

CHAPTER 28

RESORT COMMUNITY ZONE (RC)

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Section 28.010 Purpose and Intent.

The intent of the Resort Community Zone and this Chapter is to recognize and provide for the orderly development of certain properties as a tourist, convention, hospitality, business, and gathering destination and to provide for the implementation of the Lehi City General Plan. Furthermore, this ordinance and the standards for development contained herein are intended specifically to accomplish the following:

- A. Recognize and promote the potential of Lehi City as the premier destination community in Utah and the Western States, with its strategic locale centralized among major population centers and interstate transportation ways.
- B. Recognize the uniqueness of a family-oriented tourist destination and encourage the development and operation of facilities catering to tourists, local families, and convention/group-related events which will ultimately bring all levels of consumers to the City.
- C. Capture previously unreachable tax revenues by providing an incentive and attraction for business owners and retail operators from outside the State to locate in the new destination community of Lehi City.
- D. Accommodate the mixed and progressive development of land, facilities, and buildings that intermingle various uses while maintaining a harmonious relationship, and while protecting the health, safety, and long-term welfare of the community.
- E. Enhance local property values by creating a property use zone that is completely unique to the State

and surrounding states, and that attracts world-class business operators.

- F. Support public service entities such as Police and Fire Departments by dedicating land or utilizing certain space within the Resort Community Zone at no cost to the City.
- G. Allow the City to more quickly realize retail tax revenues by providing for the timely development of the resort property through an expedited approval and permit process of individual projects.
- H. Allow the City to encourage and facilitate more detailed and specific planning and analysis for certain areas of the City.
- I. Establish provisions and requirements which enable the City to address unique areas of the City or where other characteristics exist that warrant a comprehensive set of land use policies and standards which will encourage an efficient and imaginative development pattern.

An application for approval of a Resort Community Zone is a request by the applicant for additional flexibility beyond that allowed by the traditional zones within the City. It is the sole responsibility and burden of the applicant to convince the Planning Commission and City Council that the proposed Resort Community Zone is preferable to traditional zoning. Approval for use of the Resort Community Zone lies at the discretion of the City Council.

Section 28.020 Resort Descriptions.

A Resort Community Zone may include a cohesive and complimentary mixture of land uses, including commercial, residential, recreational, and/or business park. A Resort Community Zone shall largely include facilities and venues that have a destination orientation and encourage use by tourists and visitors from outside the City. Uses should focus on services for tourists, visitors, and the local community.

A unifying design and operating theme should unite the varied and mixed uses. Development should promote creative property configuration with usable public and private recreation areas, parks, pedestrian areas, and open space.

Section 28.030 Minimum Eligibility Requirements.

A property that is eligible for establishment as a Resort Community Zone must meet the following requirements:

A. The property must include a minimum area of seven hundred (700) contiguous acres.

B. Sixty percent (60%) of the property shall be used for facilities and venues that are considered tourist, hospitality, or resort destinations. The remaining forty percent (40%) of the property may be used as non resort commercial, business park and resort related residential uses (residential uses not to exceed 10% of total property) as defined in an approved Area Plan.

C. The property in a Resort Community Zone is considered highly dependent upon traffic and visitors from outside the City, and shall be located in the I-15 corridor, being immediately adjacent to the Interstate or adjacent to a major arterial transportation corridor. If the arterial corridor is not an existing corridor, the developer of the proposed Resort Community Zone shall be responsible for the construction of the corridor. Maintenance of the corridor shall also be the responsibility of the developer unless otherwise agreed upon between the City and the developer.

Section 28.040 Allowed Uses.

Each requested use must be authorized through an Area Plan that has been approved and adopted by the City Council pursuant to the provisions of Chapter 15, Area Plans, of this Code. Proposed uses will be reviewed for compatibility within the Resort Community Zone as well as compatibility with allowed uses in adjacent zones.

Section 07.050. Public Support Requirements

The large scale and public nature of a Resort Specific Zone requires the specialized support of various public services. The property owners shall therefore make certain allowances within the Resort Specific Zone property for public facilities and public support operations as follows:

A. Fire/EMS Sub-station. One half (1/2) acre of property shall be dedicated to the City without cost whereon a Fire Sub-station may be constructed and operated by the City.

B. Police Sub-station. A facility or space within a facility shall be provided to the City without cost wherein a Police Sub-station may be operated.

C. Utility Transactions. A space within a facility shall be provided to the City without cost wherein the public and City may conduct transactions for public utilities.

D. Security Services. A professional security staff shall be employed by the property owners in an effort to help promote public safety. The resort's security staff shall cooperate with City Police and Fire Departments, but shall in no way or at any time replace or assume the responsibilities of the City Police and Fire Departments.

Section 28.060 Procedures for Establishment of Resort Community Zone. (Amended 07/28/09)

A. General Plan Amendment. All areas proposed for development as a Resort Community Zone shall require a General Plan Amendment in accordance with Chapter 4, Amendments, of this Code.

B. Master Development Concept Plan. Concurrent with any request to amend the Land Use Element of the General Plan to a Resort Community designation, a Master Development Concept Plan shall be submitted. A Master Development Concept Plan must be reviewed by the City Council, following Planning Commission and Development Review Committee review, prior to property being designated as a Resort Community Land Use.

1. The Master Development Concept Plan gives the applicant, staff, Planning Commission and City Council an opportunity to discuss the Resort development prior to the General Plan land use being established and prior to the preparation of a more detailed Area Plan. The applicant can use the Master Development Concept Plan meetings to ask questions, and receive direction on project layout as well as discuss the procedure for approval, the specifications and requirements for layout of streets, drainage, water, sewerage, fire protection, mitigation of environmental impacts, and similar matters, and the availability of existing services.

2. The Master Development Concept Plan shall cover the entire area proposed as a RC Zone and shall identify in general terms the following:

- (a) Proposed land uses.
- (b) Overall layout and locations of uses including potential civic/religious uses.
- (c) Major infrastructure improvements that may be necessary.
- (d) Proposed site-planning standards including architecture and materials of buildings.
- (e) Park areas, open space areas, trails and other community amenities.
- (f) Proposed landscaping, buffering, and transitioning treatments.

(g) Location of any critical lands.

(h) All other issues that must be addressed to allow a thorough informed review by the Staff, Planning Commission and City Council of the proposed Master Development Concept Plan.

3. To accommodate requests for changes to the Master Development Concept Plan, the City may allow the Master Development Concept Plan to be amended. Amendments shall follow the same requirements for initial review of a Master Development Concept Plan including review by Staff, Planning Commission and City Council.

4. A Master Development Concept Plan shall be effective for a period of one (1) year from the date that the Master Development Concept Plan is reviewed by the City Council, at the end of which time an application for a Zoning Map amendment and Area Plan shall have been submitted and under review by the City. If an application for Area Plan approval in conjunction with an application for a Zoning Map Amendment to the Resort Community Zone has not been filed within the one (1) year period the Master Development Concept Plan shall be void. The City Council may grant an extension of the Concept Plan according to the provisions of Section 10.120.

5. Properties designated as a Resort Community Land Use for which the Master Development Concept Plan has become void shall require the applicant to submit a new Master Development Concept Plan for review subject to the then existing provisions of this Code and General Plan.

C. Zoning Map Amendment and Area Plan. Following approval of a General Plan Amendment and review of a Master Development Concept Plan by the City Council, the applicant may prepare a Zoning Map Amendment and an Area Plan pursuant to the provisions of Chapter 4 and Chapter 15 of this Code. The establishment of a Resort Community Zone requires the review, approval and adoption by the City Council, following receipt of a DRC and Planning Commission recommendation, of an Area Plan for those properties proposed for a Resort Community Zone. Prior to approval and adoption of an Area Plan the DRC, Planning Commission and City Council shall verify that the Resort development follows the general layout of the Master Development Concept Plan. The Area Plan must comply as closely as possible with the Master Development Concept Plan, and shall cover the entire Resort Community Zone.

D. Effect of Area Plan Approval. If a proposed Area Plan is adopted by the City pursuant to Chapter 15 of this Code, all permits, licenses and development must comply with the adopted Area Plan. Additionally, developers and builders must comply with the Lehi City General Plan, the Lehi City Development Code, and all other codes and ordinances of the City unless modified by the adopted Area Plan.

E. Properties adjacent to an existing RC Zone may be added to the Zone according to the provisions of Chapter 4 of this Code for amendments to the General plan and Zoning District Map and subject to the following conditions:

1. There is a mutual agreement between the principal owner(s) of property located within the existing RC Zone and the party(s) requesting to be added to the Zone.

2. The Area Plan for the RC Zone shall be amended to reflect the additional property.

3. Any approval for expansion of an existing RC Zone by Lehi City does not grant the applicant for expansion an automatic right to force existing entities within the established RC zone to amend their CC&Rs.

Section 28.070 Development Standards.

Where a Resort Community Zone proposes a mix of recreational and commercial or business park uses, the following development standards shall apply in addition to any other commercial development standards contained in this Code or the Design Standards and Public Improvement Specifications manual:

A. Building Design. The proposed structures shall be complimentary to the surrounding architecture in terms of scale, massing, roof shape, and exterior materials. Buildings should not create large bulky masses, but should be scaled down into groupings of smaller attached structures. Buildings adjacent to single family detached units should be limited to 2 stories or 35 feet.

B. Parking. Large expanses of asphalt shall be reduced and broken into smaller parking lots. Parking lots shall include ample landscaping to buffer cars from neighboring properties including the use of berms and landscaped islands (see Section 12-090 C).

C. Access and Traffic. Adequate vehicular and pedestrian access must be provided. Direct access from an arterial or collector street to the office and profes-

sional service uses must be provided. A traffic impact study shall be required as part of the Area Plan, to project auto and truck traffic generated by the uses proposed.

D. Roof Design. Flat or low-pitched roofs shall be avoided and rooflines should blend in with surrounding buildings. Roof design may be further defined as part of an approved Area Plan.

E. Materials. New buildings should blend with the materials of surrounding buildings. Building materials may be further defined as part of an approved Area Plan.

F. Signage. Signage of buildings should be part of a coordinated signage system for the entire Resort development. Signage should help unify the development and provide a positive image. Natural materials such as wood, stone, rock and metal with external illumination are encouraged. The use of monument signs is also encouraged. The size and location of signage shall conform to the requirements and design guidelines of Chapter 23, Signs, of this Code.

G. Lighting. Outdoor lighting should be screened by shields or hoods to prevent glare onto adjacent properties. The intensity of large fixtures should be reduced by utilizing a larger number of smaller light poles of twelve (12) to eighteen (18) feet. Incandescent lights should be used in smaller pedestrian spaces where quality light is especially important.

Section 28.080. Development Approvals and Permits.

Following the establishment of a Resort Community Zone, and approval and adoption of an Area Plan by the City Council, the applicant may prepare and submit application(s) for development approval including subdivision and site plan approval pursuant to Chapter 11, Application Requirements, of this Code with the exceptions to the review and approval procedures as noted below. The Applicant must make a complete submittal according to the requirements specified in Chapter 11 and the City’s current application form(s) prior to the review of any development request by the City.

The City recognizes the importance of timely reviews when dealing with large scale resort projects. In order to facilitate and expedite the review process, the following review provisions shall apply to site plan and subdivision applications within the Resort Community Zone:

A. Expedited Subdivision Review Process.

1. Minor subdivisions. Subdivision review and approval may be granted by the Chief Building Official and Public Works Director if all of the following provisions apply:

- (a) The subdivision includes less than ten (10) lots.
- (b) The subdivision does not require the construction of any public improvements or the dedication of any public right of way.

The Preliminary and Final Plans shall be submitted and reviewed simultaneously, and the Chief Building Official and Public Works Director are designated by the City Council as the officers having authority, on behalf of the City Council, to approve and sign the final Document(s). The lots in a minor subdivision will be divided by a metes and bounds document rather than a plat. The Chief Building Official or the Public Works Director may request input from the DRC, Planning Commission, City Council or other City staff as deemed necessary. The requirement for a public hearing and noticing shall be waived for all minor subdivisions.

2. All other subdivisions shall require the City’s standard procedures for review and approval of a subdivision plat.

B. Expedited Site Plan Review Process.

1. Site Plans with a total valuation, including building and all associated site improvements, less than 10,000,000 dollars shall require review and approval by the Chief Building Official and Public Works Director. The Chief Building Official or the Public Works Director may request input from the DRC, Planning Commission, City Council or other City staff as deemed necessary.

2. Site Plans with a total valuation, including building and all associated improvements, greater than 10,000,000 dollars shall follow the City’s standard procedures for review and approval of a site plan including approval by the Planning Commission, following a review by the DRC.

C. Subdivision and Site Plan submittals which qualify for review and approval by the Chief Building Official and Public Works Director should be reviewed within one week of the date a complete submittal is filed with the City, and in no case shall the time to review the submittal exceed two (2) weeks.

Section 28.090. Hospitality Incentives.

The universal success of the City and the private developer within the Resort Community Zone is considered

largely dependent upon the participation and use of certain hospitality services within the Zone.

One half (1/2) of the City Innkeeper Tax from the Resort Community Zone will be used to support advertising and promotional activities as mutually agreed upon by the mayor and principal owner in the Resort Community Zone or their designees.

Section 28.100. Inspection and Occupancy.

A. All development and construction shall be subject to inspection and inspection approval by City Building Officials. The applicant must make a complete submittal according to Lehi City Building Department's building permit submittal checklist prior to review of any building permit by the City.

B. If development exceeds the capacity of the City Inspection Staff, then independent professional inspection services may be secured. The hiring of the independent professional shall be the responsibility of the City and the cost of inspection services shall be borne by the Owner(s) of the Resort. The hiring of the independent professional shall be done in mutual agreement between the City and the owners of the resort.

C. All development and construction shall be subject to occupancy approval by City Building Officials.

Section 28.110 Variations from Development Code and Design Standards.

In the process of approving an Area Plan for a Resort Community Zone, the Planning Commission may recommend and City Council may approve variations from applicable standards of this Code or the Lehi City Design Standards and Public Improvements Specifications Manual if all of the following conditions are met:

A. That the granting of the variation will not adversely affect the rights of adjacent landowners or residents.

B. That the variation desired will not adversely affect the public health, safety or general welfare.

C. That the granting of the variation will not be opposed to the general spirit and intent of this Chapter or the General Plan.