, fire protection and required on-site parking. No lot shall be approved that does not meet the minimum lot area requirements of this Code except in the following cases:

1. Nonconforming lots
2. Public Utilities

The uses and densities listed in this chapter are allowed by right unless otherwise expressly stated. Each project must comply with all of the applicable development standards of this chapter.

Residential Density and Dimensional Standards

Residential development shall be subject to the maximum density and minimum dimensional standards of the SVR District in accordance with Table 1-2.

TYPE 1 developments shall have demonstrated access to a municipal water and sewer system.

TYPE 2 developments have no access to municipal water and sewer systems and will rely on private wells and septic systems as described elsewhere in this Code.

Table 1-2
Residential Density and Dimensional Standards

STANDARD	TYPE 1	TYPE 2
Max. Density (dwelling units/acre)	4	1
Min. Parcel Size (SF)	10,890	43,560
Min. Front Yard and Street Side Yard setback	25’	25’
Min. Interior Side Yard setback	8’	8’
Min. Rear Yard setback	20’	20’
Min Lot Width	75’	75’
Max. Bldg. Coverage (% of lot)	40%	40%
Max. Height Principal Structure	Three stories not to exceed 35’	Three stories not to exceed 35’
Max. Height Accessory Structure	Two stories not to exceed 24’	Two stories not to exceed 24’
Fence Height	6’ max, 4’ max for front yard	6’ max, 4’ max for front yard

Mix of Housing Types

Two-family homes may comprise no more than 50 percent of the total dwelling units of any proposed SVR District subdivision. In no case shall the SVR District density of four dwelling units per acre be exceeded for the overall subdivision site.

Constrained Lands

Constrained lands include lands with natural slopes greater than 30 percent, jurisdictional wetlands, lands in the 100-year floodplain, public drinking water supply sources (recharge areas for wells and aquifers), lands affected by unmitigable geo-hazards, and riparian habitats unless mitigated by a licensed engineering study.

Constrained lands in all developments and subdivisions shall be identified on plats and remain unoccupied by buildings or impervious surfaces.

Land Suitability

Land deemed to be environmentally unsuitable shall not be platted for residential occupancy, or for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be restricted for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsafe living conditions.

The County shall not approve the subdivision of land if it is determined that the site is not suitable for platting and development purposes.

Measurements and Exceptions

Lot Area

Lot area refers to the amount of horizontal land area within lot lines. No building permit or development approval shall be issued for a lot that does not meet the minimum lot size requirements of this chapter, with the following exceptions:

Lot Area Reduction for Public Purpose

When an existing lot is reduced as a result of conveyance to a federal, state or local government or homeowners association for a public purpose and the remaining area is at least three-quarters of the required minimum lot size for the SVR District in which it is located, the remaining lot shall be deemed to be in compliance with the minimum lot size standards of this chapter.

Utility Facilities

Utility facilities using land or an unoccupied building requiring less than 1,000 square feet of site area are exempt from the minimum lot size requirements of the SVR District.

Required Yards (Setbacks)

Setback refers to the unobstructed and unoccupied open space between a structure and the property line of the lot on which the structure is located. Setbacks shall be unobstructed by any part of a structure from the ground to the sky and measured as the horizontal distance between a property line and the furthermost projection of the structure, except as provided otherwise in this chapter.

A. Front Yard Setback

1. Corner Lots

For lots with frontage on two intersecting public or private streets, such a lot shall be considered to have two front lot lines and shall comply with front yard setbacks from each front lot line.

2. **Double Frontage Lots**
   Where lots have double frontage, running through from one street to another, a required front yard setback shall be provided on both streets.

B. Cul-De-Sacs
   Notwithstanding any other provisions of this chapter, lots fronting on a cul-de-sac shall have a minimum frontage of 30 feet and a minimum lot width of 40 feet.

Maximum Height

A. Measurement
   1. **Buildings**
      Building height shall be determined by measuring the vertical distance between the lowest point where the wall face of the building intersects finished grade around the perimeter of the building (or structure other than fences, telecommunications and microwave towers, and antennas) and the highest point on the building.
   2. **Fences and Walls**
      Height of fences or walls shall be measured as the vertical distance between finished grade on the highest side of the fence or wall to the top of the fence or wall.

Building Coverage

A. Measurement
   The maximum area of the lot that is permitted to be covered by buildings, including both principal structures and accessory buildings.

B. Permitted Exceptions
   Building coverage does not include paved areas such as driveways, uncovered porches or patios, decks, open swimming pools, or roof overhangs of less than 5 feet.

District Standards

All principal residential structures in the SVR District shall comply with the following requirements:

1. All properties shall be designed in accordance with the requirements of the Water Efficient Zoning Ordinance.

2. The minimum spacing between dwellings shall be 16 feet, with an additional 8 feet per story provided between buildings for every story over 2 stories.

3. Manufactured Homes shall:
   a. Utilize non-reflective siding materials; i.e. wood, stucco, adobe, brick, or stone or material that looks like wood, stucco, adobe, brick, or stone;

b. Be placed on a concrete slab-on-grade or concrete perimeter foundation;
c. Have a minimum 24-foot horizontal wall dimension on at least 2 non-opposing sides;
d. Be skirted with a material or product specifically designed for the skirting of such homes. Required skirting shall be maintained so as not to provide a harborage for animals or create a fire hazard.
e. Have running gear, tongues, axles and wheels removed from the manufactured home at the time of installation.
f. Be permanently attached to a foundation. Anchors and tie-downs, such as cast-in-place concrete "dead-men", eyelets embedded in concrete slabs or runways, screw augers, arrowhead anchors, or other devices shall be used to stabilize the manufactured home.
g. Have a minimum finished floor elevation at least 24 inches above the exterior finish grade, as measured at the main entrance into the dwelling.
h. Shall comply with current building code requirements, the standards of this ordinance, and in accordance with current FHA and HUD guidelines.
i. Shall allow only one manufactured home per designated lot (manufactured home communities shall be permitted as part of a Planned Community only).

4. The keeping of no more than four (4) large animals and livestock shall be considered a permitted use on parcels with more than one acre and less than 5 acres. These standards shall not be applicable to parcels larger than 5 acres.

5. The keeping of no more than four (4) small agricultural animals (sheep, pigs, goats, etc.) shall be considered a permitted use on parcels with more than one-half acre and less than 5 acres. These standards shall not be applicable to parcels larger than 5 acres.

6. Barns, stables, coops, animal sheds or similar structures shall be set back at least 100 feet from existing dwellings and 20 feet from any open waterway. Surface drainage from such structures shall not be permitted to drain into a natural stream or into a drainage way that drains into a natural stream and shall comply with State of Utah Health Code.

Subdivision Standards

Applicability

All plats and subdivision of land within the SVR District shall conform to the following rules and regulations.

Lot Configuration

The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated and shall not be less than those specified as minimum standards by the SVR District. The depth and width of properties shall be adequate to provide for the off-street service, parking facilities and fire/safety requirements required in the Zoning Ordinance.

Side Lot Lines
Side lot lines shall be substantially at right angles to street lines unless otherwise approved by the Planning Commission.

Street Frontage Required
Each new lot or building tract shall front upon a public street.

Double Frontage Lots
Double frontage lots shall be avoided, except where essential to provide separation of residential development from traffic or to overcome specific disadvantages of topography and orientation.

Flag Lots
Flag-shaped or panhandle shaped lots may be created in either TYPE 1 or TYPE 2 developments if all of the following requirements are met:

1. The lot has at least 25 feet of frontage on a dedicated public street, which frontage served as access only to the subject lot or parcel.
2. The "handle" portion of the lot is at least 25 feet in width, and not more than 250 feet in length.
3. The body of the lot meets the lot area and lot width and setback requirements of the applicable TYPE.

Large Lots
Where the area is divided into larger lots than for normal San Juan County building sites and, in the opinion of the Planning Commission, any or all of the tracts are susceptible to being re-subdivided, the original subdivision shall be such that the alignment of future street dedications may conform to the general street layout in the surrounding area and so that the larger tracts may be later subdivided in conformance with the requirements of this Code and the minimum standards specified by the applicable zoning district.

Streets

Applicability
All developers shall be required to construct streets within the subdivision in accordance with San Juan County Code requirements.

Street Layout
Unless otherwise approved by the Planning Commission, provisions shall be made for the extension of streets. All streets shall bear a logical relationship to the topography and to the location of existing or planned streets on adjacent properties. Adequate local streets shall be provided to accommodate the subdivision and provide access to lots. The arrangement of streets in a subdivision shall either:

1. Provide for the continuation or appropriate projection to existing principal streets in surrounding areas; or
2. Conform to a plan for a neighborhood or planned unit development approved by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable or where neighborhood design makes a varied plan appropriate.

Street Connections
The system of streets designated for a subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivision(s); and where no adjacent connections are platted, must in general be the reasonable projection of streets in the nearest subdivided tracts, and must be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. Reserve strips of land controlling access to or egress from other property or to or from any street or alley or having the effect of restricting or damaging the adjoining property for subdivision purposes shall not be permitted in any subdivision unless such reserve strips are conveyed to San Juan County in fee simple.

Half Right-of-Way (R.O.W.)
Half streets shall be prohibited except where essential to the reasonable development of the subdivision and where the Planning Commission finds it will be practicable to require the dedication for the other half of a street when adjoining property is subdivided.

Street Intersections
More than two streets intersecting at a point shall be avoided, except where it is impractical to secure a proper street system otherwise. Intersections shall be as near 90 degrees as possible and in no cases shall the intersection angle being less than 60 degrees.

Street Jogs
Non-intersecting streets with centerline offset of less than 125 feet shall not be approved.

Dead-End Streets
Dead-end streets, except for cul-de-sacs, shall be prohibited unless they are designed to connect with future streets on adjacent lands that have not been platted. In cases where these types of dead-end streets are allowed, a temporary turnaround with a minimum radius of 50 feet shall be constructed.

Cul-de-sacs
Cul-de-sacs shall meet the San Juan County Code requirements. Ordinarily, cul-de-sacs are discouraged as they do not result in a continuity of existing streets or streets pattern and may be used only where unusual drainage or land ownership configurations exist that make other designs impractical.

Highway Access Permit
A Highway Access Permit must be approved by UDOT for each new subdivision with direct access to a state or federal highway. Turn lanes, frontage road(s), curb and gutter may be required along the entire highway frontage if required by UDOT.

Street Design Standards
Street and alley widths, curves, grades design speed and centerline radius shall meet San Juan County Code requirements.

Turn By-Passes and Turn Lanes
Right-turn by-passes or left-turn lanes may be required at the intersection of collector streets if traffic conditions indicated they are needed. Sufficient rights-of-way shall be dedicated to accommodating such lanes when they are required.

Street Names and Numbers
All street names shall be as established subject to approval of San Juan County Code requirements. When streets are in alignment with existing streets, any new streets shall be named according to the streets with which they correspond. Streets which do not fit into an established street-naming pattern shall be named in a manner which will not duplicate or be confused with existing streets within the Spanish Valley Area Plan or its environs.

Street lighting
Street Lighting shall conform to Spanish Valley Outdoor Lighting and Sign Illumination Standards. The developer shall pay the costs of purchasing and installing all street lighting equipment. Street lighting design plans shall be subject to the approval of designated San Juan County Staff. The type of equipment, method of installation and location of the wiring and light poles shall meet the minimum standards and requirements of the electric company from which electricity is to be purchased. All street lighting shall be shielded and directed toward the ground so as to minimize horizontal view and visibility of the light source. All intersections with a major collector street shall have at least one streetlight.

Sidewalks and Trails

Applicability
This section is intended to ensure adequate pedestrian access is available to serve uses that need and benefit from such access. If a builder or property owner believes that a proposed use does not need or benefit from pedestrian access, a written request for a waiver may be submitted to the Zoning Administrator describing the use and explaining why pedestrian access should not be required as a condition of the building permit for the proposed use.

Trails
Trails shall be designed as single track and multi-use trails depending on the specific need and conform to the standards in Table 1-3.

Table 1-3
Trail Design Standards

	Cross-Slope Range	Min. Trail Width	Min. R.O.W. Width	Clearing		Preferred Surface Materials			
				horizontal	vertical	natural	crushed stone	asphalt	concrete
Single-track Trails	0-20%	3’	6’	1.5’each side of trail	10’	Yes	Yes	No	No
Multi-use Trails	0-10%	12'	15’	1.5’ each side of trail	10'	Yes	Yes	Yes	Yes

Easements

Utility Easements Required

Utility easements shall be provided in all residential areas unless otherwise approved by the Planning Commission and in commercial and industrial districts, except that the Planning Commission may waive the requirement where other definite and assured provision is made for service access consistent with and adequate for the uses proposed.

Minimum Width

The minimum rights-of-way width of each utility easement shall be 5’ minimum or as required by the utility authority.

Fire Lanes and Emergency Access Easements

Fire lanes and emergency access easements 20 feet in width shall be provided where required by the fire authority having jurisdiction.

Waterway Easements

When a proposed subdivision or development is traversed by an irrigation ditch or channel, natural creek or stream, or a proposed drainage easement, an easement shall be provided sufficient for drainage and to allow for maintenance of the drainage system.

1. The minimum right-of-way width of each drainage easement shall be 10 feet minimum for canals and ditches, or as otherwise required by the canal or ditch authority and/or San Juan County requirements.
2. ~~Buffers shall be a minimum of 50-feet from top of bank on both sides of Pack Creek and 25 feet from the top of bank on both sides of other perennial and ephemeral streams to preserve the stream corridors and provide adequate access easement for drainage, flood control and storm water maintenance. Parks, trails and underground utility easements are acceptable uses within the stream buffer; fences, walls and other structures are not permitted within the buffer.~~

Trail Easements

When a proposed development or subdivision is traversed by a public trail shown on an adopted plan or when the Planning Commission finds that a trail easement can better serve the proposed development than a sidewalk, an easement shall be provided sufficient for

public trail construction, maintenance and access purposes according to San Juan County Code requirements.

Adjoining Areas

When easements in areas adjoining proposed subdivisions are necessary to provide adequate drainage thereof or to serve such subdivisions with utilities, the developer shall obtain such easements.

Drainage

Applicability

Applicants shall provide, at applicant's expense, drainage facilities in accordance with the requirements of the San Juan County Code requirements which will become integral parts of the canal, ditch, waterway, and street or roadway drainage system. The dimensions of all drainage structures must be approved by San Juan County prior to installation and as required for easements elsewhere in this code. Design shall be based on environmentally sound site planning and engineering techniques. It is especially critical that storm water management systems be designed for an entire drainage basin rather than just for specific sites. If improvements are identified and necessary downstream of the proposed development and no approved capital improvement plan exists to address the necessary improvement, the developer shall be required to demonstrate that such existing drainage features are adequate to serve the anticipated development and to protect the public health, safety, and general welfare at full build out under existing zoning. Where such demonstration is not made, the applicant or developer shall be required to install such necessary improvements.

Minimum Standards

A. Natural and Historic Drainage Ways

All historic flood and drainage ways shall be protected from alteration such that their primary function as storm water facilities shall be upheld.

B. 100-Year Storm

All drainage and flood control facilities shall be designed to handle the calculated difference between historic flows and the anticipated post-development 100-year frequency storms for maximum period of intensity over the entire drainage basin which the subdivision serves, or other standards required by San Juan County Code. The "100-year storm" referred to herein shall mean that storm run-off is calculated on the basis of a fully developed watershed.

C. Erosion

Where free fall of water occurs, satisfactory means shall be provided to prevent erosion of soil.

D. Catch Basins and Culverts

Catch basins and culverts shall be constructed in accordance with the San Juan County Code requirements

E. Engineered Design

All drainage shall be designed by a Utah licensed professional engineer and approved by San Juan County authorities.

Water Supply

General

New development shall provide water supply that is sufficient in terms of quality, quantity and dependability for the proposed development. In making its determination as to whether the proposed water supply meets this standard, the decision-making body shall give substantial weight to the recommendations of State, County and applicable service district authorities and their associated standards. All water systems shall be provided by or through approved water and sewer service agencies and meet all applicable requirements of the San Juan County Code requirements.

Municipal and District Water Systems

If all or part of a proposed development is within the jurisdiction of an approved public water system, then the applicant must obtain a written certification from the public water service provider stating that it is able to provide an adequate supply of drinking water with adequate quantity, quality and sufficient pressure to meet the needs of the proposed development based on the projected water usage of the development. Individual or common wells or other private water systems shall be permitted only when the subdivision boundary is outside the jurisdiction of an approved public water system able to serve the development.

Chapter 2: Spanish Valley Planned Community (PC) District

An ordinance creating the *Spanish Valley Planned Community (PC) District* of the San Juan County Land Use Ordinance for the purpose of creating a new zone (PC Zone) to accommodate large-scale master-planned development in the non-federal lands in the San Juan County portion of the Spanish Valley. See proposed Spanish Valley Zoning Map for applicable locations.

Purpose
Land Use Districts
Minimum Requirements
Permitted Uses
Conditional Uses
Planning and Approval Process for PC Zones
PC Zone Plan
Community Structure Plan (CSP)
Project Plan/Subdivision Plat
Site Plan Review
Development Standards
- **(A) Open Space and Common Areas**
- **(B) Fencing, Screening, Clear Vision**
- **(C) Architectural Standards**
- **(D) Water-conserving Landscaping Requirements**
- **(E) Lighting**
- **(F) Other Requirements**

Development Agreement

Purpose
The purpose of the Spanish Valley Planned Community (PC) District is to provide a regulatory tool that allows large properties in the San Juan County portion of the Spanish Valley to be developed in accordance with a specific plan designed to achieve the following:

1. To promote and protect the public health, safety, and welfare.
2. To implement the objectives and policies of the *San Juan County General Plan.*
3. To facilitate development within the San Juan County portion of the Spanish Valley in accordance with the *Spanish Valley Area Plan* that was adopted as part of the general plan. This plan promotes high quality, innovative and creative development that includes a mixture of uses, building types, varying densities and lot sizes and sufficient diversity of housing types to meet the full life-cycle housing needs of local residents, a variety of mixed use, commercial and flex uses, adequate amenities, and the preservation of open space.
4. To safeguard and enhance environmental amenities and the quality of development.
5. To attain the physical, social, and economic advantages resulting from comprehensive and orderly planned use of land resources.
6. To lessen vehicular traffic congestion and assure convenience of access.

7. To secure safety from fire, flood, and other natural dangers.
8. To provide for adequate light, air, sunlight, and open space.
9. To promote and encourage conservation of scarce resources.
10. To preserve the unique landforms, views and environmental qualities of the Spanish Valley.
11. To prevent overcrowding of land and undue concentration of population.
12. To facilitate the creation of a convenient, attractive, and harmonious community with a desirable living and working environment with unique identity and character.
13. To attain a desirable balance of residential and other land uses.
14. To promote a pedestrian friendly environment that encourages transit and bicycle use.
15. To expedite the provision of adequate and essential public services.
16. To promote economical and efficient use of the land and water.
17. To provide a process for the initiation, review, and regulation of large-scale, comprehensively planned development that affords flexibility within the context of an overall development program and specific, phased development plans coordinated with the provision of necessary public services and facilities.

This chapter establishes an approval and entitlement process to promote thoughtful and efficient land use patterns that would otherwise be difficult under typical zoning ordinances. The Spanish Valley area may have more than one PC Zone.

PC Zone(s) may include residential neighborhoods and subdivisions; neighborhood commercial centers; business, research and educational campuses; highway commercial and flex development areas; and parks and open space with convenient pedestrian access and connections. Individual structures within each PC Zone may contain mixed uses. Permitted densities may be higher than those permitted in surrounding districts.

Land Use Districts

Each PC Zone shall establish land uses and development patterns, densities, and standards unique to that zone. Upon approval, through the process set forth in this chapter, the land uses and development patterns and densities shall be established pursuant to the PC Zone Plan and one or more development agreement(s) and accompanying Community Structure Plan(s). Specific land uses proposed in the PC Zone may only be established in conformance with provisions of this chapter.

Each PC Zone may consist of any number or combination of the following land use districts that shall be identified in the Community Structure Plan as provided in this chapter.

> *<u>Central Development Areas</u>*
> *These are the flattest, least sensitive and easiest-to-develop sites in the Spanish Valley, which makes them suitable for a wide range of residential and park/open space uses. These are the preferred areas for locating higher residential density and mixed-use neighborhood centers, where a mix of residential, locally-scaled commercial and civic services will be provided. 4-5 residential units/ERUs per acre.*

<u>Perimeter Development Areas</u>
These areas are relatively isolated, located in the foothills and topographically challenged edges of the Spanish Valley. They are proposed for lower-density residential uses and earmarked for long-term, phased development. 1-2 residential units/ERUs per acre. Cluster development, conservation subdivisions and larger lot single-family uses are generally supported in these areas.

<u>Highway Commercial Development Areas</u>
These areas support highway-based commercial uses located along U.S. Highway 191. As specifically detailed in the Highway Commercial ordinance, uses should meet the needs of the Spanish Valley and nearby region, as well as the travelling public. 6-12 residential units/ERUs per acre.

<u>Flex Development Areas</u>
These areas are divided into three specific types of flex development:

- *Highway Flex*
- *Business Flex*
- *Residential Flex*

Flex areas are generally located in close proximity to U.S. Highway 191 and intended to accommodate a range of uses focused on creating an economic base for the Spanish Valley and San Juan County. While flex uses should generally be designed and developed according to the requirements of this chapter for the PC Zone, there are separate ordinances for each type of flex development.

The range of uses accommodated within the three flex development areas should be professionally designed as coordinated. Projects. Buffers and transitions should be provided between distinctly different uses (such as residential neighborhoods, business uses, distribution uses, highway commercial, specialty residential uses and campuses). 4-5 residential units/ERUs per acre.

<u>Neighborhood Centers</u>
Two Neighborhood Centers are envisioned at the intersection of Spanish Valley Road and Old Airport Road, and the intersection of Spanish Valley Road and Ken's Lake Road. These areas are envisioned to become mixed-use centers that serve the local retail and service needs of the Spanish Valley. Development should emphasize small-scale retail, commercial and recreational uses, in addition to higher-density residential (single and multi-family), public and semipublic uses, and open space uses. Neighborhood Center residential densities are generally the highest permitted in the Spanish Valley, ranging from 6 to 12 residential units/ERUs per acre.

<u>Parks and Open Space</u>

These areas include natural lands and maintained parks that are designed and developed to provide and preserve outdoor recreational activities. A range of types and sizes of parks and open space should be provided to meet the needs of Spanish Valley residents.

Minimum Requirements

The minimum requirements for the PC Zone establishes the basic standards of development. The landowner or developer is encouraged to provide more than the minimum requirements, incorporating additional parks and open space, higher standards of design, and additional amenities as part of creating a superlative community park and open space system.

Large Planned Community:

Each PC Zone of this type shall contain a minimum of 200 acres. If the PC Zone contains multiple owners, the owners/developers may, if necessary, to reach the 200-acre threshold or if the owners/developers desire, combine their properties for planning approval and development purposes. It is anticipated that the resulting projects will be better designed and developed and will include higher density uses and a range of uses and residential types.

Small Planned Community:

Each PC Zone of this type shall contain a minimum of 20 acres under single ownership. This area will allow up to four (4) residential units per acre, and a range of residential units and types.

Manufactured Home Planned Community:

Each PC Zone of this type shall contain a minimum of 10 acres under single ownership and a maximum density as established by FHA and HUD.

A Site Plan shall be prepared, approved and filed with the findings of fact as part of the approval. Each manufactured home site in a Manufactured Home Community shall be clearly designated. Development plans shall comply with the applicable requirements of this chapter and the required Site Plan shall be drawn to scale and shall explicitly illustrate at least the following features:

1. Location and dimensions of all project boundaries.
2. Location of pavement on adjoining street rights-of-way.
3. Location and dimensions of any permanent improvements existing or planned within the Manufactured Home Planned Community, including but not limited to the following:
    a. Improved surfaces for common driveways, off-street parking and recreation areas;
    b. Buildings for management, maintenance and recreational purposes;
    c. Recreational facilities;
    d. Fences and walls;
    e. Underground utilities;

f. Outdoor lighting fixtures; and
g. The location of pipelines and systems for potable water distribution, sewage collection and fire protection, including location of all fire hydrants.

Permitted Uses

Large Planned Community:

The following uses may be conducted in all areas within a PC Zone of more than 200 acres:

- All uses described in the *Spanish Valley Area Plan (2018),* which was adopted as part of the San Juan County General Plan, as follow:
  - Residential uses of various types and lot sizes including single family detached; single family attached; multifamily residential; town homes; loft apartments; residential units above ground floor retail or office; and manufactured home communities;
  - Local retail, service, office, and mixed-use housing at designated Neighborhood Centers;
  - A mix of permitted uses (including office/commercial, office/residential, retail/residential) within designated Neighborhood Centers;
  - Small-scale, local businesses that support the day-to-day shopping and service needs of the community, such as restaurants, cafes, restaurants, drycleaners, clinics and offices.
  - Home-based businesses;
  - Health-care facilities;
  - Public facilities, such as schools, libraries, and civic buildings;
  - Private schools and civic/cultural facilities;
  - Common areas, such as parks, plazas, playgrounds, and trails;
  - Churches and other religious facilities;
  - Day-care facilities;
  - Open space, including landscaped areas and areas in natural vegetation, waterways, parks, trails and recreational areas;
  - Business, distribution, specialty residential and commercial as described for the three Flex Development Areas; and
  - Other accessory uses which are ancillary and designed to serve the foregoing uses.

Small Planned Community:

The following uses may be conducted in all areas within a PC Zone of more than 20 acres:

- All uses described in the *Spanish Valley Area Plan (2018),* which was adopted as part of the San Juan County General Plan, as follow:
  - Residential uses of various types and lot sizes including single family detached; single family attached; multifamily residential; town homes; loft apartments;

residential units above ground floor retail or office; and manufactured home communities;
  - Local retail, service, office, and mixed-use housing at designated Neighborhood Centers;
  - A mix of permitted uses (including office/commercial, office/residential, retail/residential) within designated Neighborhood Centers;
  - Small-scale, local businesses that support the day-to-day shopping and service needs of the community, such as restaurants, cafes, restaurants, drycleaners, clinics and offices.
  - Home-based businesses;
  - Health-care facilities;
  - Public facilities, such as schools, libraries, and civic buildings;
  - Private schools and civic/cultural facilities;
  - Common areas, such as parks, plazas, playgrounds, and trails;
  - Churches and other religious facilities;
  - Day-care facilities;
  - Open space, including landscaped areas and areas in natural vegetation, waterways, parks, trails and recreational areas; and
  - Other accessory uses which are ancillary and designed to serve the foregoing uses.

<u>Manufactured Home Planned Community</u>:
The following uses may be conducted in those areas within a PC Zone of more than 10 acres suitable for a Manufactured Home Planned Community:

- All uses described in the *Spanish Valley Area Plan (2018),* which was adopted as part of the San Juan County General Plan, as follow:
  - Residential uses of various lot sizes for single family manufactured communities;
  - Home-based businesses;
  - Common areas, such as parks, plazas, playgrounds, and trails;
  - Day-care facilities;
  - Open space, including landscaped areas and areas in natural vegetation, waterways, parks, trails and recreational areas; and
  - Other accessory uses which are ancillary and designed to serve the foregoing uses.

Conditional Uses
The approved PC Zone Plan or Community Structure Plan may include provisions for specific land uses identified as either a permitted or a conditional use within a given PC Zone and may include uses listed elsewhere in this chapter or additional uses. While generally discouraged, some conditional uses are anticipated in the approved PC Zone Plan, which shall require the approval of the Planning & Zoning Commission, and which may be established by development agreement. Conditional uses, if any, are subject to review and approval as set forth in the San Juan County Code. Design standards for conditional uses shall be included with the applicable Project Specific Standards.

Planning and Approval Process for PC Zone

Development within the PC Zone will require the following plans to be prepared and submitted for approval in accordance with this chapter: PC Zone Plan, Community Structure Plan, and Project Plans and/or Subdivision Plat approval as applicable. The planning and approval process and approving bodies are summarized in Table 2-1:

Table 2-1
Planning and Approval Process for PC Zone

APPLICATION	COVERED AREA	WHAT IS DESCRIBED IN PLAN	APPROVAL LEVEL
PC Zone Plan (Rezone)	Total land area to be rezoned to PC Zone.	Land area to be rezoned with land use table outlining: ▪ proposed permitted and conditional uses, ▪ maximum number of residential units, and ▪ maximum square feet of nonresidential development. ▪ Preliminary Community Structure Plan (CSP).	Planning Commission (recommendation) and County Commission (adoption)
Community Structure Plan (CSP)	Total land area that was rezoned to PC Zone above.	▪ Community Structure Plan (CSP). ▪ Master Plans of major systems and the inclusion of development standards for the larger development such as major roadways, infrastructure, open space networks, general location of neighborhoods, etc.	Planning Commission
Development Agreement	Total land area that was rezoned to PC Zone above.	The contract between San Juan County and the individual or entity that owns or controls the subject property, detailing the obligations of both parties, specifying the standards and conditions that will govern development of the property, and describing the vested interests of both parties.	Planning Commission (recommendation) and County Commission (adoption)
Project Plan and/or Subdivision Plat	Multiple phases of development within a CSP for master subdivision approval followed by phased subdivision plats.	Show major development parcel locations, open space system, and major infrastructure associated with roadways. Final plats indicate lot layouts and development regulations.	Planning Commission
Site Plan	Individual sites within the development.	Final site development requirements.	Staff

(A) PC Zone Plan

At the time of application for rezoning, a PC Zone Plan shall be submitted to the Planning Commission for review and recommendation to the County Commission. Following recommendation by the Planning Commission, a PC Zone Plan shall be submitted for review and approval by the County Commission. The approved PC Zone Plan may be amended through standard rezoning procedures.

The PC Zone Plan application shall contain the following information:

1. Name of planned community;
2. Names, addresses, and phone numbers of applicant and property owner(s);
3. Map showing PC Zone location, legal/boundary description, acreage, scale, and north arrow;
4. Land use concept plan accompanied by a table showing the land use district types and acreages of all proposed permitted and conditional uses, the maximum number of dwelling units, Floor Area Ratios (FARs), and the total acreage of open space in the PC Zone and areas (in square footage or acreage) of the various non-residential land uses proposed in the PC Zone;
5. Map showing existing waterways, major utilities, easements, storm water conveyances, flood boundaries, and other relevant infrastructure; and
6. Adjacent parcels, owners, and land uses.

Upon approval, the PC Zone shall constitute an amendment to the Spanish Valley Area Plan for the area covered by the approved PC Zone Plan. The conditions and limitations agreed to in the approval of the PC Zone Plan shall confer a vested right to proceed with the development process established in this chapter for the property(s) included within the applicable PC Zone, including the number of dwelling units and the square footage of nonresidential uses reflected in the approved PC Zone.

(B) Community Structure Plan (CSP)

Following approval of the PC Zone Plan, a Community Structure Plan (CSP) shall be established for all or a portion of the area covered by the PC Zone. The CSP shall be accompanied by a development agreement that codifies the CSP, which shall be submitted for review and recommendation by the Planning Commission, and then review and approval by the County Commission. The CSP shall contain a contiguous area of some or all of the area within the PC Zone that includes one or more of the following land use districts types as indicated in the *Spanish Valley Area Plan (2018)* and described in these San Juan County Spanish Valley Development Ordinances:

- *Central Development Area*
- *Perimeter Development Area*
- *Flex Development Area*
- *Highway Commercial Development Area*
- *Neighborhood Center*

- *Open Space*

Each CSP shall show the following:

1. Name of the planned community;
2. Names, addresses, and phone numbers of applicant and property owner(s);
3. Map showing CSP location, legal/boundary description, acreage, scale, and north arrow;
4. Map showing proposed land use district boundaries, and acreages;
5. Table showing the maximum number of dwelling units, open space acreage, and acreage(s) of the various non-residential land uses;
6. Master circulation system plan, including a street network; pedestrian, bicycle, and equestrian trail systems; identification of street alignments and right-of-way widths: illustrative cross sections which accommodate and specify vehicular, pedestrian, and bicycle use in the right-of-way. Pedestrian and bicycle trail systems shall connect the land use districts, schools and open space areas, and provide linkages to other trail systems in existing or future areas of the PC Zone and adjacent facilities within adjacent municipal jurisdictions of the Spanish Valley;
7. Map showing existing and proposed waterways and water bodies, major utilities and easements, wells and water sources, water protection areas and similar public health areas; surface and sub-surface storm water drainage systems, flood boundaries and flood control facilities;
8. Map showing adjacent parcels, their owners, and their uses;
9. Map showing 40-foot contours and significant topographic features within or adjacent to the CSP property;
10. Documentation of existing and proposed secondary (irrigation) water rights, shares, and usage, if any;
11. Open space plan providing general descriptions and locations of major open spaces;
12. Standards that govern the design and maintenance of major public infrastructure improvements (including but not limited to streets, sidewalks, street and parking lighting, paving, street furniture, trails); and
13. Detailed standards that govern general building placement, massing, and other key design criteria (CSP Design Standards).

The Planning Commission shall have the discretion to not provide a positive recommendation to the County Commission, who shall have the discretion to approve or disapprove each CSP on the basis of the following: (1) the failure of the proposed CSP to include all of the elements required in this section; (2) the failure of the proposed master circulation system identified in the CSP to adequately serve the communities within the PC Zone; (3) the failure of the proposed major infrastructure identified in the CSP to provide adequate service to the communities within the PC Zone; or (4) the inclusion of land uses in the CSP not permitted or conditionally permitted under this chapter. In approving a CSP, the Planning Commission may recommend, and the County Commission may impose, reasonable conditions of approval to mitigate reasonably anticipated detrimental impacts in accordance with San Juan County Zoning Ordinance.

The conditions and limitations agreed to in the approval of the PC Zone Plan shall confer a vested right to proceed with the development process established in this chapter for the property(s) included within the applicable PC Zone, including the number of dwelling units and the square footage of nonresidential uses reflected in the approved PC Zone.

(C) <u>Development Agreement</u>

Following approval of the PC Zone Plan and the Community Structure Plan, a Development Agreement shall be prepared as a legal contract between San Juan County and the individual or entity that owns or controls the subject property, detailing the obligations of both parties, specifying the standards and conditions that will govern development of the property, and describing the vested interests of both parties.

(D) <u>Project Plan/Subdivision Plat</u>

Upon approval of the PC Zone Plan, Community Structure Plan and Development Agreement, a Project Plan shall be submitted for review that outlines project specific standards (Project Specific Standards) establishing in substantial detail the character and nature of the design of public and private improvements within the area covered by the applicable Project Plan for the applicable portion of the PC Zone covered by the Project Plan. The purpose of the Project Plan is to allow for the creation and approval of a fully-integrated development plan for a specifically identified portion of land within the applicable PC Zone.

A Project Plan should include vertical and horizontal mixtures of uses on one or more proposed lots, parcels or units located within the boundaries of the proposed Project Plan. Therefore, the Project Plan may include one or more Subdivision Plats and Site Plans and may identify a combination of proposed subdivisions and/or condominium projects, one or more of which may be submitted concurrently for review and approval with the Project Plan. The Project Plan shall be reviewed by the Staff prior to submittal to the Planning Commission for approval.

A Subdivision Plat may include a variety of land uses including condominium projects. Each Subdivision Plat submitted shall be reviewed by the Staff prior to submittal to the Planning Commission for approval. Subdivision Plats (preliminary and final) shall be submitted and approved in accordance with San Juan County Code requirements.

Application and approval of a preliminary or final Subdivision Plat may occur before submission of a Project Plan provided Project Specific Standards are submitted and approved contemporaneously with such Subdivision Plat application and approvals; and provided, further, that the Project Specific Standards and Subdivision Plat will ultimately be incorporated into an approved Project Plan. The preliminary and final plats shall conform to the applicable CSP standards as well as all applicable Project Specific Standards, including any supplemental Project Specific Standards proposed and approved by the Planning Commission in connection with the applicable final plat.

(E) <u>Site Plan Review</u>

Site plans (Site Plans) may be reviewed concurrently with a Project Plan or Subdivision Plat. Any proposed commercial, office, industrial, multi-family residential, open space, parks, or institutional developments and alterations to existing developments shall be located on legal lots of record created by metes and bounds conveyance with the approval of the Staff or pursuant to Subdivision Plats and shall meet the Site Plan review requirements. All San Juan County Spanish Valley Development Ordinances and requirements shall be met in preparing Site Plan applications and in designing and constructing the development. Where applicable, building permits may not be obtained nor shall any site work be performed prior to Site Plan approval.

Development Standards

(A) Open Space and Common Areas

Open Space includes common areas, parks, trails, natural areas and/or farmland that provide and preserve recreational, agricultural, or other similar uses in the PC Zone as approved by the Planning Commission. Common areas include landscaped areas (including landscaping around schools and other civic buildings), athletic fields, parks, natural open spaces and trail corridors, gathering places such as plazas, commons, exterior courtyards, public recreational facilities, landscaped medians or park strips that exceed standards, but do not include landscaped areas contained within the Spanish Valley public street cross sections. The applicable CSP Standards and Project Specific Standards shall govern the use and character of the Open Spaces, including common areas. Each PC Zone shall contain a minimum of 25 percent of the gross acreage in Open Spaces. These areas shall be designated in the applicable Project Plan and separately identified on any applicable final Subdivision Plat or Site Plan. Open Space recorded as a lot or lots in subdivisions or as common area in condominium plats and shall be maintained with open space or conservation easements or such other arrangement as is approved by the Planning Commission in connection with Project Plan or subdivision or condominium approval.

(B) Yard Requirements

Yard requirements shall be determined and governed by the applicable Project Specific Standards established pursuant to the requirements of this Chapter. The following minimum requirements shall apply in the PC Zone:

1. Minimum yard areas shall be measured from the front, side and rear lines of lots, condominium private ownership yard areas (where building footprint is not recorded) or from accesses, driveways, or streets (where no property lines or private ownership yard areas exist).
2. Buildings may not be located within a public right of way or utility easement.

(C) Fencing, screening, maintaining clear vision along roadways

Fencing, screening and clear vision requirements shall be determined and governed by the applicable Project Specific Standards established pursuant to the requirements of this Chapter. The following requirements shall apply in the PC Zone:

1. All mechanical equipment, antennas, loading and utility areas, and trash receptacles shall be screened from street view with architectural features or walls consistent with materials used in the associated buildings as more specifically set forth in the applicable Project Specific Standards.
2. Fences and landscape materials, except for mature trees which are pruned at least 7 feet above the ground, shall not exceed 4 feet in height within a 30-foot triangular area formed by the edge of a driveway and the street right-of-way line or within a 30-foot triangular area formed by the right-of-way lines of intersecting streets.

(D) Architectural standards

Architectural requirements shall be determined and governed by the Project Specific Standards established pursuant to the requirements of this Chapter. The following architectural standards and requirements shall apply in the PC Zone.

1. Architectural design of buildings and building materials shall be established in the Project Specific Standards.
2. All building materials shall be high quality, durable, and low maintenance.
3. The applicable Project Specific Standards shall address exterior relief of buildings, design of all sides of buildings, and architectural compatibility of buildings.
4. Maximum building heights shall be three stories or 35 feet.

(E) Landscaping requirements

Landscaping requirements shall be determined and governed by the applicable Project Specific Standards established pursuant to the requirements of this Chapter. The following landscaping requirements shall apply in the PC Zone.

1. Water-wise landscaping as detailed in the proposed Spanish Valley Water Efficient Landscape ordinance will be required to ensure that the limited water resources available in the region are used wisely and conserved. Specific water-wise landscaping standards which apply to the Spanish Valley Area Plan shall be required.
2. The applicable Project Specific Standards shall address the landscaping and proper maintenance of required front, side, and rear yards of lots and private ownership areas in the PC Zone.
3. All areas of lots and parcels in the PC Zone not designated for open space, parking, buildings, or other hard surfacing shall be landscaped and properly maintained.
4. Designated open space shall remain in a natural condition, cultivated or landscaped, as applicable, and properly maintained in accordance with the proposed Spanish Valley Water Efficient Landscape ordinance. The PC Zone shall be landscaped and properly irrigated and maintained by the applicable property owners in the PC Zone unless otherwise approved by San Juan County. All park strip areas shall be installed by the developer and properly maintained by the applicable property owners in the PC Zone. A plan for funding of on-going maintenance of street landscaping by the property owners shall be presented for approval by Staff at the time of Site Plan approval.

(F) Lighting

Lighting requirements shall be determined and governed by the ~~proposed~~ Spanish Valley Outdoor Lighting and Sign Illumination Requirements.

(G) Other Requirements

The following requirements shall apply in the PC Zone.

1. All development areas shall be graded according to San Juan County Code requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
2. Incorporation of Low Impact Design (LID) storm water practices shall be required wherever possible.
3. The applicable owners shall properly maintain all private areas of individual lots or parcels.
4. The specific requirements of this Chapter may be modified as the County Commission deems appropriate pursuant to the terms of the applicable development agreement.
5. All common area improvements including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, street lights, and signs not specifically dedicated to or accepted for ownership or maintenance by San Juan County shall be perpetually maintained by the applicable owners or their agents through a special taxing district, homeowners association with power to assess and collect fees for maintenance, or other assessment and maintenance mechanisms acceptable to the County Commission.
6. Improvements for which San Juan County agrees to accept maintenance responsibility shall be reviewed by the applicable service provider for compliance with adopted standards prior to approval.

Development Agreement

In conjunction with the approval of a PC Zone Plan, Community Structure Plan, and Project Plan, the developer and/or landowner and San Juan County Commission shall enter into one or more Development Agreement(s) reflecting all conditions of approval and terms of the applicable CSP and such other matters as the County Commission and developer/landowner may agree.

The County Commission chair shall sign all Development Agreements and shall only approve the Development Agreement associated with the applicable CSP. Without regard to future amendments, additions or changes to this Ordinance, the County Commission may agree, in such Development Agreements, that the developer/landowner may advance development applications for projects within the applicable CSP pursuant to the planning and approval processes set forth in this chapter, or such other process as is specifically agreed upon pursuant to a Development Agreement approved by the County Commission. Such Development Agreement(s) may further identify a process for approving amendments to an approved PC Zone Plan, CSP, Project Plan, Subdivision Plat or Site Plan, which shall be approved by the County Commission to the extent such a process differs from San Juan County Zoning Code.

Chapter 3: Spanish Valley Residential Flex Planned Community (RF) District

An ordinance clarifying the specific uses and relationships between uses within the *Residential Flex Planned Community* (RF) *District* (RF Zone). The requirements for a Large Planned Community development detailed for the PC Zone shall otherwise apply. See proposed Spanish Valley Zoning Map for applicable locations.

Permitted Uses
A range of residential and housing are the primary uses permitted in this district. Other uses including parks, open space, commercial, business and similar uses shall be permitted within and in proximity to the large gravel pit(s) located in this area, once extraction operations are complete and site mitigation efforts are underway. All development should be planned as part of large-scale and coordinated design and planning efforts. A wide-range of residential uses, including single-family, multi-family, townhomes, employee housing and similar uses may be included as part of mixed-use, transitional development.

Conditional Uses
None

Uses Subject to the Spanish Valley Overnight Accommodations Overlay

- Hotels and Motels
- Commercial Condominiums for short-term rentals
- Bed and Breakfasts (B&Bs), lodges and resorts
- Commercial campgrounds
- All other variations of overnight accommodations intended for nightly rentals[1]

Development Standards
The following development standards shall apply in addition to and/or in conjunction with the standards established for Planned Community (PC) developments:

1. No non-residential uses within the RF Zone shall be permitted within 100' of an adjacent residential district boundary or an existing residential use. Residential uses within the RF Zone should be designed and located as transitions to adjacent to nearby residential neighborhoods and uses.

2. Maximum height should be a maximum of three stories or 35 feet to help preserve views.

3. ~~A minimum 50-foot buffer shall be provided between Residential Flex uses and the top of bank for the Pack Creek drainage; a minimum buffer of 25 feet shall be provided~~

[1] *Ibid*.

~~between Residential Flex uses and the top of bank of all other streams, creeks, canals and drainages.~~

Chapter 4: Spanish Valley Business Flex Planned Community (BF) District

An ordinance clarifying the specific uses and relationships of uses within the *Business Flex Planned Community (BF) District (BF Zone)*. Unless specifically mentioned in this chapter, the requirements for Planned Community development detailed for the PC Zone shall apply. See proposed Spanish Valley Zoning Map for applicable locations.

Permitted Uses
A wide-range of business operations shall be the primary uses. These shall include business parks, large-format commercial and office uses, ancillary and support uses and smaller-scale commercial uses as appropriate. A range of residential uses, including employee housing, short-term visitor housing and similar specialty residential uses may be included as part of large-scale, coordinated and flexible business-centric developments within the BF Zone.

Conditional Uses
None.

Uses Subject to the Spanish Valley Overnight Accommodations Overlay

- Hotels and Motels
- Commercial Condominiums for short-term rentals
- Bed and Breakfasts (B&Bs), lodges and resorts
- Commercial campgrounds for motorized and/or non-motorized users
- All other variations of overnight accommodations intended for nightly rentals[2]

Development Standards
The following development standards shall apply in addition to and/or in conjunction with the standards established for Planned Community developments:

1. No business or commercial uses shall be permitted within 500 feet of an adjacent residential district. Residential uses are permitted throughout the BF District but should be concentrated in the eastern extents of the area to provide transitions with nearby and adjacent residential neighborhoods and uses.

2. Maximum building height should generally be a maximum of three stories or 35 feet. This will help preserve views and reduce the visual impact of BF Zone development.

3. ~~A minimum 50-foot buffer shall be provided between Business Flex uses and the top of bank for the Pack Creek drainage; a minimum buffer of 25 feet shall be provided between Business Flex uses and top of bank for smaller drainages.~~

[2] *Overnight rentals in residential neighborhoods and other zones of the Spanish Valley Zoning Map are addressed in separate San Juan County ordinances.*

4. ~~One truck stop is~~ Truck stops are ~~specifically~~ permitted as ~~a~~ conditional uses in the~~is~~ Business Flex district south of Pack Creek Cutoff Road. No residential use shall be permitted within 500 feet of such ~~this~~ use. Specific site development and environmental controls shall be established as part of approving the preliminary and final plat plan, with a requirement of protecting the health, safety and welfare of the community.

Chapter 5: Spanish Valley Highway Flex Planned Community (HF) District

An ordinance clarifying the specific uses and relationships of uses within the *Highway Flex Planned Community (HF) District* (HF Zone). Unless specifically mentioned in this chapter, the requirements for a Large Planned Community development detailed for the PC Zone shall otherwise apply. See proposed Spanish Valley Zoning Map for applicable locations.

Permitted Uses
The wide range of commercial uses detailed in the Highway Commercial Zone shall apply. These uses shall primarily be developed as part of large-scale, coordinated and flexible commercial-centric developments. A wide-range of residential uses, including employee housing, short-term visitor housing, and similar uses may be included as part of large-scale, coordinated and flexible commercial-centric developments.

Conditional Uses
None.

Uses Subject to the Spanish Valley Overnight Accommodations Overlay

- Hotels and Motels
- Commercial Condominiums for short-term rentals
- Bed and Breakfasts (B&Bs), lodges and resorts
- Commercial campgrounds
- All other variations of overnight accommodations intended for nightly rentals[3]

Development Standards
The following development standards shall apply in addition to and/or in conjunction with the standards established for Highway Commercial District:

No Highway Flex uses shall be permitted within 500 feet of an adjacent residential district unless U.S. Highway 191 separates the two uses.

1. Residential uses should generally be concentrated in discrete rincons/alcoves lo0cated along the cliff slopes on the west side of U.S. Highway 191 to separate those uses from other uses in the HF Zone.
2. Maximum building height should generally be a maximum of three stories or 35 feet to help preserve views.
3. ~~A minimum 50-foot buffer shall be provided between Highway Flex uses and the top of bank for the Pack Creek drainage; a minimum buffer of 25 feet shall be provided between Highway Flex uses and top of bank for smaller drainages.~~

[3] *Ibid.*

Chapter 6: Spanish Valley Highway Commercial (HC) District

An ordinance creating the *Spanish Valley Highway Commercial* (HC) *District* (HC Zone) of the San Juan County Zoning Ordinance for the purpose of controlling development in the non-federal lands in the Spanish Valley within San Juan County. See the proposed Spanish Valley Zoning Map for applicable locations and the Land Use Plan in the *San Juan County Spanish Valley Area Plan* (adopted April 17, 2018) for a general description.

Purpose
Uses
Conditional Uses
Special Provisions
Signs
Constrained Lands
District Standards
Subdivision Standards
Streets
Sidewalks and Trails
Easements
Drainage
Water Supply
Signs

Purpose
To provide a district where highway commercial uses along U.S. Highway 191 are permitted, as supported in the *San Juan County Spanish Valley Area Plan (2018) and San Juan County General Plan (2018).* Specific uses should include establishments offering goods and services to motorists, and provide for non-pedestrian-oriented retail, wholesale, service and repair activities which do not contribute to the creation of unattractive, congested and unsafe highway conditions, with access provided primarily from driveways linking to east/west arterial roads linked to U.S. Highway 191, from UDOT-approved access driveways on U.S. Highway 191 in the short-term and via anticipated frontage roads along U.S. Highway 191 in the long-term.

Permitted Uses
The following is a list of typical permitted uses. The list is not exclusive. Any use not specifically listed but determined by the Planning Commission to be similar in purpose, intent or use shall be permitted.

- Banks and other financial institutions including savings, loan, and finance/mortgage institutions
- Barber shops, beauty shops and other personal service uses
- New and used automobile sales and rentals

- Hotels, motels, commercial condos, bed and breakfasts (B&Bs), commercial campgrounds and all other variations of overnight accommodations intended for nightly rentals under 40,000 square feet structure and maximum ten acre site
- Drive-in or drive-through uses
- Automobile fuel sales and associated convenience stores
- Automobile service stations including minor and major auto repair work, providing all repair work is conducted wholly within a completely enclosed building.
- Auto accessories, farm machinery and equipment sales
- Nurseries and greenhouses
- Mobile home sales
- Restaurants
- Groceries/ Supermarkets
- Live/work units
- General Retail/Services
- Movie theaters and similar entertainment uses
- Bowling alleys and other commercial recreation facilities
- Accessory buildings and uses
- New and used boat and other marine or sport equipment sales and service,
- Customary accessory buildings and uses
- Enclosed storage, flex-office and similar uses
- Governmental facilities
- Commercial, civic, institutional and business campuses
- Electric vehicle charging stations, including but not limited to EV charging station, rapid charging station, battery exchange stations
- Bus terminals
- Day care centers, nursing or convalescent homes, and health care facilities
- Retail sales and services such as building materials, hardware and farm supply outlets
- Offices and related business activities
- Residential units above the first floor of primary uses (owner occupied or long-term lease/rental only)

Conditional Uses

- Any use encompassing buildings or structures in excess of 40,000 square feet
- Any project in excess of 10-acres
- Hotels, motels, commercial condos, bed and breakfasts (B&Bs), commercial campgrounds and all other variations of overnight accommodations intended for nightly rentals exceeding 40,000 square feet structure and ten acre site
- Small-scale, local retail and service businesses such as, cafes, green grocers, day care centers, boutiques, dry cleaners and similar goods and services
    - Shall only be permitted as clustered, pre-designed centers that area minimum of three -acres in extent with limited and controlled access points from the adjacent street, coordinated and shared parking, etc.

- Truck stops shall be considered as conditional uses for the portion of the HC Highway Commercial District south of Ken's Lake Cutoff Road only. No residential uses shall be permitted within 500 feet of this segment of the BF Zone.~~, and no more than one truck stop shall be permitted within the BF Zone~~. Specific site development and environmental controls shall be established as part of the conditional use, preliminary plat and final plat approval process, with a focus on protecting the health, safety and welfare of the nearby residents and the community as a whole. All local, county, state and federal laws shall be considered as part of such review. ~~No more than one truck stop may be located along US 191 within the San Juan County portion of the Spanish Valley.~~

Uses Subject to the Spanish Valley Overnight Accommodations Overlay[4]

- Hotels and Motels
- Commercial Condominiums for short-term rentals
- Bed and Breakfasts (B&Bs), lodges and resorts
- Commercial campgrounds
- All other variations of overnight accommodations intended for nightly rentals

Special Provisions

- Applications for conditional uses are required to provide detailed site plan drawings (Site Plan) of their proposed use as follows:
  - Format size not less than 8-1/2" x 11" or greater than 24" x 36".
  - Precise dimension at a standard scale.
  - Location of all existing structures and improvements (buildings, roads, fences, ditches and canals, utility systems) and other information as required by Planning Commission.
  - Proposed methods of providing utility needs including water, sewer, electrical, and fuel services, vehicular access and parking, and appropriate methods for dealing with any special site problems such as storm water drainage.
- No buildings used for commercial or industrial purposes shall be erected within 50 feet of an existing residential building or a residential district boundary. Buildings used for commercial and industrial purposes that are located within 100 feet of a residential district boundary shall not exceed the height limitations of the corresponding residential district.
- All Highway Commercial uses must have direct frontage and/or a physical parcel connection by street to U.S. Highway 191. Sites lacking such relationships will be limited to uses and development conditions of the adjacent Spanish Valley Residential District.

Lot Design Standards

All development in the HC Zone shall be subject to the following lot design standards, which generally allow for a variety of uses and building types while maintaining the overall character

[4] *Ibid.*

of a highway commercial district. This approach promotes better site layout and development relationships that match existing and proposed infrastructure investments.

Minimum Requirements

Every building erected or installed must be located on, and every plat submitted for approval must show, a lot or building parcel that meets the minimum requirements of at least one use permitted under this chapter, based on underlying zoning and subdivision type. No minimum lot size is required in the highway commercial district.

Every building and lot must have direct access to a public street or frontage road. All structures must be located on lots or parcels that provide safe and convenient access for servicing, fire protection and required on-site parking. No lot shall be approved that does not meet the minimum lot area requirements of this chapter except in the following cases:

1. Nonconforming lots
2. Public Utilities

The uses and densities listed in this chapter are allowed by right unless otherwise expressly stated. Each project must comply with all of the applicable development standards of this chapter.

Constrained Lands

Constrained lands include lands with natural slopes greater than 30 percent, jurisdictional wetlands, lands in the 100-year floodplain, public drinking water supply sources (recharge areas for wells and aquifers), lands affected by unmitigable geo-hazards, riparian habitats, and archeological sites.

Constrained lands in all HC Zone developments shall be identified on plats and remain unoccupied by buildings or impervious surfaces.

Land Suitability

Land deemed to be environmentally unsuitable shall not be platted for residential occupancy, or for such other commercial or industrial uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be restricted for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsafe living conditions.

The County shall not approve the subdivision of land if it is determined that the site is not suitable for platting and development purposes.

District Standards

For all principal structures in the HC Zone, the front yard, side and rear yards facing the highway, other streets and within 25 feet of a residential use or residential district shall be

landscaped in accordance with the requirements of the Water Efficient Landscape chapter (Chapter 7) of the San Juan County Land Use Ordinance.

Subdivision Standards

Applicability

All plats and subdivision of land within the HC Zone shall conform to the following rules and regulations.

Lot Configuration

The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated and shall not be less than those specified as minimum standards by the HC Zone. The depth and width of properties shall be adequate to provide for the off-street service, parking facilities and fire/safety requirements required in the San Juan County Zoning Ordinance.

Side Lot Lines

Side lot lines shall be substantially at right angles to street lines unless otherwise approved by the Planning Commission.

Street Frontage Required

Each new lot or building tract shall front upon a public street.

Double Frontage Lots

Double frontage lots shall be avoided, except where essential to provide separation from traffic or to overcome specific disadvantages of topography and orientation.

Flag Lots

Flag-shaped or panhandle shaped lots may be created if all of the following requirements are met:

1. The lot provides access to a residential or agricultural use.
2. The lot has at least 20 feet of frontage on a dedicated public street, which frontage served as access only to the subject lot or parcel.
3. The "handle" portion of the lot is at least 20 feet in width, and not more than 250 feet in length.
4. The body of the lot meets the lot area and lot width and setback requirements of the applicable TYPE.

Large Lots

Where the area is divided into larger lots than for normal San Juan County building sites and, in the opinion of the Planning Commission, any or all of the tracts are susceptible to being re-subdivided, the original subdivision shall be such that the alignment of future street dedications may conform to the general street layout in the surrounding area and so

that the larger tracts may be later subdivided in conformance with the requirements of this chapter and the minimum standards specified by the applicable zoning district.

Streets

Applicability

All developers shall be required to construct streets in accordance with requirements of the San Juan County Code requirements.

Street Layout

Unless otherwise approved by the Planning Commission, provisions shall be made for the extension of streets. All streets shall bear a logical relationship to the topography and to the location of existing or planned streets on adjacent properties. Adequate local streets shall be provided to accommodate the subdivision and provide access to lots. The arrangement of streets in a subdivision shall either:

1. Provide for the continuation or appropriate projection to existing principal streets in surrounding areas; or
2. Conform to a plan for a neighborhood or planned unit development approved by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable or where neighborhood design makes a varied plan appropriate.

Street Connections

The system of streets designated for a subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivision(s); and where no adjacent connections are platted, must in general be the reasonable projection of streets in the nearest subdivided tracts, and must be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. Reserve strips of land controlling access to or egress from other property or to or from any street or alley or having the effect of restricting or damaging the adjoining property for subdivision purposes shall not be permitted in any subdivision unless such reserve strips are conveyed to San Juan County in fee simple.

Half Right-of-Way (R.O.W.)

Half streets shall be prohibited except where essential to the reasonable development of the subdivision and where the Planning Commission finds it will be practicable to require the dedication for the other half of a street when adjoining property is subdivided.

Street Intersections

More than two streets intersecting at a point shall be avoided, except where it is impractical to secure a proper street system otherwise. Intersections shall be as near 90 degrees as possible and in no cases shall the intersection angle being less than 60 degrees.

Street Jogs

Non-intersecting streets with centerline offset of less than 125 feet shall not be approved.

Dead-End Streets
Dead-end streets, except for cul-de-sacs, shall be prohibited unless they are designed to connect with future streets on adjacent lands that have not been platted. In cases where these types of dead-end streets are allowed, a temporary turnaround with a minimum radius of 100 feet shall be constructed.

Cul-de-sacs
Cul-de-sacs shall meet the San Juan County Zoning Ordinance requirements. Ordinarily, cul-de-sacs are discouraged as they do not result in a continuity of existing streets or streets pattern and may be used only where unusual drainage or land ownership configurations exist that make other designs impractical.

Highway Access Permit
A Highway Access Permit must be approved by the Utah Department of Transportation (UDOT) for each new property or subdivision with direct access to a federal or state highway. Turn lanes, frontage road(s), curb and gutter may be required along the entire highway frontage if required by UDOT.

Street Design Standards
Street and alley widths, curves, grades design speed and centerline radius shall meet San Juan County Zoning Ordinance requirements.

Street Names and Numbers
All street names shall be as established subject to approval of San Juan County Zoning Ordinance requirements. When new streets are in alignment with existing streets, any new streets shall be named according to the existing streets with which they correspond. Streets which do not fit into an established street-naming pattern shall be named in a manner which will not duplicate or be confused with existing streets within the Spanish Valley Area Plan or its environs.

Street lighting
Street Lighting shall conform to San Juan County Zoning Ordinance requirements. The developer shall pay the costs of purchasing and installing all street lighting equipment. Street lighting design plans shall be subject to the approval of the County Engineer. The type of equipment, method of installation and location of the wiring and light poles shall meet the minimum standards and requirements of the electric company from which electricity is to be purchased. All intersections with a major collector street shall have at least one streetlight.

Sidewalks and Trails

Applicability

This section is intended to ensure adequate pedestrian access is available to serve uses that need and benefit from such access. If a builder or property owner believes that a proposed use does not need or benefit from pedestrian access, a written request for interpretation may be submitted to the Zoning Administrator describing the use and explaining why pedestrian access should not be required as a condition of the building permit for the proposed use.

Trails

Trails shall be designed as single track and multi-use trails depending on the specific need and conform to the standards in Table 6-1.

Table 6-1
Trail Design Standards

	Cross-Slope Range	Min. Trail Width	Min. R.O.W. Width	Clearing		Preferred Surface Materials			
				horizontal	vertical	natural	crushed stone	asphalt	concrete
Single-track Trails	0-20%	3'	6’	1.5’ each side of trail	10'	Yes	Yes	No	No
Multi-use Trails	0-10%	12'	15’	1.5’ each side of trail	10'	Yes	Yes	Yes	Yes

Easements

Utility Easements Required

Utility easements shall be required unless otherwise approved by the Planning Commission and in commercial and industrial districts.

Minimum Width

The minimum rights-of-way width of each utility easement shall be 5 feet or as otherwise provided according to San Juan County Zoning Ordinance requirements.

Fire Lanes and Emergency Access Easements

Fire lanes and emergency access easements shall be provided according to San Juan County Zoning Ordinance requirements

Drainage Easements

When a proposed subdivision is traversed by an irrigation ditch or channel, natural creek or stream or a proposed drainage easement, an easement shall be provided sufficient for drainage and to allow for maintenance of the drainage system.

Trail Easements

When a proposed subdivision is traversed by a public trail shown on an adopted plan or when the Planning Commission finds that a trail easement can better serve the proposed development than a sidewalk, a minimum 15-foot wide easement shall be provided sufficient for public trail construction, maintenance and access purposes.

Adjoining Areas
When easements in areas adjoining proposed subdivisions are necessary to provide adequate drainage thereof or to serve such subdivisions with utilities, the developer shall obtain such easements.

Drainage

Applicability
Applicants shall provide, at applicant's expense, drainage structures in accordance with the requirements of the San Juan County Zoning Ordinance requirements, which will become integral parts of the existing street or roadway drainage system. The dimensions of all drainage structures must meet San Juan County Zoning Ordinance requirements. Design shall be based on environmentally sound site planning and engineering techniques.

It is especially critical that storm water management systems be designed for an entire drainage basin rather than just for specific sites. If improvements are identified and necessary downstream of the proposed development and no approved capital improvement plan exists to address the necessary improvement, the applicant shall be required to demonstrate that such existing drainage features are adequate to serve the applicant's anticipated development and to protect the public health, safety, and general welfare at full build out under existing zoning. Where such demonstration is not made, the applicant shall be required to install such necessary improvements and may seek pro-rata reimbursement from future downstream development.

Minimum Standards

A. Natural and Historic Drainage Ways
All historic flood and drainage ways shall be protected from alteration such that their primary function as storm water facilities shall be upheld.

B. 100-Year Storm
All drainage and flood control facilities shall be designed to handle the calculated difference between historic flows and the anticipated post-development 100-year frequency storms for maximum period of intensity over the entire drainage basin which the subdivision serves. The "100-year storm" referred to herein shall mean that storm run-off is calculated on the basis of a fully developed watershed.

C. Erosion
Where free fall of water occurs, satisfactory means shall be provided to prevent erosion of soil. Where required, culvers shall have concrete head walls and wing walls.

D. Catch Basins

Catch basins shall be constructed in accordance with the San Juan County Zoning Ordinance requirements.

E. Engineered Design

All drainage shall be designed by a Utah licensed professional engineer and approved according to San Juan County Zoning Ordinance requirements.

Water Supply

General

New development shall provide water supply that is sufficient in terms of quality, quantity and dependability for the proposed development. In making its determination as to whether the proposed water supply meets this standard, the decision-making body shall give substantial weight to the recommendations of state, County and applicable service district authorities and their associated standards. All water systems shall be provided by or through approved water and sewer service agencies and meet all applicable requirements of the San Juan County Zoning Ordinance requirements.

Municipal and District Water Systems

If all or part of a proposed development is within the jurisdiction of an approved public water system, then the applicant must obtain a written certification from the public water service provider stating that it is able to provide an adequate supply of drinking water with adequate quantity, quality and sufficient pressure to meet the needs of the proposed development based on the projected water usage of the development. Individual or common wells or other private water systems shall be permitted only when the subdivision boundary is outside the jurisdiction of an approved public water system able to serve the development.

Signs

See Spanish Valley US-191 Highway Commercial Sign Requirements (Chapter 9)

Chapter 7: Spanish Valley Water Efficient Landscape Requirements

An ordinance establishing minimum water efficient landscape requirements for the non-federal lands in the Spanish Valley within San Juan County. See Land Use Plan on page 28 of the *San Juan County Spanish Valley Area Plan* (adopted April 17, 2018) for a map and general description.

Purpose
Definitions
Applicability of Water Efficient Landscape Ordinance
Landscape Design Standards
Irrigation Design Standards
Landscapes in New Single-family Residential Developments
Prohibition on Restrictive Covenants Requiring Turf
Landscapes in Commercial, Flex and Civic/Institutional Developments
Projects
Plan Review and Construction Inspection for Commercial, Industrial, and Institutional Projects

Purpose
The purpose of this ordinance is to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by reducing water waste and establishing a structure for designing, installing and maintaining water efficient landscapes in the San Juan County Spanish Valley.

Definitions
The following definitions shall apply to this ordinance:

Bubbler: An irrigation head that delivers water to the root zone by “flooding” the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.

Check Valve: A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow.

Controller: A device used in irrigation systems to automatically control when and how long sprinklers or drip systems operate.

Drip Emitter: Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.

Grading Plan: The Grading Plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscaped area.

Ground Cover: Material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.

Hardscape: Patios, decks and paths. Does not include driveways and sidewalks.

Irrigation Plan: The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention, precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.

Landscape Architect: A person who holds a professional license to practice landscape architecture in the state of Utah. Only a Landscape Architect can legally create commercial landscape plans.

Landscape Designer: A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.

Landscape Plan Documentation Package: The preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this ordinance. The Landscape Plan Documentation Package shall include a project data sheet, a Planting Plan, an Irrigation Plan, and a Grading Plan.

Landscape Zone: A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.

Landscaping: Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor artwork, screen walls, fences or benches.

Mulch: Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Planting Plan: A Planting Plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.

Pop-up Spray Head: A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

Precipitation Rate: The depth of water applied to a given area, usually measured in inches per hour.

Pressure Regulating Valve: A valve installed in an irrigation mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.

Pressure Compensating: A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

Rotor Spray Head: A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.

Runoff: Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

Spray Sprinkler: An irrigation head that sprays water through a nozzle.

Stream Sprinkler: An irrigation head that projects water through a gear rotor in single or multiple streams.

Turf: A surface layer of earth containing mowed grass with its roots.

Water-Conserving Plant: A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.

Applicability of Water Efficient Landscape Ordinance

The provisions of this ordinance shall apply to all new and rehabilitated landscapes for public agency projects, private development projects, developer-installed landscape projects in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings.

Landscape Design Standards

A. Plant Selection. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible.
    1. Areas with slopes greater than 30% shall be landscaped with deep-rooting, water- conserving plants for erosion control and soil stabilization.
    2. Park strips and other landscaped areas less than eight (8) feet wide shall be landscaped with water-conserving plants, that do not include turf.
B. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum four (4) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
C. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soil conditions.
D. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:
    1. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
    2. Low-growing trees shall be selected for spaces under utility wires;
    3. Select trees from which lower branches can be trimmed in order to maintain a healthy growth habit where vision clearance and natural surveillance is a

concern;

4. Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
5. Street trees shall be planted within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles; and
6. Trees less than a two-inch caliper shall be double-staked until the trees mature to a two-inch caliper.

Irrigation Design Standards

A. Pressure Regulation. A pressure regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds 80 pounds per square inch (psi). The pressure-regulating valve shall be located between the meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the sprinklers.
B. Irrigation Controller. Landscaped areas shall utilize a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
C. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.
D. Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the County due to the limited number of trees on the project site.
E. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas.
F. Pop-up spray heads shall be at a minimum of four (4) inches in height to clear turf.
G. Sprinklers shall have matched precipitation rates with each control valve circuit.
H. Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.
I. Check valves shall be required where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.
J. Filters and end flush valves shall be provided as necessary for drip irrigation lines.
K. Valves with spray or stream sprinklers shall be scheduled to operate between 6 p.m. and 10 a.m. to reduce water loss from wind and evaporation.
L. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.

Landscapes in New Single-family Residential Developments

A. Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall offer a water-efficient landscaping option to prospective home buyers. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 10% of the total landscaped area or 1,000 square feet, whichever is less.
B. Homebuilders and/or developers who construct model homes for a designated subdivision shall have at least one model home with water-efficient landscaping. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 10% of the total landscaped area or 1,000 square feet, whichever is less.
C. Model homes shall include an informational brochure on water-efficient landscaping.

Prohibition on Restrictive Covenants Requiring Turf

A. Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:
    1. Require the use of turf in landscape areas less than 8 feet wide or require turf in other areas that exceed 10% of the landscaped area; or
    2. Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or
    3. Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.

Landscapes in Commercial, Flex and Civic/Institutional Developments

Commercial, Flex and Civic/Institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 10% of the total landscaped area or 1,000 square feet, whichever is less, outside of active recreation areas such as playfields and sport fields.

Documentation for Commercial, Flex and Civic/Institutional Projects

Landscape Plan Documentation Package. A copy of a Landscape Plan Documentation Package shall be submitted to and approved by the County prior to the issue of any permit. A copy of the approved Landscape Plan Documentation Package shall be provided to the property owner or site manager and to the local retail water purveyor. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect and shall consist of the following items:

A. Project Data Sheet. The Project Data Sheet shall contain the following:
    1. Project name and address;
    2. Applicant or applicant agent's name, address, phone number, and email address;
    3. Landscape architect's name, address, phone number, and email address; and
    4. Landscape contractor's name, address, phone number and email address, if available at this time.

B. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:
    1. Location of all plant materials, a legend with botanical and common names, and size of plant materials;
    2. Property lines and street names;
    3. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
    4. Existing trees and plant materials to be removed or retained;
    5. Scale: graphic and written;
    6. Date of design;
    7. Designation of landscape zones, and
    8. Details and specifications for tree staking, soil preparation, and other planting work.
C. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
    1. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
    2. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
    3. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers, and
    4. Installation details for irrigation components.
D. Grading Plan. A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
    1. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements, and
    2. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.

Plan Review and Construction Inspection for Commercial, Industrial, and Institutional Projects

A. As part of the Building Permit approval process, a copy of the Landscape Plan Documentation Package shall be submitted to San Juan County staff for review and approval before construction begins.
B. All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
C. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the San Juan County Building Inspector to verify compliance with the approved landscape plans. The Certificate of Substantial Completion shall be completed by the property owner, contractor or landscape architect and submitted to the County.
D. San Juan County reserves the right to perform site inspections at any time before, during

or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.

Chapter 8: Outdoor Lighting and Sign Illumination Standards

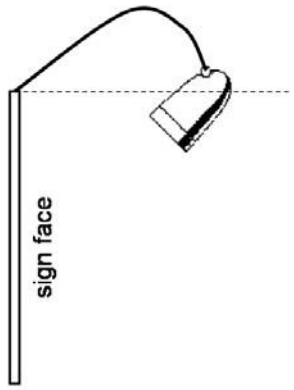
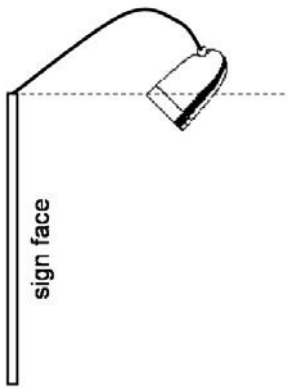
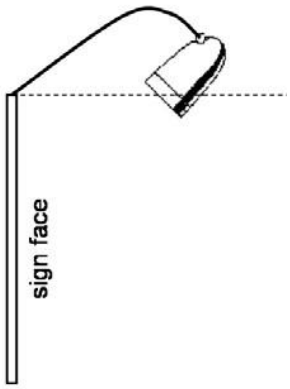
An ordinance establishing outdoor lighting and design Illumination standards in order to preserve highly-valued dark skies in the region. The ordinance applies to the non-federal lands located in the Spanish Valley within San Juan County. See Spanish Valley Zoning Map for the extents of applicability.

Permitted Signs Illumination
Scope and Applicability
Definitions
Fully Shielded Fixture Requirements
Total Light Output
Lighting Hours
Lighting Color
Specialized Outdoor Lighting Conditions and Standards
Application and Review Procedures
Amortization of Nonconforming Outdoor Lighting
Additional Images

Permitted Sign Illumination
Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property.

A. Standards for Externally Illuminated Signs:
   - Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
   - Lighting for externally illuminated signs must be mounted at the top of the sign (or within 2 feet of the top of a wall mounted sign), except for freestanding monument style signs which may be illuminated by ground mounted lighting.
   - Lighting shall consist of no more than four (4) individual fixtures (or lamps) per sign face and produce a maximum of 40,000 lumens per fixture.
   - All sign lighting shall be included in the calculation of total light output.
   - Table 8-1 shows permitted external sign lighting configurations.

Table 8-1

Permitted and Prohibited External Sign Lighting Configurations		
Allowed		Not Allowed
 Fully Shielded	 Fully Shielded	 Unshielded

B. Standards for Internally Illuminated Signs:
   - Only sign text areas and logos may be illuminated on an internally illuminated sign.
   - Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Non-text portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

C. Standards for Backlit Signs:
   - The light source shall not be visible.
   - Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a "halo" effect around sign copy are allowed.

D. Standards for Illuminated Window Signs
   - Businesses may display a maximum of two (2) illuminated window signs positioned to be primarily visible outside the business structure.
   - Illuminated window signs shall not exceed four (4) square feet in area.
   - Illuminated window signs shall not be illuminated when the business is closed.

Outdoor Lighting

A. Encourage outdoor lighting practices that will minimize light pollution, glare, light trespass and sky glow to curtail the degradation of the nighttime visual environment;
B. Prevent lighting nuisances on properties located in and adjacent to Grand County;
C. Promote energy conservation;
D. Improve night-time safety, utility, security, and productivity;
E. Develop an attractive nighttime appearance in the County;

F. Minimize lighting health risks arising from inappropriate quantities and qualities of lighting;
G. Prevent unnecessary or inappropriate outdoor lighting;
H. Minimize nighttime impacts on nocturnal wildlife;
I. Facilitate the economic development potential of astro-tourism, and the enhancement of the visitor experience in the Moab Area;
J. Maintain the rural atmosphere of the County; and
K. Encourage quality outdoor lighting through the use of efficient bulbs and light sources, fully shielded light fixtures, and limits on the location and uses of outdoor lighting.

Scope and Applicability

A. All lighting should be consistent with and promote the Purposes set forth in Section [6.6.1].
B. All exterior outdoor lighting installed after the effective date of this section in all zones in the County shall conform to the requirements established by this section. This Section does not apply to indoor lighting.
C. All existing outdoor lighting that does not meet the requirements of this Section and is not exempted by this Section shall be considered a nonconforming use or part of a nonconforming structure. ~~subject to the five (5) year amortization schedule outlined in Section [6.6.10(B)(3)] of this LUC.~~

Definitions

A. "Accent or Architectural Lighting" means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.
B. "Backlight" means all the light emanating behind a luminaire.
C. "B.U.G. Rating" means backlight, up-light, and glare rating, which exists on a scale of zero to five (0 to 5) and describes the light output of a luminaire.

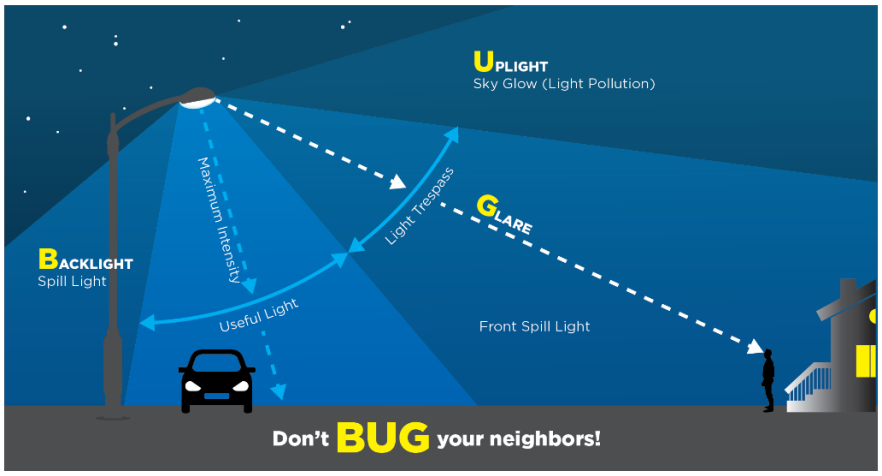


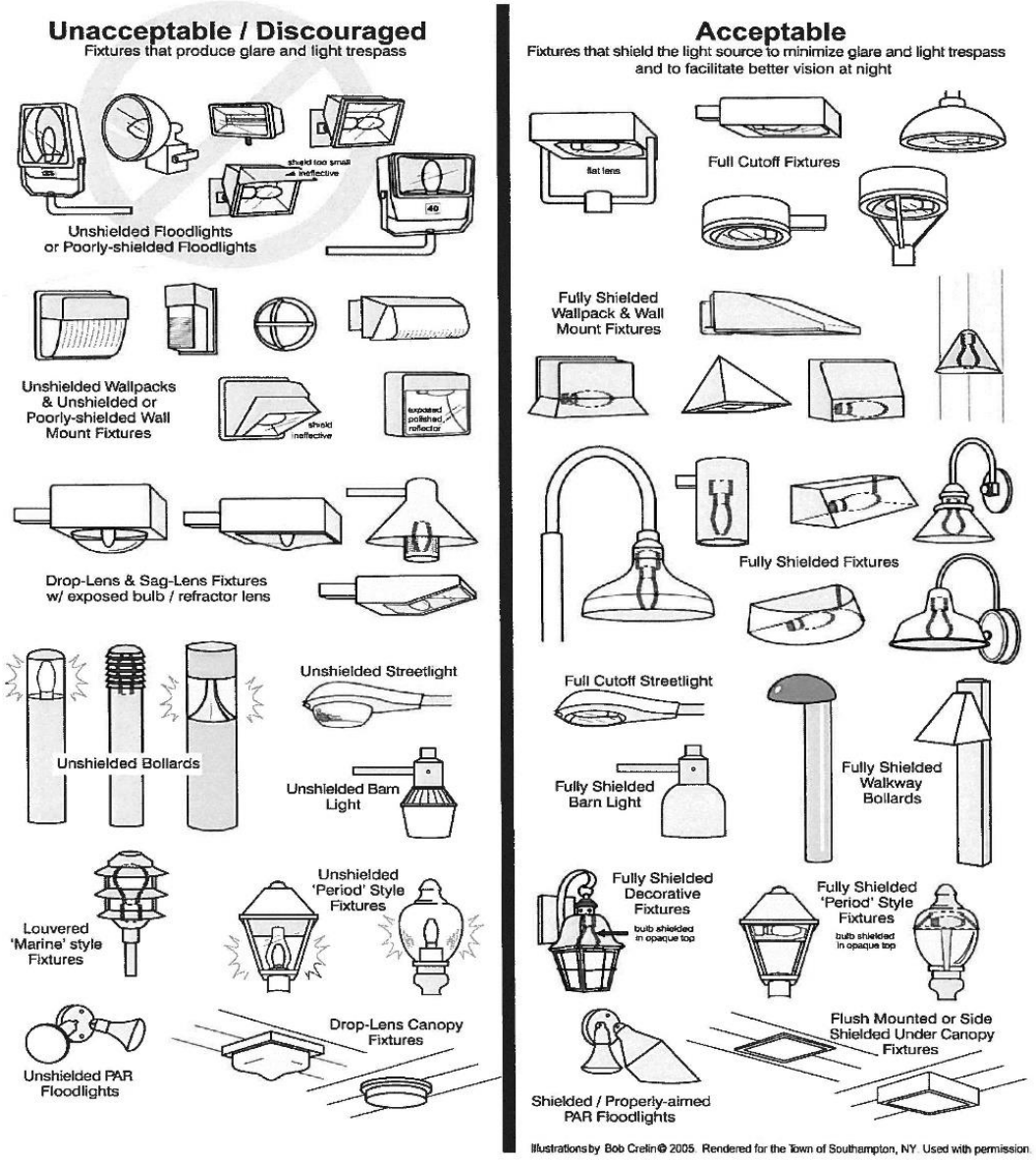
Image by City of Ft. Collins, Colorado (permission must be obtained)

D. “Correlated Color Temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below 3,000 K are usually considered “warm” sources, while those with a CCT above 3,000 K are usually considered “cool” in appearance.

E. “Direct Illumination” means illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.

F. “Fixture” means a complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.”

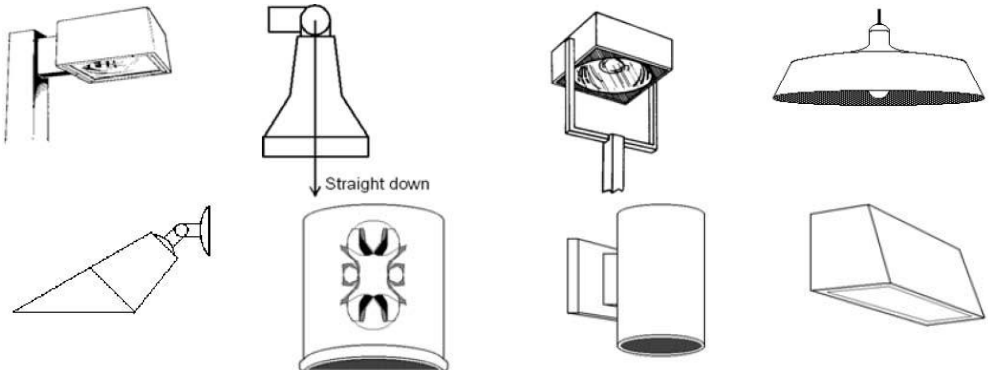
Examples of Acceptable / Unacceptable Lighting Fixtures



Used by premission

G. “Floodlight” means a fixture or bulb designed to “flood” an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

H. “Fully Shielded Fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero (0). Fully shielded light fixtures must be shielded in and of themselves. Surrounding structures, like canopies, are not to be considered when determining if the fixture is fully shielded. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal and all light is directed downward.



Examples of fully shielded light fixtures

I. “Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

J. “Internally Illuminated” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

K. “Light Pollution” means any adverse effect of manmade light. Often used to denote “sky glow” from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

L. “Light Source” means the part of a lighting fixture that produces light, e.g. the bulb, lamp, or chips on board.

M. “Light Trespass” means any light that falls beyond the legal boundaries of the property it is intended to illuminate.

N. “Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equals brighter light).

Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

Common relationships between bulb types, wattages and lumen levels

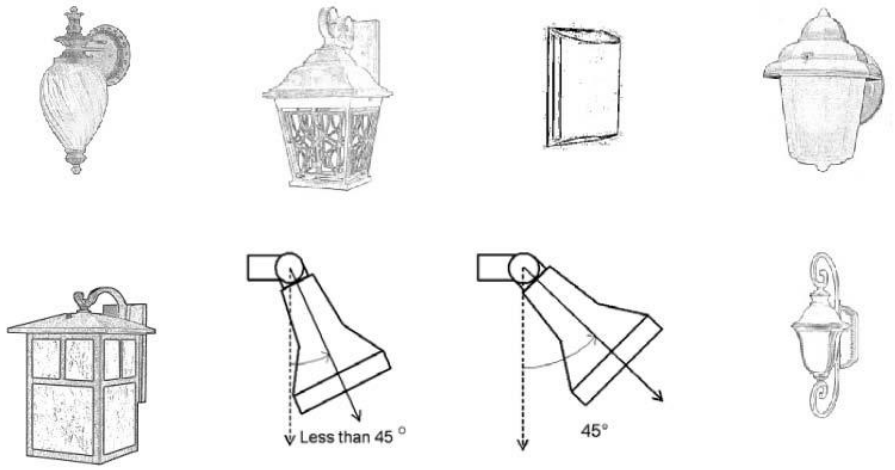
O. “Luminaire” means the same as “fixture.”

P. “Manufacturer's Catalog Cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

Q. “Developed Acre” means the proportionate amount of an acre (43,560 square feet) of land that is converted from raw, undeveloped land into land associated with the permitted principal and accessory uses occurring on a parcel. This includes building footprints, private roads, parking lot surface areas, designated recreational areas, walking paths, stormwater detention and retention facilities, and other lands clearly related to the permitted uses on a parcel. Present and future public rights-of-way, lands with natural slopes greater than 30 percent, jurisdictional wetlands, lands in the 100 year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geo-hazards, riparian habitats, archeological sites, and required open space shall not be included in the calculation of developed acreage.

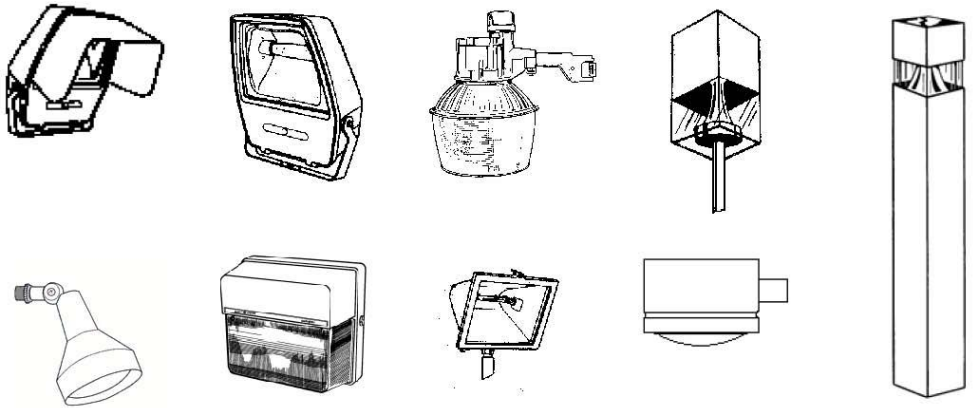
R. “Outdoor Light Fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

S. “Partially Shielded Light Fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits most of its light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight (U) and backlight (B) ratings are greater than zero (0). Light emitted at or above the horizontal plane (sideways or upwards) shall arise solely from incidental decorative elements or strongly colored or diffusing materials such as colored glass or plastic. Fixtures using spot or flood lamps are considered partially shielded if the lamps are aimed no higher than 45 degrees above the vertical plane beneath the fixture.



Examples of partially shielded lighting fixtures

T. “Recreational Lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.
U. “Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the nighttime sky.
V. “Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of Floodlight.
W. "Total" means the sum of shielded and unshielded light.
X. "Total outdoor light output" means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.
Y. “Tower” means any monopole, antenna, or the like that exceeds eighteen feet (18') in height.
Z. “Unshielded Fixture” means a fixture that has no shielding at all that would otherwise specifically prevent light emission above the horizontal.

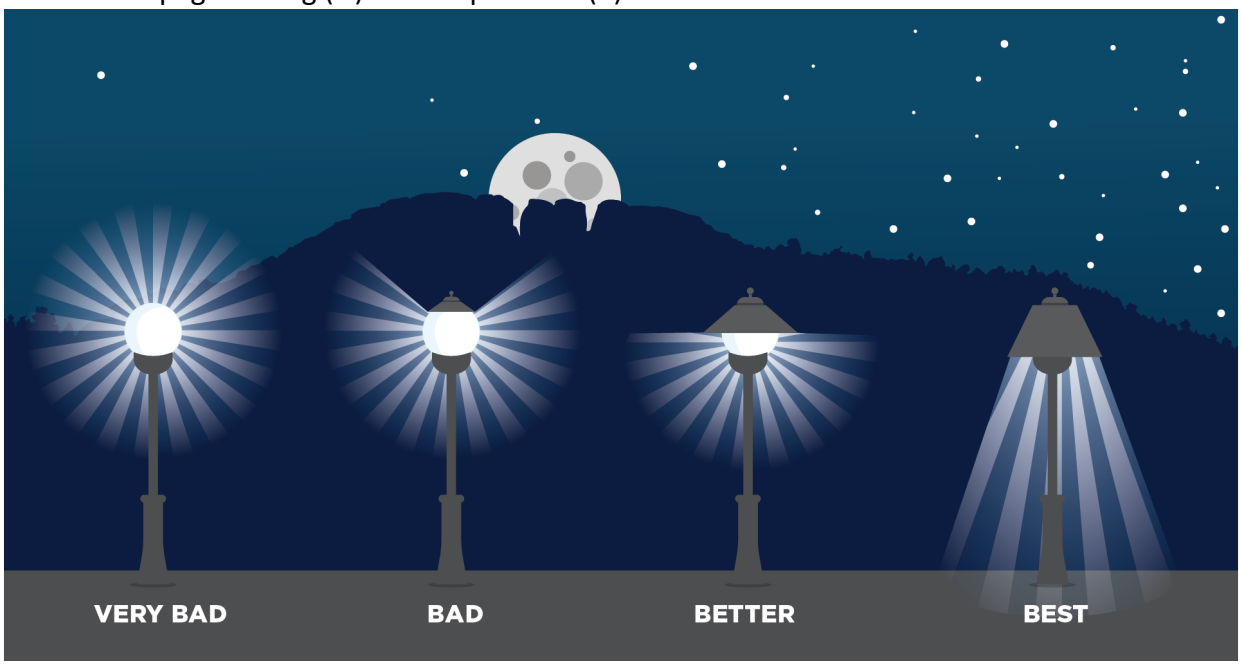


Examples of unshielded light fixtures

AA. “Uplight” means all the light emanating above the horizontal plane of a luminaire.

Fully Shielded Fixture Requirements

A. Unless specifically exempted by this Section, all outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero (0).



B. In order to qualify as a "fully shielded" fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded.

C. Fixtures must not be placed at a location, angle, or height that directs illumination outside the property boundaries where the light fixtures are located.

D. Notwithstanding the exemptions in Section 6.6.4.E, all residential and commercial luminaires shall be fully shielded within twenty-five (25) feet of adjacent residential property lines.

E. Exemptions to Fully Shielded Fixture Requirements:
   - All lights exempted by this section shall be included in the calculation for total light output.
   - Fixtures having a total light output less than one thousand (1,000) lumens are exempted from the fully shielded requirement provided the following criteria are met:
     - The fixture has a top that is completely opaque such that no light is directed upwards.
     - The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used

if the light source is not discernable behind the material. Completely transparent materials, such as clear or lightly tinted colored glass, are not allowed.
    - The light source must not be visible from any point outside the property on which the fixture is located.
- Spotlights controlled by motion sensors having a light output less than one thousand (1,000) lumens per lamp are exempted from the fully shielded requirement provided:
    - The fixture is a spotlight or other type of directed light that shall be directed straight down; and
    - The fixture must not be placed in such a manner that results in illumination being directed outside the property boundaries where the light fixtures are located.
    - Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.
- Pathway lights less than eighteen inches (18") in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred (300) lumens.
- Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15 and the following January 15, provided that individual lamps do not exceed 70 lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.
- Traffic control signals and devices.
- Temporary emergency lighting in use by law enforcement or government agencies or at their direction.
- The lighting of federal or state flags, provided that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.

Total Light Output

A. Commercial. Total outdoor light output shall not exceed fifty thousand (50,000) lumens per developed acre. Streetlights used for illumination of public rights-of-way are excluded from this calculation. Commercial developments shall be permitted a minimum of 5,000 lumens of lighting regardless of parcel size.
    - In non-residential zone districts, partially and unshielded lighting on a property shall not exceed 5,000 lumens per developed acre, and shall be included in the total outdoor light output calculation
B. Residential. Total outdoor light output shall not exceed ten thousand (10,000) lumens of lighting for parcels one-half (acre), or larger, in size. Parcels smaller than one-half (1/2) acre shall be permitted five thousand (5,000) lumens of lighting regardless of parcel size. Total outdoor light output of any multifamily residential development including five (5) or more separate lots or units shall not exceed twenty thousand (20,000) lumens of lighting per developed acre.

- In residential zones, partially and unshielded lighting on a property shall not exceed 1,000 lumens per lot and shall be included in the total outdoor light output calculation.
- Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output.

Lighting Hours

A. Commercial establishments shall turn off all outdoor lighting, except that listed below, by twelve o'clock (12:00) midnight:
   - Businesses open to the public after twelve o'clock (12:00) midnight may leave all outdoor lighting on until one hour after the close of business.
   - Lighting to illuminate the entrance to the commercial establishments.
   - Parking lot and pathway lighting required for the safety of guests or customers.

B. Recreational lighting (residential and commercial) shall be turned off by ten o'clock (10:00) P.M. or one hour after conclusion of a specific sporting event, whichever is later.

Lighting Color

All exterior lighting shall utilize light sources with correlated color temperature not to exceed 3,000 Kelvin (K).

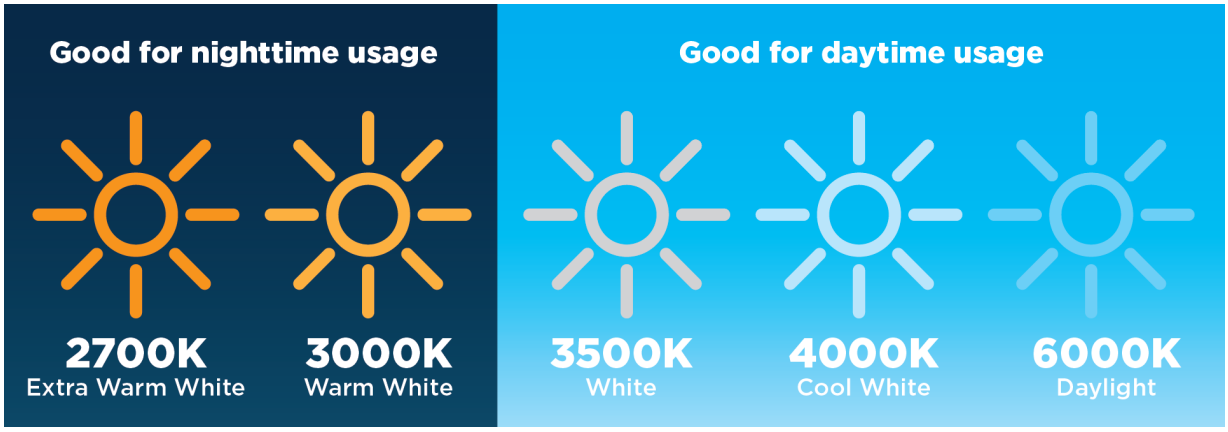


Image by City of Ft. Collins, Colorado and used here with permission.

Specialized Outdoor Lighting Conditions and Standards

A. Gas station canopies may be illuminated provided all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture.

B. Roadway and streetlights are prohibited unless recommended by the County engineer or required by UDOT to provide for the safety of the public. When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize sky glow, light trespass, and other unintended impacts of artificial lighting. All streetlights shall utilize the lowest illuminance levels acceptable to the County engineer and UDOT.

C. Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post used to illuminate parking lots in

commercial zones shall not exceed twenty-five feet (25'). All post mounted parking lot lights shall be set back from property lines a distance equal to two and one-half (2.5) times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential zones shall not exceed twenty-five feet (25'). All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.

D. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play and viewing stands and for the safety of the public. The following standards shall apply to outdoor recreation area or athletic field lighting:
   - The recreational lighting does not exceed illuminance levels for class IV sports lighting set by the Illuminating Engineering Society of North America.
   - The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.
   - Off-site impacts of the lighting will be limited to the greatest practical extent possible
   - The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this Section.
   - The recreational or athletic facility shall extinguish lighting exempted by this section no later than 10:00 pm or one hour after the end of play, whichever is later.
   - The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on after the curfew or when the facilities are not in use.

E. Outdoor amphitheaters may use illumination to light the performance area of the amphitheater and for the safety of the public. The following standards apply to all amphitheater lighting:
   - Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that it is not visible beyond the property boundaries.
   - Lighting used to illuminate the performance area may only be turned on during performances or rehearsals.
   - Lighting used to illuminate the seating areas, pathways, and other areas of the amphitheater must meet all standards of this Section.

F. Special events may use illumination to light the event area and for the safety of the public. The following standards apply to all amphitheater lighting:
   - Lighting used to illuminate the event area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that it is not visible beyond the property boundaries.
   - Lighting used to illuminate the event area may only be turned on during the hours event activities are open to the public or paying guests.
   - Lighting used to illuminate the seating areas, pathways, and other areas of the event must meet all standards of this Section.

G. All illuminated signs shall comply with the standards of Section 6.5.

Application and Review Procedures

A. Lighting Plan
   - All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zone district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this code. Lighting plans shall include the following:
     - Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
     - Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the planning commission to be able to determine compliance with the provisions of this Section.
     - A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.

Approval Procedure

A. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

~~B. A certificate of occupancy shall not be issued until such time as the property is subject to a post installation nighttime inspection by the Planning and Zoning Administrator or other county staff.~~

~~**Amortization of Nonconforming Outdoor Lighting**~~

~~A. San Juan County shall require the termination of use of any and all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this ordinance, pursuant to the amortization schedule contained in this ordinance.~~

~~B. All outdoor lighting legally existing and installed prior to the effective date of this Section, and which is not otherwise exempted, shall be considered nonconforming and shall be brought into compliance by the property owner as follows:~~
   - ~~Immediately as a condition for approval upon application for a building permit, sign permit, conditional use permit, new (nonrenewal) business license, site plan review or similar County permit or review.~~
   - ~~Immediately in the case of damaged or inoperative nonconforming lighting upon replacement or repair.~~
   - ~~Within five (5) years from the effective date of this Section for all other outdoor lighting.~~

~~Chapter 9 Spanish Valley Sign and Display Requirements~~

~~An Ordinance Creating the *Spanish Valley Sign Requirements* of the San Juan County Land Use Ordinance for the purpose of managing the design and implementation of signs and displays in the non-federal lands in northernmost portion of the San Juan County Spanish Valley. The ordinance applies to all lands in the Spanish Valley, as indicated in the Spanish Valley Zoning Map.~~

~~**Purpose**~~
~~**Definitions**~~
~~**Application and Enforcement**~~
~~**Specific Regulations by Spanish Valley Zoning District**~~
~~**Design Standards for Commercial Signs**~~
~~**General Conditions**~~
~~**Maintenance of Legal Non-conforming Signs**~~
~~**Non-conforming Signs**~~
~~**Prohibited Signs**~~
~~**Variances and Appeals**~~
~~**Safety and Livability Considerations**~~

~~Purpose~~

~~It is in the best interest of the health, safety and welfare of the citizens of San Juan county and the Spanish Valley to regulate signage and advertising, the following regulations are created to~~

- ~~eliminate potential hazards to motorists and pedestrians; to encourage signs which are integrated with and harmonious to the buildings, setting and sites which they occupy;~~
- ~~encourage legible signage through the use of excessive and confusing sign displays, thus reducing driver inattention;~~
- ~~preserve and improve the appearance of the Spanish Valley as a place in which to live and to work, and to create an attraction to non-residents who come here to visit or trade;~~
- ~~allow each individual business to clearly identify itself and the goods and services which they offer; to safeguard and enhance property values; and~~
- ~~protect public and private investment in buildings and open space; and~~

~~Definitions~~

~~The change or rearrangement in the structural part of its design, whether by extending on a side, increasing in area, width or height, or moving from one location or position to another.~~

~~*Awning*~~
~~A roofed structure constructed of fabric or metal placed so as to extend outward from the building providing a protective shield for doors, windows and other openings with supports extending back to the building, supported entirely by the building.~~

~~*Building, Front Line of*~~
~~The line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches, whether enclosed or unenclosed, but does not include uncovered steps less than four feet (4') above grade and eaves overhanging less than two feet (2').~~

~~*Building Line*~~
~~A vertical surface intersecting the ground along a line at which the front of the building occupies the lot on which it is constructed.~~

~~*Code Enforcement Officer*~~
~~The appropriate officer(s) employed by the San Juan County authorized to enforce this chapter.~~

~~*Electronic Message Center (EMC)*~~
~~Any sign, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a sign has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. EMS includes computer programmable, microprocessor controlled electronic or digital displays.~~

~~*Electronic Message Sign View Area*~~
~~The view area for any EMS shall be measured as follows: beginning from the outside edge of the sign face, measure one hundred fifty feet (150') to each side, then measure at a ninety degree (90°) angle three hundred feet (300') in the direction that the sign is facing, and ninety degree (90°) angle until the two (2) lines intersect.~~

~~*Face of Sign*~~
~~The entire area of a sign upon, against or through which any copy, electronic images, graphics or pictures, with or without textual information is placed.~~

~~*Lot, Corner*~~
~~A lot abutting on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees (135°).~~

~~*Marquee*~~
~~A sign designed and constructed for the purpose of changing the message regularly by movable letters or electric means.~~

~~*Monument Sign*~~
~~A sign whose base is approximately 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 community development director, and where pole supports are not visible, the opaque pedestal may be omitted.~~

~~*Nonconforming Sign*~~
~~A sign or sign structure or portion thereof lawfully existing at the time this chapter or amendment thereto, became effective, which does not conform to all height, area and yard regulations prescribed in the zone in which it is located, or other regulations of this chapter.~~

~~*Point of the Beginning or End of Pavement Widening*~~
~~Ending of pavement widening is that point when the pavement of an interstate highway acceleration or entrance lane fully narrows to the normal width of the main travel lanes. Beginning of pavement widening is that point when the pavement of an interstate highway deceleration or exit lane begins to widen from the normal width of the main travel lanes.~~

~~*Sign*~~
~~Means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, object, device, medium, conveyance or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product or service. The definition of "sign" shall also include the sign structure, supports, lighting system and any attachments, ornaments or other features used to draw the attention of observers. This does not include any flag, badge or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.~~

~~*Sign, A-frame*~~
~~A temporary and/or movable sign constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.~~

~~*Sign, Animated*~~
~~A sign which involves motion or rotation of any part by mechanical or artificial means or displays flashing or intermittent lights, time, temperature and electronic type message center.~~

~~*Sign Area*~~
~~The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back to back or double faced sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five degrees (45°). In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.~~

~~*Sign, Electronic Display Screen*~~

~~Any sign or portion of a sign that displays an electronic image or video, which may or may not include text. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holographic displays.~~

~~*Sign, Electronic Message Center*~~
~~Any sign or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed.~~

~~*Sign, For Sale*~~
~~A temporary sign placed on a lot offering that specific property for sale, lease or rent, and limited to twelve (12) square feet in sign area. The on premises sign may advertise a model home or open house.~~

~~*Sign, Freestanding*~~
~~A sign supported by a fixed permanent frame or support in the ground.~~

~~*Sign, Illuminated*~~
~~A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.~~

~~*Sign, Lighted*~~
~~A sign made legible in the absence of daylight by devices which reflect or project light upon it.~~

~~*Sign, Low-Profile*~~
~~On premises or identification signs having a maximum height of six feet (6'), incorporated into some form of landscape design scheme or planter box.~~

~~*Sign, Off-Premises*~~
~~advertising sign which directs attention to a use, product, commodity or service not related to the premises.~~

~~*Sign, Projecting*~~
~~A sign attached to a building or other structure and extending in whole or in part more than twenty four inches (24") beyond any wall of the building or structure.~~

~~*Sign, Property*~~
~~A sign related to the property upon which it is located and offering such property for sale or lease, or advertising contemplated improvements, or announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.~~

~~*Sign, Roof*~~

~~A sign erected partly or wholly on or over the roof of a building, including ground supported signs that rest on or overlap a roof twelve inches (12") or more.~~

~~Regulations and Enforcement~~

~~A. *Compliance Required:*~~

~~Except as provided in this chapter, no sign shall be erected, raised, moved, extended, enlarged or altered, or have the text of the sign changed, except in conformity with the regulations herein specified for the zone in which it is located.~~

~~B. *Construction Standards:*~~

~~All signs hereinafter erected in the county shall comply with current standards of the national electrical code, all provisions of this chapter and other applicable ordinances of the county. All component parts shall be equal to Underwriters Laboratories labeled products.~~

~~C. *Enforcement:*~~

~~The code enforcement officer shall be vested with the duty of enforcing the zoning ordinance and in performance of such duty, he shall be empowered and directed to:~~

~~1. *Issue Permits:* Issue permits to construct, alter or repair signs which conform to the provisions of this chapter.~~

~~2. *Determine Conformance:* Ascertain that all signs, construction and all reconstruction or modification of existing signs are built or constructed in conformance to the zoning ordinances, building restrictions and building codes.~~

~~3. *Issue Citations and Complaints:* Issue citations and/or complaints against violators of this chapter.~~

~~D. *Inspections:* The code enforcement officer shall make an initial inspection upon the completion of construction, erection, re-erection or remodeling of any sign for which a permit has been issued and an inspection request is made.~~

~~E. *Sign Classification:* Every sign erected or proposed to be erected within the county shall be classified by the code enforcement officer in accordance with the definitions of signs contained in **Penalties** section of this chapter. Any sign which does not clearly fall within one of the classifications shall be designated to the classification that it most nearly approximates in the opinion of the code enforcement officer in view of its design, location and purpose.~~

~~F. *Legal Action:* The code enforcement officer shall be empowered to institute appropriate action or proceedings in any case where any sign is erected, constructed, altered, repaired, converted or maintained, or in any case where any sign is used in violation of any county ordinance, including, but not limited to, the zoning ordinance, to accomplish the following purpose: 1) to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; and 2) to restrain, correct or abate such violation.~~

~~1. *Issue Notice of Violation:* The code enforcement officer will cause a notice of violation to be issued to the person having charge or control or benefit of any sign found by him to be unsafe or dangerous or in violation of the zoning ordinances of the county.~~

2. *Abate And Remove Unsafe Or Dangerous Sign:* If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving said notice, the code enforcement officer shall have the right to at once abate and remove said sign, and the person having charge, control or benefit of any such sign, shall pay to the county within thirty (30) calendar days after written notice is mailed to such person, the costs incurred in such removal.
3. *Abate And Remove Illegal Sign:* If an illegal sign is not made conforming within thirty (30) calendar days after giving said notice, the code enforcement officer shall have the right to at once abate and remove said sign, and the owner or person having charge, control or benefit of any such sign, shall pay to the county within thirty (30) calendar days after written notice is mailed to such person, the costs incurred in such removal.
4. *Immediate Removal Authorized:* In the case of an unsafe or illegal sign that is either an immediate hazard or whose primary purpose will have been served, at least in part, before the expiration of the notice period required herein, the code enforcement officer may effect an immediate removal without notice, subject to a subsequent right of hearing by the person receiving benefits therefrom.
5. *Notice Of Non-maintained Abandoned Sign:* The code enforcement officer shall require each non-maintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefits of such structure within thirty (30) calendar days after notice of non-maintenance or abandonment is given to the owner, person having control or person receiving benefit of such structure.
6. *Notification:* Notification by the county to persons having charge or control or benefit of any sign found by the code enforcement officer to be unsafe or dangerous or in violation of the zoning ordinance of the county and where the county is contemplating removal of said sign, shall be accomplished by the county utilizing written notice sent according to the administrative code enforcement ordinance.
7. *Penalty as Alternative:* The code enforcement officer shall have discretionary right to enforce removal or alteration of an unsafe or illegal sign by applying the penalty as provided in the **Penalties** section of this chapter as an alternative to the abatement procedures as provided.

G. *Right of Appeal:* Any person who has been ordered by the code enforcement officer to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the Planning Commission by serving a written notice to the county within ten (10) days of the order of the code enforcement officer. Such notice shall be considered by the Planning Commission at its next regularly scheduled meeting. Upon filing of said notice of appeal, the code enforcement officer shall take no further action with regard to the removal of the sign involved until the final decision of the Planning Commission on the appeal is known, unless the code enforcement officer finds that the sign involved, by reason of its condition, presents an immediate and serious danger to the public, or comes within the provisions of subsection F4 of this section, in which case he shall proceed immediately as provided in this chapter.

~~H. Application Requirements: All applications for sign permits shall be accompanied by a plan and elevation drawing. The drawings shall be provided digitally in PDF format in a minimum 8 1/2" x 11" format. The plat information shall include sufficient information so that the code enforcement officer can determine whether the proposed sign conforms with the provisions of this chapter.~~

~~1. *Plot Plan Requirements:* Specifically, the plat shall show the size of the sign and its location relationship to the following features of the site:~~

- ~~Property lines;~~
- ~~Existing and proposed buildings or other structures;~~
- ~~Control curbs;~~
- ~~Parking areas.~~

~~2. *Elevation Drawing Requirements:* Specifically, the elevation drawing shall show the following information:~~

- ~~Type of sign;~~
- ~~Sign display;~~
- ~~Sign height;~~
- ~~Sign area.~~

~~I. *Sign Permit Required:* It shall be unlawful for any person, whether acting as owner, occupant or contractor, or otherwise, to erect, construct, reconstruct, enlarge, locate or alter any sign within the county without first obtaining a sign permit from the county unless exempted from this requirement in this chapter.~~

~~J. *Fee Schedule:* A fee as established by the County Commission shall be paid to the county for each sign permit issued under this chapter. The fee will cover the cost of issuance, including the inspection tag.~~

~~**Specific Regulations by Specific Spanish Valley Zoning District**~~

~~No person shall install or maintain any sign in the county in the following Spanish Valley Zoning District except as herein provided. Signs not allowed in the following subsections are specifically prohibited:~~

~~*A. Spanish Valley Residential District*~~

~~The following provisions regulate signs in the *Spanish Valley Residential District*.~~

~~1. *Low Profile Signs:* Two (2) permanent low profile identification signs which state the official name of the residential subdivisions with will be allowed for residential developments; provided, that these signs conform to the following regulations:~~

- ~~Shall be located at the entrance of the residential subdivision and be a minimum of ten feet (10') from front property lines.~~
- ~~Shall be incorporated into a landscape design scheme.~~
- ~~Shall be limited to a maximum of three feet (3') in height from finished grade.~~
- ~~Shall be limited to sixteen (12) square feet in area for each sign.~~
- ~~Shall be limited to only two (2) signs per subdivision.~~
- ~~Shall contain no animation.~~
- ~~May not be illuminated.~~

2. ~~*Promotional Signs for Residential Developments:* Promotional signs shall be allowed for residential developments to promote, market and advertise the entire development offering the property for sale and providing pertinent sales information to the public. Promotional signs are not allowed for the sale of individual lots, homes, or a portion of the development.~~
   - ~~Signs shall not exceed six feet (6') in height and must be located within the boundaries of the development a minimum of ten feet (10') from a street, shall not project into or be installed on any public right-of-way and shall not be located within required intersection clear view zones. The signs shall be temporary and shall be removed when all original lots have been sold.~~
   - ~~Residential developments may have up to two (2) signs offering the project for sale or inspection by the public.~~
3. ~~*Property Signs; For Sale, Lease, Or Rent:* One temporary on-premises sign identifying the lot or offering the premises for sale, lease, rent, or inspection by the public is permitted and shall not exceed twelve (12) square feet in size. Such sign may be double faced or may be a movable freestanding sign and includes advertising for a model home or an open house at the premises.~~

~~B. Spanish Valley *Planned Community, Highway Commercial and Flex Districts*~~

~~The following provisions regulate signs apply to residential developments in the *Spanish Valley Planned Community and Flex Districts*.~~

1. ~~*Low Profile Signs:* Two (2) permanent low profile identification signs which state the official name of the residential subdivisions with will be allowed for residential developments; provided, that these signs conform to the following regulations:~~
   - ~~Shall be located at the entrance of the residential subdivision and be a minimum of ten feet (10') from front property lines.~~
   - ~~Shall be incorporated into a landscape design scheme.~~
   - ~~Shall be limited to a maximum of three feet (3') in height from finished grade.~~
   - ~~Shall be limited to sixteen (12) square feet in area for each sign.~~
   - ~~Shall be limited to only two (2) signs per subdivision.~~
   - ~~Shall contain no animation.~~
   - ~~May not be illuminated.~~
2. ~~*Promotional Signs for Residential Developments:* Promotional signs shall be allowed for residential developments to promote, market and advertise the entire development offering the property for sale and providing pertinent sales information to the public. Promotional signs are not allowed for the sale of individual lots, homes, or a portion of the development.~~
   - ~~Signs shall not exceed six feet (6') in height and must be located within the boundaries of the development a minimum of ten feet (10') from a street, shall not project into or be installed on any public right-of-way and shall not be located within required intersection clear view zones. The signs shall be temporary and shall be removed when all original lots have been sold.~~

- ~~Residential developments may have up to two (2) signs offering the project for sale or inspection by the public.~~

3. ~~*Property Signs; For Sale, Lease, Or Rent:* One temporary on-premises sign identifying the lot or offering the premises for sale, lease, rent, or inspection by the public is permitted and shall not exceed twelve (12) square feet in size. Such sign may be double faced or may be a movable freestanding sign and includes advertising for a model home or an open house at the premises.~~

~~The following provisions regulate signs located in non-residential developments in *Planned Community, Highway Commercial and Flex Districts*~~

1. ~~*Freestanding Signs:* Freestanding signs are permitted subject to the following provisions:~~
   - ~~*Number:* Each parcel of property or commercial complex may have one freestanding sign. One additional freestanding sign is permitted if the property or complex has more than three hundred feet (300') of frontage on a dedicated public street. Where two (2) or more freestanding signs are constructed, they shall be separated by at least one hundred feet (100'). The second pole sign shall not be higher than seventy percent (70%) of the allowed height of the first sign. A third freestanding sign is allowed for properties with more than six hundred feet (600') of frontage on a dedicated street. The fourth freestanding sign, or additional freestanding signs, must be approved by the Planning Commission.~~
   - ~~*Location:* Freestanding and projecting signs shall not project into or over any public street right-of-way. Projecting signs may project a maximum of four feet (4') from the building provided such projecting sign has a minimum ground clearance of ten feet (10') over any sidewalk or street right-of-way. Also, awning signs within the downtown historic district may project over the street right-of-way provided there is a minimum ground clearance of eight feet (8').~~
   - ~~*Height:* Freestanding signs shall not exceed the following heights:~~
     - ~~Signs located within five hundred feet (500') of US-191 shall not exceed thirty-feet (30') in height.~~
       - ~~Where two (2) or more pole type signs are allowed, subsequent signs shall not exceed seventy percent (70%) of the allowed height of the main sign.~~
     - ~~The height of signs located on all other streets shall not exceed ten feet (10') from the adjacent natural grade.~~
     - ~~Where the natural grade at the sign location is below the curb elevation, the height may be measured from the curb height, provided the overall sign height is not increased by more than five feet (5'), and the sign is within thirty feet (30') of the curb or right-of-way boundary.~~
   - ~~*Size:* The area of freestanding signs shall not exceed the following:~~
     - ~~Single tenant freestanding signs within 500' of US-191 shall not exceed seventy-five (75) square feet or one square foot of sign area per linear foot of~~

~~street frontage up to one hundred twenty (120) square feet maximum per sign face.~~

- ~~Multi-tenant signs may have one and one-half (1-1/2) square feet of sign area per linear foot of street frontage up to two hundred (200) square feet maximum. A single multi-tenant sign may be allowed up to three hundred (300) square feet if the following occurs:~~
  - ~~The sign permit is approved subject to a condition which precludes the installation of another freestanding sign; and~~
  - ~~The sign area does not exceed one and one-half (1 and 1/2) square feet per linear foot of street frontage.US-191 may have two (2) square feet of sign area per linear foot of street frontage, up to three hundred (300) square feet maximum.~~
- ~~On corner lots, the street frontage used to determine size of the primary sign shall be limited to the street upon which the building fronts. Measurement of the street frontage shall include the actual frontage measured to the midpoint of the corner radius. A secondary sign may be allowed on the side street, and its size shall be based on the frontage of the side street.~~

2. ~~*Animated Signs:* Animated signs are not be permitted~~
3. ~~*Entrance and Exit Signs:* One entrance and exit sign shall be permitted at each driveway entering or leaving the premises. Such signs shall not exceed six (6) square feet in area nor be more than four feet (4') in height from the ground.~~
4. ~~*Wall Signs:* Wall signs which are permanently attached or painted with a projection of less than twenty four inches (24"), shall be permitted; provided, that the area of any such sign shall not exceed twenty percent (20%) of the face of the front wall to which it is attached, nor more than ten percent (10%) of the face of a side or rear wall; and further provided, that it does not rise above the roofline or parapet wall.~~
5. ~~*Property and Project Construction Signs*~~
   - ~~No more than two (2) signs offering the premises for sale, lease or inspection by the public shall be permitted; provided, that the total area of each sign does not exceed thirty-two (32) square feet. Said signs may be modified to indicate that the property has been sold.~~
   - ~~A project construction sign or "coming soon" promotional sign of up to sixty-four (64) square feet may be allowed within sixty (60) days of obtaining a building permit for such project. Such sign shall be removed within one year from the date the sign was erected.~~
6. ~~*Premises Signs:* Off-premises signs are not be permitted.~~
7. ~~*Roof Signs:* Roof signs shall conform to the following provisions:~~
   - ~~Roof signs shall not be higher than the roofline or parapet wall and shall not be larger than twenty percent (20%) of the wall face of the building.~~
   - ~~All roof signs shall be installed or erected in such a manner that the support structure or brace is covered and screened from public view to the extent reasonable to do so.~~
   - ~~Roof signs shall not be animated.~~

8. ~~*Projecting Signs:* Projecting signs attached to a building shall comply with the following conditions:~~
   - ~~Signs projecting over public property may not project more than four feet (4') from a wall of a building, nor project closer than three feet (3') to the back of the curb. A minimum clearance of ten feet (10') above the sidewalk must be maintained.~~
   - ~~Signs projecting over private property may not project more than six feet (6') from a wall of a building.~~
   - ~~Signs shall not extend above the roofline.~~
   - ~~No more than one projecting sign per tenant space and only at the ground level of the building.~~
   - ~~The maximum sign area for projecting signs shall be one square foot of sign area for each linear foot of building frontage up to a maximum of thirty two (32) square feet per sign face (64 square feet maximum for both sides of a projecting sign).~~
9. ~~*Special Standards:* The following special standards for commercial signs shall apply for all signs more than 500' from US-191.~~
   - ~~*Freestanding Signs; Design Standards:* Freestanding signs are hereby limited to monument and low profile pole type signs with the following design standards:~~
     - ~~*Height:* The maximum height of the sign shall not exceed ten feet (10') from adjacent natural grade. Where the natural grade at the sign location is below the curb elevation, the height may be measured from the curb or adjacent roadway height, provided the overall sign height is not increased by more than five feet (5'), and the sign is within thirty feet (30') of the curb.~~
     - ~~*Size:* A monument or low profile pole type sign shall be limited in size to seventy-five (50) square feet for properties with up to one hundred feet (100') of frontage on a public road. An additional one square foot of sign area may be allowed for each additional two feet (2') of public road frontage up to a maximum size of one hundred twenty (90) square feet per sign~~
     - ~~*Location:* Signs must be located on private property and not within any public right-of-way. Signs shall not obstruct visibility at driveway entrance and exits, intersections and other points along the roadway.~~
     - ~~*Number:* Each parcel of property or commercial complex may have one monument or low profile pole type sign. One additional monument or low profile pole type sign is permitted if the property has more than two hundred feet (200') of frontage on a public street. Where two (2) freestanding signs are constructed, they shall be separated by at least one hundred feet (100'). A third monument or low profile pole type sign is allowed for properties with more than four hundred feet (400') of frontage on a dedicated public street, and a fourth monument or low profile pole type sign is permitted for properties with six hundred (600) or more feet of public road frontage.~~
     - ~~*Sign Materials:* Sign materials shall be similar to or compatible with the structure which they identify. Signs shall be constructed predominantly of~~

natural materials such as redwood, ceramic tile, masonry, stucco, stone, weathering steel or materials which simulate the referenced materials.

- *Color:* Bright day-glow or fluorescent colors are prohibited. Letters should provide sufficient contrast to be easily legible. Overall color schemes should complement the color scheme of the building. Registered national trademarks are permitted as part of the sign.

10. *Entrance, Exit Signs; Roof Signs and Projecting Signs:* Entrance and exit signs, wall signs, roof signs and projecting signs are permitted subject to provisions contained elsewhere in this chapter.

Design Standards for Commercial Signs

A. *Pole Sign Design Standards:* The following design standards are mandatory:

1. *Sign Cabinets:* Sign cabinets shall be integrated into a uniform sign, rather than added to a pole in an ad hoc manner. The modification or addition of a sign cabinet to an existing pole sign with two (2) or more independent sign cabinets shall be subject to review and approval by the community development director, who may at his/her discretion, refer the permit to the Planning Commission for approval.
2. *Painted Plywood Signs:* Plywood signs are not permitted for permanent signs, unless approved by the Planning Commission. Sandblasted wood signs are permitted provided they are not higher than ten feet (10'), subject to review and approval by the community development director.
3. *Cladding:* All poles supporting signs shall be cladded as a means to improve the appearance of the sign by:
   - Proportionately increasing that portion of the structure that anchors the sign to the ground; and
   - Providing a material on the support structure that complements the building architecture.
   - Cladding shall primarily be wood, stucco, brick, or rock, duplicating materials which are used on the main building. Metal products may be used if the metal replicates the appearance of a natural material.
   - Cladding is not required, if in the opinion of the community development director, the sign contains unique elements that result in a creative flair or defines a product or service with unique design, and the cladding would detract from the creativity of the design.
4. *Pole Transition:* There shall be a transition between the pole and sign it supports, wherein the cladded pole(s) is widened at the base of the sign to at least fifty percent (50%) of the width of the sign it supports. (See exhibit A attached to the ordinance codified herein.) A transition is not required, if in the opinion of county planning staff, the sign contains design elements which serve a similar purpose and results in an aesthetic sign.
5. *Sign Colors:* The exterior surface of the sign structure and frame (excluding sign face), shall have colors similar to the adjacent building or have earth tone colors including black, browns and grays.

6. *Landscaping:* Landscaping shall be provided at the base of the sign at a ratio of ten (10) square feet for every one-foot (1') of sign width, with fifty percent (50%) of the landscaped area containing live plant material. The plant materials used shall be expected to mature to heights of one foot (1') or greater. Where a hardship can be demonstrated, the Planning Commission may modify or waive this requirement.
7. *Flag Lots:* Businesses on flag lots (i.e., lots with narrow frontage on a public road compared to overall lot size) may be allowed a pole sign larger than the minimum size of seventy-five (75) square feet, provided the Planning Commission determines that the size of the sign is in harmony with the intent of this chapter and the size is in keeping with the building and lot size.

B. *Sign Guidelines:* The following guidelines are desired and encouraged, but are not mandatory:
1. *Theme and Plan:* Where feasible, signs shall be incorporated into a landscape theme and be part of an overall design plan for the property. Aesthetic appeal is a high priority.
2. *Height:* As a general principle, signs should be no higher than the adjacent building for which it advertises. However, along US-191 the sign may be taller than the adjacent building in order to provide better visibility but shall not be higher than the maximum height limits set forth in this chapter.

General Conditions

A. *Signs Not To Constitute Traffic Hazard:* No sign or other advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or which makes use of the words "stop," "drive in," "danger" or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic. In general, no sign shall be placed within a triangular area with legs thirty feet (30') in length measured along the property lines at a corner.
B. *Awnings Over Public Property:* Awnings over public property shall conform to all provisions of the International Building Code governing such structures. It shall maintain a minimum eight foot (8') clearance above the sidewalk or public property and shall have no signs affixed to the awnings or their supports.
C. *Temporary Signs:*
1. Any sign, banner, or advertising display intended to be displayed out of doors for promotional or other temporary use, shall be considered to be a temporary sign and shall be permitted subject to all provisions of this chapter and provisions contained in the county temporary banner policy.
2. Banners shall be allowed according to the county policy regarding temporary banners. The banner policy is available through the community development department. It shall be the responsibility of the applicant to remove temporary banners upon expiration of the permit period.

D. *Maintenance:* Every sign shall be kept in good condition as to maintenance and repair, including the replacement of defective parts, repainting and cleaning. The ground space within a radius of ten feet (10') from the base of any ground sign shall be kept free and clear of all weeds, rubbish and inflammable material.

E. *Sign Removal:* Signs identifying a discontinued use on the property shall be removed from the property within thirty (30) calendar days of the time the use was discontinued and shall thereafter be considered to be abandoned.

F. *Repair of Building Facade:* A damaged building facade as the result of the removal, repair, replacement or installation of any signs shall be repaired by the property owner within thirty (30) calendar days of the time the use was discontinued.

G. *Moving to New Location:* No sign erected before the adoption of this chapter shall be moved to a new location on the lot or building, or enlarged, or replaced, unless it be made to comply with provisions of this chapter.

H. *Ownership:* The imprint of the sign owner and sign erector of all signs shall be in plain and public view. Signs not carrying such an imprint will be presumed to be owned by the person in possession of the property on which the sign is located.

I. *Lights and Lighted Signs*

See **Spanish Valley Outdoor Lighting and Sign Illumination Standards** for requirements.

J. *Planned Development Layout Location Signs:* The purpose of the layout sign is to aid emergency personnel and visitors to quickly and efficiently locate a particular address or unit. For planned developments with a common address for multiple units there shall be a permanent sign located at all entrances to the project which:

1. Identifies the development;
2. Clearly shows the project address;
3. Clearly shows the layout of streets and the units with their individual identification number or letter;
4. The sign must be oriented to the view of the reader;
5. Shall be incorporated into a landscape feature or design scheme;
6. The sign shall contain no animation;
7. See **Spanish Valley Outdoor Lighting and Sign Illumination Standards** for lighting requirements
8. The sign shall be placed such that persons in vehicles who are stopped to read the sign will not create a safety hazard.

Maintenance of Legal Non-conforming Signs

Nonconforming signs shall be required to comply with the requirements of this chapter when any change, other than normal maintenance, is made to the sign. Painting or similar sign repair shall be considered normal maintenance; provided, that the sign content remains basically unchanged. Compliance with current setback requirements may be waived by the Planning Commission when the board determines that relocating an existing sign is not practical.

Non-conforming Signs

A. *Alterations:* A nonconforming sign shall not be raised, moved, replaced, extended or enlarged unless said sign is changed so as to conform to all provisions of this title.

~~"Alterations" shall also mean the changing of the text of the sign when there is a major change in the use of the property. A major change in use occurs whenever the use changes from one of the following land use categories to another office, retail, food/restaurant service, personal service, entertainment, lodging, repairs, institutional, public utility, manufacturing, and warehouse uses. Any major change in use requires any affected nonconforming sign to conform to all the provisions of this title. Alterations shall not be interpreted to include changing the text of a marquee or changing a copy of an off premises sign.~~

~~B. *Restoration:* Nonconforming signs which have been allowed to deteriorate or which have been damaged by fire, collision or any other cause beyond the control of the owner, to the extent of more than sixty percent (60%) of its assessed value shall, if repaired or rebuilt, be repaired or rebuilt in conformity with the regulations of this chapter or shall be removed.~~

~~C. *Unsafe or Dangerous:* The nonconforming nature of a sign shall in no way prevent it from being subject to the provisions of the **Regulations and Enforcement** subsection of this ordinance if it is unsafe or dangerous.~~

~~**Prohibited Signs**~~

~~A. *Signs Attached To Public Property:* No sign, handbill, poster, advertisement or notice of any kind or sort shall be fastened, placed, posted, painted or attached in any way or upon any curbstone, lamppost, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk or street, except signs owned and erected by permission of an authorized public agency as required by law.~~

~~B. *A-Frame and Movable Freestanding Signs:* Portable, temporary A-frame, and movable freestanding signs shall be prohibited. This prohibition applies to signs mounted upon or painted upon vehicles or trailers which are parked primarily for the purpose of calling attention to or advertising a specific business establishment or product.~~

~~C. *Flashing Signs:* Signs which use flashing, blinking, or strobing lights are prohibited. Signs which use subtle lighting changes as part of a video screen, or EMS are permitted.~~

~~D. *Rotating Signs:* Signs which move, rotate, flutter in the wind or make noise are prohibited. Pennants, streamers, and inflatable objects are also prohibited. Temporary banners must be in compliance with the county's policy on banners.~~

~~E. *Permit Exceptions:* Notwithstanding any of the provisions of this chapter, the following signs and operations shall not require a sign permit; however, any of the following signs included in any other section shall conform to the applicable provisions of this chapter:~~

~~1. The changing of the advertising copy or message on a marquee, provided no more than fifteen percent (15%) of the marquee surface will advertise off premises land, products or businesses.~~

~~2. Painting, repainting, cleaning and normal maintenance and repair of a sign or sign structure unless a substantial structural change is made.~~

~~3. For sale, rent or lease signs, advertising real property, that are thirty-two (32) square feet or less in area. Such sign may be double faced.~~

4. ~~The display of official notices used by any court, or public body, or public official, or the posting of notices by any public officer, in the performance of a duty, or by any person giving legal notice.~~
5. ~~Directional, warning, exit, parking or similar informational signs of a public or quasi-public nature, provided they have no advertising effect, and signs directed and maintained by an official body or public utility.~~
6. ~~Any official flag, pennant or insignia of any nation, state, county or other political unit.~~
7. ~~Nameplates of two (2) square foot maximum area.~~
8. ~~Bulletin boards not over sixty-four (64) square feet in area for public, charitable or religious institutions where the same are located on the premises of said institutions.~~
9. ~~Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.~~
10. ~~Wall signs that are painted directly on the wall, provided they do not exceed twenty percent (20%) of the face of the wall on which it is painted.~~

~~Safety and Livability Considerations~~

A. ~~*County Nonliability:* The county and its agents shall in no way be liable for negligence or failure of the owner, or the person responsible for any damage caused by defective conditions.~~

~~Chapter 10: Spanish Valley Overnight Accommodations Overlay District Requirements~~

~~An ordinance establishing an overnight accommodations overlay district that can be sought for sites located within the Spanish Valley Highway Commercial District. See Spanish Valley Zoning Map for the location of the Highway Commercial District in which the overlay can be applied.~~

~~**1) Purpose of Overlay Districts**~~
~~**2) Purpose and Intent of the Spanish Valley Overnight Accommodations Overlay District**~~
~~**3) Established Overnight Accommodations**~~
~~**4) Approval Procedures**~~
~~**5) Identification on Zoning Maps**~~
~~**6) Site Master Plan Required**~~
~~**7) Development Standards**~~
~~Part 1 General Requirements~~
~~Part 2 Employee Housing, Affordable Housing and Mixed Use Requirements~~
~~Part 3 Architecture, Density, Massing and Form~~
~~Part 4 Additional Design Requirements~~
~~Part 5 Open Space~~
~~Part 6 Landscape Standards~~
~~Part 7 Parking Requirements~~

~~Purpose of Overlay Districts~~

~~Overlay districts are established to provide standards addressing unique circumstances or conditions affecting single sites where the development of such sites is of special public concern. Upon approval of special purpose district zoning, the special purpose district replaces the previous base district. Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.~~

~~In addition to the requirements of the underlying base zoning district, the provisions of the overlay district would also prevail in the areas so zoned.~~

~~1) Purpose and Intent of the Spanish Valley Overnight Accommodations Overlay District~~

~~Overnight accommodations have the potential to be an important part of the Spanish Valley and San Juan County economy. In order to support regional efforts to control the imbalance between such uses and other desired community uses as has taken place in Moab and Grand County, a clear policy is required to ensure the number of hotels and motels, commercial condominiums, bed & breakfasts (B&Bs), lodges and commercial campgrounds are aligned with other essential and desirable uses in the San Juan Spanish Valley and region.~~

~~The *Spanish Valley Overnight Accommodations Overlay Ordinance* is an overlay district for properties located in the Highway Commercial and Highway Flex districts. It addresses both~~

~~existing and vested overnight accommodations as well as new proposed uses. The purpose of the overlay district is to ensure that existing and future hotels and motels, commercial condominiums, bed & breakfasts (B&Bs), lodges, commercial campgrounds and other commercial overnight accommodation uses are designed and developed in a manner that address the impacts and the increased service needs that they generate. The *Spanish Valley Overnight Accommodations Overlay Ordinance* should be applied to all new proposals to ensure approved projects minimize community impacts and result in tangible community benefits through the application of creative design, the incorporation and support for mixed uses both on-site and elsewhere in the San Juan Spanish Valley, and through the provision and support for public uses and spaces to help support a balanced community structure.~~

~~2) Established Overnight Accommodations~~

~~Established overnight accommodations (Established Overnight Accommodations), as indicated on the Spanish Valley Zoning Map, shall be considered legal, conforming uses. Established Overnight Accommodations will be allowed to make improvements including new overnight accommodation units within the boundaries of existing property. Specific design and development requirements shall be according to the underlying zone, e.g. the Spanish Valley Highway Commercial District. When the ownership of Established Overnight Accommodations changes, the new owner must comply with the provisions of this *Spanish Valley Overnight Accommodations Overlay Ordinance.*~~

~~3) Approval Procedures~~

~~A three-step planning and approval process for new overnight accommodations is required as summarized in table 10-1:~~

~~Table 10-1~~

~~APPLICATION~~	~~IMPLEMENTATION~~	~~WHAT IS ADDRESSED?~~	~~APPROVAL LEVEL~~
~~**Spanish Valley Overnight Accommodations Overlay** (Rezone)~~	~~A modification to the official Zoning Map, indicating the area or areas where the specific overlay district applies~~	~~The physical location and extents of the proposed overlay zone~~	~~**Legislative** (Rezone and Zoning Map Change)~~ ~~• Planning Commission (recommendation to County Commission)~~ ~~• County Commission (adoption)~~
~~**Application for Attaching Overnight Accommodations (OA) Overlay to a Specific Site, Property or Development**~~	~~As a modification to the official Zoning Map and Zoning Ordinance, indicating the specific location of the application site and the terms upon which it will be developed~~	~~Land area to be rezoned and general terms upon which it is approved, including but not limited to the following:~~ ~~• Proposed primary uses~~ ~~• Number of rooms/units~~ ~~• Design and development conditions~~ ~~• Special conditions and requirements~~ ~~• Other uses and development requirements~~	~~**Legislative** (Rezone and Zoning Map Change)~~ ~~• Planning Commission (recommendation to County Commission)~~ ~~• County Commission (adoption)~~

~~**Development Agreement, Project Plan and/or Subdivision Plat**~~	~~As specific submittals and approvals specified in the applicable ordinances~~	~~Specific project development requirements for development approval.~~	~~**Administrative**~~ ~~Staff and/or Planning Commission approval according to the specific terms and ordinance obligations~~

~~**4) Identification on Zoning Maps**~~

~~Approved *Spanish Valley Overnight Accommodations Overlay* districts and developments shall be indicated on the official Spanish Valley Zoning Map. This map shall also indicate the location and property extents of established overnight accommodations~~

~~**5) Site Master Plan Required**~~

~~In approving a new Overnight Accommodation development in accordance with this section, a site master plan shall be prepared and submitted for consideration by the County Commission for approval. The master plan shall clearly indicate the purpose and details of the project, including technical facts and a clear description of how the proposed development provides benefits to the greater Moab region in San Juan County as compared to development carried out in accordance with the otherwise applicable zoning and development regulations. More specifically, the master plan shall include at a minimum the following:~~

~~a) **A statement** by the applicant describing how the proposed development provides greater benefits to the Spanish Valley and the County than would a development carried out in accordance with otherwise applicable zoning and development regulations.~~

~~b) **A map and description of sensitive lands** within the or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:~~

- ~~Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);~~
- ~~Floodplains and riparian habitats;~~
- ~~Slopes in excess of 30 percent; and~~
- ~~Significant geological, biological, and archeological sites.~~

~~c) Identification of **site planning features and a description of how they will be addressed** to promote seamless transition between on-site uses and the surrounding site conditions.~~

~~d) A description of the **beneficial public services and goods the project provides** to the community. This should include a community benefit concept description, and specific documentation of the proposed types, amounts, locations and relationships of compatible uses provided within the development that provide beneficial public services and goods to the community. Examples of such uses may include on-site and contributions to off-site employee housing, affordable housing, workforce housing, mixed uses, residential, office, commercial and civic uses, public open space, and publicly-accessible indoor/outdoor gathering spaces, for example.~~

~~e) Documentation of the **specific utilities and infrastructure** that are designed and installed to conserve limited natural resources such as water. Examples include preparation of a water use master plan for the project, the incorporation of gray-water re-use systems, implementation of water conserving landscapes that go beyond the~~

~~requirements of the Spanish Valley Water Efficient Landscape Requirements such as installation of real-time water monitoring systems, the incorporation of water-efficient fixtures, and the incorporation of dark-sky friendly lighting systems that exceed those contained in the Spanish Valley Outdoor Lighting and Sign Illumination Requirements~~

~~f) A **narrative and graphic presentation of the development**, documenting and presenting the proposed development and land uses by:~~

- ~~Gross acreage;~~
- ~~Total project density and/or square footage for all uses proposed for the project (including overnight accommodations) per gross acre;~~
- ~~Total number of overnight accommodation units;~~
- ~~Overnight accommodation unit density expressed as a per-acre ratio;~~
- ~~Total number and type of on-site employee and affordable housing units;~~
- ~~Common area and private open space acreage;~~
- ~~Total number of parking spaces required and provided, including bicycle parking;~~
- ~~Parking, service and loading area acreage/spaces;~~
- ~~Project Floor Area Ratio (FAR);~~
- ~~Public open space and similar publicly-accessible feature acreage;~~
- ~~Descriptions and graphic representations suitable for conveying the overall development character and proposed architectural style of the proposed development; and~~
- ~~The relationship of the proposed development to existing development in the area, along the highway and to significant natural and built features in the area.~~

~~g) A **Traffic Study** prepared by a licensed transportation planner or traffic engineer, documenting project traffic generation, impacts (including traffic noise) and proposed mitigations and modifications.~~

~~h) A **Site Plan** prepared in accordance with the requirements of the County and the Development Standards specific to this section shall be approved and filed with the findings of fact as part of the approval. The site plan shall indicate at a minimum all major roads, site access roads, parking and service areas, trails and trail connections, major utilities, existing and proposed land uses, common area, open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads.~~

~~i) A **statement of how the proposed development is consistent with the San Juan county Spanish Valley Area Plan and the San Juan County General Plan**; and~~

~~j) **Other relevant information** that will support the application or as otherwise requested by County staff.~~

~~6) Development Standards~~

~~Part 1 General Requirements~~

~~1. Applicability~~

~~The following are general development standards applicable in the *Spanish Valley Overnight Accommodations Overlay*. The general development requirements of the underlying zone shall apply unless otherwise indicated.~~

~~2. Density and Heights~~

~~Maximum density and heights shall be no greater than that permitted in the underlying zone district.~~

~~3. Lots~~

- ~~Typical Lot Dimensions. All lots of record shall be developed to meet established standards.~~
- ~~Typical Lot Configuration. All lots shall front a public street unless otherwise approved.~~
- ~~Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.~~

~~4. Lot Configuration~~

~~Primary uses should face the fronting roadway and configured in a fashion that responds to the context, including natural site conditions such as slope and topography. The intent is to carefully incorporate new development in a manner that fits the established character and form of the surrounding area, resulting in a unified appearance. Pedestrian and cycling amenities such as sidewalks, trails, dedicated corridors and similar features should be provided in a manner is coordinated with the needs of vehicles, resulting in holistic, safe and attractive circulation solutions.~~

~~5. Lot Access~~

~~For Developments fronting U.S. Highway 191~~

~~The traffic and speed of vehicles on this roadway presents challenges for providing direct access to projects and for creating a walkable/bikeable street environment in the surrounding area. Direct access from the highway shall meet all ZUDOTY standards and requirements and be designed in a manner to connect directly to the proposed frontage roads along the highway.~~

~~For Developments fronting all other roads~~

~~The use of small access roads, alleys and other appropriate access ways from the fronting road and/or from the sides and rear of properties is encouraged.~~

~~6. General Open Space Requirements~~

~~The following are requirements for provision of civic open space:~~

- ~~Developments over 5 acres are required to provide a minimum of 5% total lot area as publicly accessible open space. Developer shall work with County to determine the appropriate location and design of proposed open spaces.~~
- ~~For developments under 5 acres, a minimum of 5% total lot area as publicly accessible open space or contributions to the development of the same in other locations in the Spanish Valley will be used to ensure adequate open space is provided in the area.~~

7. Streets and Access Roads

General Requirements.

- Address all modes of travel, including pedestrian traffic, bicycle, transit and vehicular traffic.
- Address all features of the access road and public road rights-of-way, including sidewalks, traffic lanes, bicycle lanes and medians.
- Provide adequate access for vehicles, pedestrians and cyclists pedestrians.
- Create access roads that are appropriate for their context and use that encourage travel at appropriate volumes and speeds.
- Create streets and access roads that reduce storm water runoff quantity and improve the quality of storm water runoff.
- Follow design specifications and standards defined by County Public Works.
- Variations from otherwise required road design standards may be approved where it is demonstrated that such exceptions will not be detrimental to the public health, safety and general welfare.

8. Road Design Standards

Variation from otherwise required road design standards may be approved where the applicant demonstrates that such exceptions will not be detrimental to the public health, safety and general welfare.

9. Bicycle Facilities

On-site bicycle accommodations should be provided as determined by County staff.

10. Storm Water Management

Incorporation of storm water management best practices, including Low-impact Development (LID) techniques within the access road right-of-way and parking design is required. Examples include incorporating drainage swales, slotted curbs, sub-surface sumps and French drains; and the use of permeable paving in parking areas.

Part 2 Employee Housing, Affordable Housing and Mixed Use Requirements

1. General Conditions

All developments applying the *Spanish Valley Overnight Accommodations Overlay* must provide a significant mix of employee housing, affordable housing, commercial, retail, office, civic and similar uses to offset the impacts of hotel/motel projects.

A minimum of 30% of the space dedicated to the primary hotel/motel floor area shall be dedicated to mixed uses other than the primary hotel/motel use. The

~~required mixed uses may be designed and developed on-site or elsewhere in the general vicinity of the proposed development.~~

~~2. Design and Evaluation Criteria~~

~~The following are general conditions that will result with a successful mixed-use development:~~

~~A. Incorporates imaginative site and building design with a compatible mixture of land uses that encourage pedestrian, bicycle and other multi-modal access to the proposed development;~~

~~B. Applies sensitive land use and site design that avoids the creation of incompatible land uses;~~

~~C. Mitigates impacts that the project creates with respect to transportation, traffic, noise, public utilities, open space, recreation, public facilities and services, site circulation, solid waste disposal and recycling, water, sewer, storm drain and similar systems;~~

~~D. Protects and preserves the natural environment to the maximum extent possible, including but not limited to conserving water to the greatest degree possible, protecting the water quality of the regional watershed, meditating storm water and floods, and protecting sensitive and critical natural lands and the protection of viewsheds.~~

~~E. Preserves and/or creates open space and outdoor meeting places for the enjoyment of the San Juan County residents, employees of businesses located within the valley, and the general public;~~

~~F. Provides publicly-accessible plazas, commons, greens, parks or civic buildings or spaces s for social activity and assembly for the community;~~

~~G. Incorporates a mix of employee housing and affordable housing types and ownership patterns;~~

~~H. Includes uses that provide employment opportunities and under-provided goods and services;~~

~~I. Provides a balanced mix of uses that reduce reliance on personal automobiles on a daily basis;~~

~~J. Provides high-quality architectural and site design that is harmonious with the local context, the unique red rock setting and adjacent uses;~~

~~K. Incorporates well-designed and laid-out access roads, parking lots, trails and pathways that are specifically designed for the convenience and safety of pedestrians and cyclists as well as for meeting the needs of vehicles; and~~

~~L. The provision of clustered development to preserve open space and preserving critical viewsheds while still achieving an appropriate overall density for region.~~

~~3. Mixed Use Development Standards~~

~~All development and design standards described in this chapter and elsewhere in the code shall apply, in addition to the following mixed-use specific standards:~~

A. Generally-acceptable Uses: residential, commercial, recreational, retail, civic and open space
B. Location of Uses: commercial shops, offices and civic uses shall be located on the ground floor adjacent to the street frontage, with hotel/motel and residential uses provided in all other locations; and
C. Pedestrian-oriented Design Required: direct access to pedestrian-oriented services is required to promote pedestrian/bicycle uses in the development area.

Part 3 - Architecture, Density, Massing and Form

1. General Conditions

The following are the general physical characteristics of *OA-Hotel/Motel* uses, including associated mixed uses, within the overlay district.

- Each building or structure can house a variety of uses depending on the design concept and functional requirements of each development.
- All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
- Attached accessory structures are considered part of the principal structure.
- Detached accessory structures are permitted and shall comply with all setbacks except the following:
  - Detached accessory structures are not permitted in the front yard.
  - Detached accessory structures shall be located behind the principal structure in the rear yard.
  - Detached accessory structures shall not exceed the height of the principal structure.

2. Building Siting

- More than one principal structure permitted on a lot.
- All setback areas not covered by a building or parking must contain either landscape, patio space, public open space, or a sidewalk/trail.

3. Building Height

- See existing zone for minimum and maximum height limitations and requirements.
- See existing zone for minimum and maximum setback requirements.
- Ground stories uses facing the primary street must have a minimum interior height of 12' and a maximum of 14' to facilitate the incorporation of commercial and mixed uses.

~~4. Building Layout and Configuration~~

- ~~Ground stories facing the primary street must be occupied by uses other than overnight accommodations. Examples include retail, recreation, commercial, office and civic uses.~~
- ~~Parking may be located within a building or as part of well landscaped and buffered parking lots.~~

~~5. Street View Requirements~~

- ~~For uses located on the ground floor facing the primary fronting street(s), 60% Minimum Ground Story Transparency is required, measured floor to floor. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.~~
- ~~Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable.~~
- ~~Blank Wall Limitations are required on all facades facing the primary street. No rectangular area greater than 30% of a story's facade, as measured from floor to floor may be windowless, and no horizontal segment of a story's facade greater than 10 feet in width may be windowless, unless otherwise approved.~~
- ~~A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable Principal Entrance located on the primary street side of the principal building.~~
- ~~Street Entrances – the minimum number and maximum spacing between entrances on the ground floor building facade with street frontage to match a clear development design theme or concept is required.~~
- ~~Vertical Facade Divisions – the use of a vertically oriented expression lines or form to divide the facade into increments that enhance the design concept are required. Acceptable elements may include columns, pilasters, scoring lines and other continuous vertical features at least 1.5" in width.~~
- ~~Horizontal Facade Divisions – the use of significant shifts in the façade every 45' at minimum to divide portions of the façade into horizontal divisions. Major dividing elements should be integral to the architectural layout and form of the structure, with minor delineations encouraged through the uses of expressions lines in the form of cornices, belt courses, string courses, or other continuous horizontal divisions.~~

~~Part 4 – Additional Design Requirements~~

~~The following outlines the district design guidelines that affect a building's appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.~~

1. **Materials and Color**
   - Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
   - Permitted primary building materials will include high quality, durable, natural materials such as brick and stone; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass. Other high quality synthetic materials may be approved as part of a unified theme or design concept.
   - Secondary Facade Materials are limited to details and accents. Examples include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim; and exterior architectural metal panels and cladding.
   - Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
   - Acceptable Roof Materials include 300 pound or better, dimensional asphalt composite shingles, metal tiles or standing seam, slate, and ceramic tile. Other roof materials may be considered for approval.
   - Color - main building colors shall be complementary to existing buildings in the area, the surrounding landscape and visual backdrops.
   - Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used throughout the district.

2. **Windows, Awnings and Shutters**
   - Windows - all upper story windows of overnight accommodation, mixed use and associated buildings shall be recessed and double hung.
   - Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated.
   - If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood.

3. **Balconies**
   - Balconies shall be a minimum of six feet deep and five feet wide.
   - Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
   - A maximum of 40% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4. **Treatments at Terminal Vistas**
   - When a street terminates at a parcel, the front or corner side of a building or a significant landscape feature, whether fronting a Primary Street or not, shall terminate the view.

5. Building Variety

Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following:

- The proportion of recesses and projections.
- The location of the entrance and window placement, unless storefronts are utilized.
- Roof type, plane, or material, unless otherwise stated in the Building Type requirements.

6. Drive-through Uses

- Drive-through structures and uses are not allowed.

Part 5 Open Space

To provide open space as an amenity that promotes physical and environmental health to project uses and the community, with a primary function of providing access to a variety of active and passive open space types.

1. General Requirements

Developments over 5 acres are required to provide a minimum of 5% total lot size as publicly-accessible and usable civic open space. Developer shall work with San Juan County to determine the best and most appropriate location of open space. For parcels under 5 acres, impact fees and other funding will be used as mechanisms to ensure adequate open space is provided.

All open space provided shall comply with one of the Open Space Types that follow:

- Plaza – a formal, medium-scale (0.5 to 1.5 acre) gathering place for civic, social, and commercial purposes. May contain a greater amount of impervious coverage than other open space types. Special features, such as fountains and public art installations, are encouraged.
- Square – a medium-scale (1 to 2 acre) open space to gather for civic, social and commercial purposes. Squares are rectilinear in shape and are bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.
- Green – an informal, medium scale (0.25 to 2.0 acre) park with active or passive recreation amenities for neighborhood residents within walking distance; mainly fronted by streets.
- Pocket Park – a small-scale (.5 to 1.5 acre) open space, that is primarily designed to accommodate a range of active and passive recreation and gathering space uses, primarily local neighbors and residents within walking distance.

- ~~Local and Neighborhood Parks – medium to large (3-acre to 10 acre) parks that accommodate both active and passive recreational amenities for local residents and the larger community. Parks have primarily natural plantings and are frequently formed around an existing natural feature such as a water body or stands of trees.~~
- ~~Regional Parks – large parks typically at least 50 acres in size to accommodate both active and passive recreational activities for local residents and the surrounding community. These parks are typically the site of major recreational features such as sports complexes, aquatic centers, recreation centers and similar amenities. They should be well linked with the surrounds and settings, linked with regional and local trail systems, and primarily utilize natural plantings.~~
- ~~Greenway – long and linear open spaces that serve to enhance connectivity between open space types and other uses. Greenways often follow a natural feature, such as a river, stream, ravine, or man-made feature, such as a vehicular right-of-way. A greenway may border other open space types.~~

~~Part 6 Landscape Standards~~

~~The landscape standards outlined in this section are designed to meet the following goals:~~

- ~~To provide suitable outdoor settings;~~
- ~~To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.~~
- ~~To provide responsible and environmentally-appropriate green spaces and infrastructure through the use of water efficient landscape design techniques, tools and standards.~~
- ~~To shade large expanses of pavement and reduce the urban heat island effect.~~

~~1. Applicability~~

~~Landscapes, trees and buffers shall be installed as detailed in this section and detailed elsewhere in the county code.~~

~~2. Water Efficient Landscaping~~

~~Refer to Spanish Valley Water Efficient Landscape Requirements.~~

~~3. General Landscape Installation Requirements~~

~~The installation of landscaping shall adhere to the following standards.~~

- ~~National and Regional Standards. Best management practices and procedures according to the nationally and regionally accepted standards shall be practiced. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.~~

- ~~Maintenance and Protection – all landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.~~
- ~~Installation – landscaping shall be fully installed prior to the issuance of a certificate of completeness.~~
- ~~Condition of Landscape Materials shall be:~~
  - ~~Healthy and hardy with a good root system.~~
  - ~~Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.~~
  - ~~Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.~~
  - ~~Appropriate for the conditions of the site, including slope, water table, and soil type.~~
  - ~~Protected from damage by grates, pavers, or other measures.~~
  - ~~Plants that will not cause a nuisance or have negative impacts on an adjacent property.~~
  - ~~Species native or naturalized to San Juan County region, whenever possible.~~
- ~~Minimal use or no use of lawns, turf and similar water-craving landscapes is required.~~

~~4. Irrigation Systems~~

~~Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.~~

- ~~All irrigation systems shall be designed to minimize the use of water, as detailed in the San Juan County water-conserving landscape ordinance. The use of drip, emitter, bubbler and other water-conserving irrigation systems are required,~~

~~5. Landscape Maintenance~~

~~All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.~~

- ~~All required landscape shall be maintained to adhere to all requirements of this ordinance.~~
- ~~Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.~~
- ~~Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.~~

- ~~Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.~~
- ~~Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.~~
- ~~Tree topping is not permitted.~~

~~6. Frontage, Side and Rear Buffers~~

~~The purpose of frontage buffers is to lessen the visual impact of vehicular areas visible from the street and adjacent properties. Side and rear buffers minimize the impact that the overnight accommodation development may have on neighboring zones and districts. These should include a landscape design that is engaging, beautiful and appropriate for the specific setting and context. Plants should include a range of perennials, decorative grasses and small shrubs as appropriate for reducing the visual impact of vehicular areas visible from the street while also meeting San Juan County Water Efficient Landscaping requirements.~~

~~7. Interior Parking Lot Landscape~~

~~The intent is to provide shade, minimize paving and associated storm water runoff, and improve the aesthetic look of parking lots. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 sf thereafter.~~

- ~~Each parking space must be located within 50' of a tree planted within parking lot interior. Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces.~~
- ~~Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy. Shade Structure Requirements~~
- ~~Attractive and well-designed shade structures should be considered an acceptable alternative for meeting the tree shade goal for up to 50% of the interior parking lot requirements.~~

~~Part 7. Parking Requirements~~

~~The parking standards outlined in this section are in addition to currently established standards for the hotel/motel development, and should meet the following goals:~~

- ~~Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.~~
- ~~Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning subdistricts.~~
- ~~Provide specifications for vehicular site access.~~

1. **General Requirements**
   - Off-street parking spaces shall be provided in conformance with established site design requirements.
   - Required Accessible Parking – parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in the state Accessibility Code, including quantity, size, location, and accessibility. Required Bicycle Parking.
   - Bicycle Parking areas required as described below.

2. **Mixed-Use Parking Reductions**

   The following reductions may be applied depending on the amount and specific mix of uses.
   - Shared Vehicular Parking - an arrangement in which two or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements. Through review of the site plan, up top 100% of the parking required may be waived.
   - In order to approve a shared parking arrangement, it is must be proved that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

3. **Bicycle Parking Design**

   Bicycle parking shall be designed and located as follows.
   - Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.
   - An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.
   - A minimum of two feet shall be provided beside each parked bicycle to allows access. This access may be shared by adjacent bicycles.
   - Racks shall be installed a minimum of two feet from any wall or other obstruction. Bicycle parking should be located within 50 feet of the entrance of the use.
   - Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
   - Racks and Structures shall be provided for each unprotected parking space and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.