

# Chapter 28

## Resort Community Zone

**CHAPTER 28****RESORT COMMUNITY ZONE (RC)***(Amended 09/11/18; 08/09/22)*

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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, public transit, and interstate transportation ways.
- B. Recognize the uniqueness of Lehi's position in: Utah's technology sector, family-oriented tourist destination, and proximity to public transit. Encourage the development and operation of facilities catering to tourists, businesses, employees, 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 for business owners, new residents, 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, commercial uses and residential projects that encourage use by tourists and visitors from outside the City as well as residents and employees that live and work in the Resort Area. 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. Forty-five (45%) of the property shall be used for facilities and venues that are considered tourist, hospitality, or resort destinations. 35% of the property may be used as non-resort commercial. 20% of the property may be used as residential (residential uses not to exceed 20% of total property by acreage) as defined in an approved Area Plan.

**Definitions:**

Residential – Residential is a parcel used for permanent dwelling. Residential designation includes private roads, single family residences, multifamily dwellings, condominiums, apartments, townhomes, etc.

Commercial – Commercial uses shall be parcels whose use includes commercial office, convenience stores, and non-food service retail uses.

Resort – Resort uses are parcels used for hospitality and tourism. Hospitality is defined as the reception, housing and entertainment of visitors or guests. The following uses may be considered: hospitality, food service, convenience stores, educational, entertainment, parks, golf course, civic uses, and museums.

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.

**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 28.050. Public Support Requirements**

The large scale and public nature of a Resort Commu-

nity Zone requires the specialized support of various public services. As part of the approval process, the City may require the property owners to make certain allowances within the Resort Community 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, if deemed necessary by Lehi 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, if deemed necessary by Lehi City, without cost wherein a Police Sub-station may be operated.

**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 Reviewing Departments' evaluation, prior to property being designated as a Resort Community Land Use.

1. The Master Development Concept Plan gives the applicant, Reviewing Departments, Planning Commission, and City Council an opportunity to discuss the 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, 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 Reviewing Departments, 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 the Reviewing Departments, Planning Commission, and City Council.

4. A Master Development Concept Plan shall be effective for a period of two years 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 two 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 City Council to review, approve, and adopt an Area Plan for those properties proposed for a Resort Community Zone, following receipt of a Reviewing Departments and Planning Commission recommendation, prior to approval and adoption of an Area Plan, the Reviewing Departments, 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.

#### **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 and TOD standards contained in this Code or the Design Standards and Public Improvement Specifications Manual, unless modified through an approved Area Plan:

A. Building Design. The proposed structures shall be complimentary to the surrounding architecture in terms of scale, massing, and exterior materials. Buildings adjacent to single family detached units shall be limited to 2 stories or 38 feet.

B. Parking. Large expanses of asphalt shall be reduced and broken into smaller parking areas through the use of parking lot landscaping. 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. A traffic impact study shall be required as part of the Area Plan, in order to project auto and truck traffic generated by the uses proposed.

D. Roof Design. Roof design may be further defined as part of an approved Area Plan.

E. Materials. New buildings shall 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 shall be part of a coordinated signage system for the entire Resort development. Signage shall help unify the development and provide a positive image. Natural materials such as wood, stone, rock and metal with external illumination shall be used. 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 shall be screened by shields or hoods to prevent glare onto adjacent properties. The intensity of large fixtures shall be reduced by utilizing a larger number of smaller light poles of twelve (12) to eighteen (18) feet. Incandescent lights shall be used in smaller pedestrian spaces where quality light is especially important.

#### **Section 28.080. Residential Design Standards.**

The following design standards shall apply to any residential developments within a RC Zone including any defined sub-area or pod, or any residential project or development or any portion of a residential project or development. These standards are considered as minimum requirements for residential areas.

A. Single Family Design Standards. For all single family detached units, the following standards shall apply:

1. Product Mix. Single family detached areas shall provide a *variety* of home styles to ensure a diverse and interesting street scene. Neighborhoods that have nearly identical homes and streets without variation in product placement and form are not allowed. In order to ensure that the neighborhood is non-repetitive, the same home elevation or homes with the same color scheme shall not be built on adjacent lots on the same street or on lots directly or diagonally across the street from one another.

2. Corner Lots. Attention should be paid to corner lots. At least one home plan per neighborhood shall be designed specifically for corner home sites. This home plan is required to include wrap-around architecture to provide visual interest on both the front and corner side yard of the home, and the ability to turn the garage for side entry. An example would be continuing a full-wrap of material accent onto the side façade, adding a wrap-around porch, or facing the home on a diagonal towards the intersection.

3. Garages. The home and front yard rather than the garage shall be the primary emphasis of the front elevation. The garage shall not extend forward of the main architecture of the home. The use of side load/swing-in type garages is highly encouraged.

4. Wall Variations. Each exterior wall of the home shall have architectural variations. At least four (4) or more of the following architectural features shall be incorporated into the design: a change in building materials, building projections measuring at least three (3) feet in depth, roof line variations measuring at least three (3) feet in height, awnings and lighting, or another architectural variation that creates visual interest.

B. Multi-Family Design Standards. The standards found in Section 37.040 of this Code shall apply to all multi-family attached residential projects, unless the Area Plan provides alternative standards.

#### **Section 28.090. 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 applications 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 Zoning Administrator 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 may be submitted and reviewed simultaneously, and the Zoning Administrator 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) or plat. The lots in a minor subdivision can be divided by a metes and bounds document or a plat. The Zoning Administrator or the Public Works Director may request input from the Reviewing Departments, Planning Commission, or City Council 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 20,000,000 dollars may be granted review and approval by the Zoning Administrator and Public Works Director. The Zoning Administrator or the Public Works Director may request input from the Reviewing Departments, Planning Commission, or City Council as deemed necessary.

2. Site Plans with a total valuation, including building and all associated improvements, greater than 20,000,000 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 Reviewing Departments.

C. Subdivision and Site Plan submittals which qualify for review and approval by the Zoning Administrator 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 28.100. 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 City Council and principal owner in the Resort

Community Zone or their designees.

**Section 28.110. Inspection and Occupancy.**

A. All development and construction shall be subject to 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, 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 28.120. 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.