

DANIEL TOWN GENERAL PLAN 2009

ADOPTED BY THE DANIEL TOWN COUNCIL OCTOBER 5, 2009

The purpose of this General Plan is to guide land use control and development in the Town of Daniel and to provide a stable basis of policy upon which elected and appointed officials can rely.

The General Plan is a blueprint for Health, Safety and Welfare and as such functions to promote prosperity and well-being, encourage high ethics, peace and good order, and improve the comfort, security, and aesthetics of the Town of Daniel and its present and future inhabitants and businesses. Its aim is to preserve a rural atmosphere, to foster agriculture and other rural industries, to protect and increase the tax base, to secure economy in governmental expenditures, to protect both urban and non-urban development, to protect the Town's natural resources, and to protect property values. To accomplish this purpose, the Town may enact ordinances, resolutions, rules, restrictive covenants, easements, and development agreements, governing uses, density, open spaces, structures, buildings, energy efficiency, public facilities, and height and locations of structures, vegetation, trees and landscaping, unless otherwise expressly prohibited by law.

The General Plan is a comprehensive approach, coordinating development, natural resources and open space in such a way as to provide a harmonious relationship that meets the needs for present and future residents and businesses of the Town of Daniel.

Specifically, the purposes for planning in the Town of Daniel are:

1. To promote the most appropriate type of development within each planning area of the town, while maintaining a rural atmosphere.
2. To insure orderly growth of urbanizing areas and reduce the haphazard scattering of development.
3. To foster commercial and light industrial development that will strengthen the economic base of the town.
4. To protect the natural and cultural resources of the town.
5. To ensure that geologic hazards, flood plains, wetlands, ridgelines, view sheds and other physical constraints are adequately identified and considered in each planning area.
6. To insure that local units of government can obtain the highest return per dollar spent in maintaining water and sewer facilities, storm drainage facilities, streets, parks and other types of public facilities and infrastructure.

DANIEL TOWN LAND USE PLAN 2009

ADOPTED BY THE DANIEL TOWN COUNCIL OCTOBER 5, 2009

Purpose of the Land Use Plan

The Land Use Plan is composed of the Plan itself, together with the Land Use Plan Map.

The goal of the Daniel Land Use Plan is to provide a general pattern for the location, distribution and character of future land uses. The Objectives of the Land Use Plan are to:

- Emphasize flexibility within the Land Use Plan while building on the existing land use pattern.
- Place an equal importance on the quality and character of new residential neighborhoods in each area of the town, while at the same time maintaining or upgrading of existing neighborhoods.
- Concentrate commercial areas along the two major arterials, US 89 and US 40, and encourage revitalization by upgrading facilities, reducing traffic conflicts, and improving parking where needed.

As a guideline, the Land Use Plan is not a zoning document. Property may be zoned, or rezoned, by ordinance of the Town Council.

Intent

The intent of the Land Use Plan is to achieve the coordinated and harmonious development of the town and its environs. To balance the property rights of those owners expanding their use with the property rights of surrounding owners. Further, the Land Use Plan is intended to promote efficiency and economy in the process of development including, among other things, adequate provision for public facilities and services and balancing land use with the transportation system; the promotion of safety from fire, flood waters, and other dangers; adequate provision for light and air, distribution of population, affordable housing; the promotion of good civic design and arrangement; efficient expenditure of public funds; and the promotion of energy conservation. As a guideline, the Land Use Plan is not a zoning document. Zoning is one of the many ways that the Land Use Plan is implemented.

Plan vs. Code: The Land Use Plan is a general guideline that should not be interpreted in a strict or narrow manner as the Town's Zoning Code. The Plan does not entitle land owners or developers to a specific right of use, density or intensity of use that would typically accompany zoning. Plan objectives are intended as desired outcomes that must be balanced with individual property rights, other codes, policies and ordinances, and site specific considerations. The Plan has been formulated to be a flexible document that can be adapted to meet this diversity of community needs and objectives. Principles of flexibility are discussed in greater detail below.

- Whether Adequate Community Facility Standards can be met;
- The need for land use transitions to ensure compatibility with adjacent development or environmentally sensitive areas;
- Instances where resulting net densities may not be in keeping with the intended character of the land use category;
- To achieve design objectives related to neighborhood variety and diversity, and to meet housing needs and affordability.

- The size and location of commercial development should be in keeping with the road capacities and land use context in which commercial centers develop.
- Commercial development should locate near transportation facilities that offer the required access to a commercial center and should not exceed the desired capacity of the existing and future transportation network of the town.
- Local and community-scale commercial areas should conform to the guiding principles, goals and objectives contained in the General Plan.
- Commercial developments including intensity of activities should be in scale with the neighborhood context.
- Architectural and site planning guidelines should be prepared that encourage developments to blend with the surrounding context.
- Strip commercial development is discouraged in order to prevent traffic congestion and encroachment into residential neighborhoods.
- Transitional land areas (linear greenbelts or other urban design elements) are encouraged to be provided between residential neighborhoods and commercial areas.

Industrial Land Use

An industrial area has been designated as a buffer between the residential areas of the town and the Heber City airport. Care should be taken in the development of this area so that it actually serves as a buffer, rather than intensifying the effects of the airport on surrounding residential development.

Objectives for industrial land uses are provided below.

- The size and location of industrial development should be in keeping with the road capacities and land use context in which industrial centers develop.
- Industrial development should locate near transportation facilities that offer the required access to a commercial center and should not exceed the desired capacity of the existing and future transportation network of the town.
- Local and community-scale industrial areas should conform to the guiding principles, goals and objectives contained in the General Plan.
- Industrial developments including intensity of activities should be in scale with the neighborhood context.
- Architectural and site planning guidelines should be prepared that encourage developments to blend with the surrounding context; with buildings and landscaping placed in a manner that will buffer and minimize the transfer of noise and light from the airport.
- Transitional land areas (linear greenbelts or other urban design elements) are encouraged to be provided between residential neighborhoods and industrial areas.

MODERATE INCOME HOUSING

An element of Daniel's General Plan

What does this element do?

The purpose of this moderate-income housing element of the general plan is to ensure that Daniel provides a reasonable opportunity for a variety of housing, including moderate income housing, to meet the needs of those desiring to live in the City.

According to Utah Code 10-9a-103 (41)

"Plan for moderate income housing" means a written document adopted by a city legislative body that includes:

- a. An estimate of the existing supply of moderate-income housing located within the city
- b. An estimate of the need for moderate income housing in the city for the next five years as revised biennially;
- c. A survey of total residential land use;
- d. An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- e. A description of the city's program to encourage an adequate supply of moderate-income housing

Moderate Income Housing Defined

Moderate income housing is defined as (Utah Annotated Code 10-9a-103-34) "...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." The 2016 Area Median Income (AMI), as provided by HUD office of Community Development (CPD), for Wasatch County is \$71,337. Daniel median household income level as provided by the 2012-2016 ACS is \$76,389.

In order to place the definition of the State Code in real terms, it is helpful to understand that affordable housing is generally deemed to be "Affordable" if the

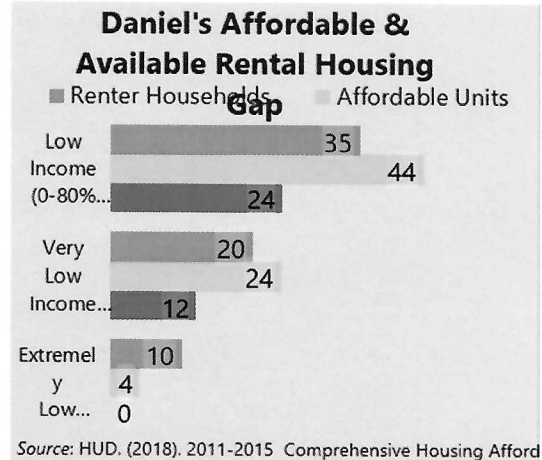
cost of monthly housing expenses is $\leq 30\%$ of gross household income. The following table defines the income levels, lists affordable monthly housing expenses for each income level, and maximum mortgage amount at each income level based upon the 2018 AMI. Maximum Mortgage Amount calculated on 30-year loan, 4.25% interest rate. Some examples of those making 80% or less of the Area Median Income are law enforcement, teachers, and nurses.

Monthly housing costs in Daniel town	2010 American Community Survey	2016 American Community Survey	Annual Growth	2023 Projection
Total owner-occupied housing unit costs	\$841	\$1,138	\$37	\$1,329
Units with a mortgage	\$1,619	\$1,671	\$6	\$1,612
Units without a mortgage	\$389	\$359	-\$4	\$334
Median gross rent	\$862	\$950	\$28	\$1,222

Housing Supply

According to the American Community Survey (2012-2016) Daniel had 358 housing units at 96.5% occupancy rate. Single-family dwellings constituted the majority of the housing stock. The Town is relatively distant from major employment centers and institutions of higher learning and transit routes when compared to other cities, dampening the demand for higher-density housing.

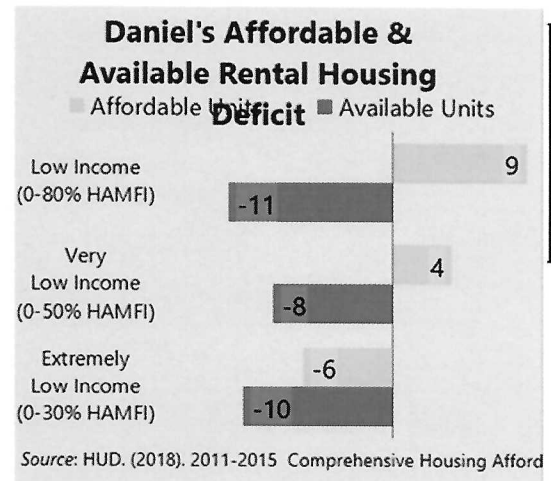
The 2018 Gap Analysis for Daniel Town shows that the town already has more affordable housing units than the total number of moderate-income households. However, many of those units are currently occupied by those that do not qualify as moderate-income households. Therefore the town's current need for additional affordable housing units for those making 0-80% AMI is currently 11.



5 Year Moderate Income Housing Need

According to the 2016 American Community Survey Daniel population decreased by 23 people since the 2010 Census. With a relatively stable population over the past 6 years, it is reasonable to expect that the demand for new affordable housing units by 2023 will remain 11.

11



Survey of Residential Zoning & Impact on Housing Opportunities

The Town of Daniel has three zoning districts that are designated for residential living:

- The P-160 Zone was created as a district for the outlying areas of the City to maintain continuity with existing P-160 County zoning and regulations and to protect the valuable agricultural land and maintain the historic nature of the community.
- The R-A-5 Zone protects agricultural land uses within Daniel City by controlling density. The R-A-5 Zone also provides an open space buffer between commercial and residential areas to mitigate potential impacts between residential and other land uses.

- The R-A-1 single family dwelling zone provides an open space buffer between residential zones.
- The R-A or Rural Residential zone was created for 1-acre zoning. It is intended as a permanent residential district for those areas of the community where it is desirable to maintain higher residential densities.

Daniel's Planning Commission and City Council hold one of the most important keys to providing housing opportunities for persons of moderate income. The key the city holds is zoning. However, many other factors contribute to the affordability of housing that cannot be controlled by the City. Land prices, construction material, interest rates and other financing costs can significantly influence housing costs. By working cooperatively with State and County Agencies, Daniel can assure affordable housing to its citizenry.

Low-income households making 50% of the median income, which will typically be renters, may be affected by zoning, but may also be impacted by market conditions beyond the control of the City. Households making 30% of the MSAMI will more than likely need government rental assistance in addition to any zoning assistance from the City.

Program to Encourage Moderate Income Housing

Daniel has taken the following steps to ensure housing is available to a wide variety of households.

- Reasonable Lot Sizes based
- Reasonable Development Fees and Costs
- Dedicated lands to count for overall density's

Vision of the MODERATE-INCOME Housing Plan is:

To ensure an adequate supply of safe, accessible, sanitary, and aesthetically pleasing moderate income housing integrated throughout the City in various locations, and consistent with the needs of all segments of the population.

Goals

1. Develop a mixture of lot sizes and housing types within the community.
2. Review development fees to understand whether they could be waved for affordable housing units.
3. Encourage landlords with affordable units to ensure tenants meet moderate income levels.
4. Identify locations where additional housing units could be built
5. Update residential codes to allow accessory dwelling units.
6. Work with county, state, and federal housing authorities to identify programs that could be used in the town.

CORRIDOR PRESERVATION ALONG US-40 FROM SR-189 TO Gravel Pit Road**HEBER CITY**

Federal ID No. 87-6000232

TOWN OF DANIEL

Federal ID No. 20-4832675

WASATCH COUNTY

Federal ID No. 87-6000299

27834

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this 31st day of July, 20 17, by and between the UTAH DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "UDOT"; WASATCH COUNTY, a political subdivision of the State of Utah; TOWN OF DANIEL, a municipal corporation in the State of Utah; and HEBER CITY, a municipal corporation in the State of Utah. When referring to all of the municipal corporations together, they are hereinafter referred to as the "LOCAL JURISDICTIONS".

RECITALS:

WHEREAS, the parties hereto desire to preserve a corridor and establish a traffic signal plan and access control plan along the US-40 corridor from the US-189 intersection in HEBER CITY to mile post 22. The purposes are to facilitate traffic flow, to be in accordance with the LOCAL JURISDICTIONS current transportation master plans or general plans, and to be in accordance with UDOT's current Access Management Standards and practices.

NOW THEREFORE, it is agreed by and between the parties as follows:

PART A: CORRIDOR PRESERVATION

1. The current UDOT Highway Access Management Standards Category is "6" from US-189 to Airport Rd and "5" from Airport Road to Tammy Ln and "4" from Tammy Ln to Daniels Summit. Category 6 means minimum traffic signal spacing of 1,320 feet, minimum street spacing of 350 feet, and minimum access spacing of 200 feet. Category 5 means minimum traffic signal spacing of 2,640 feet, minimum street spacing of 660 feet, and minimum access spacing of 350 feet. Category 4 means minimum traffic signal spacing of 2,640 feet, minimum street spacing of 660 feet, and minimum access spacing of 500 feet. See Exhibit A.

CORRIDOR PRESERVATION ALONG US-40 FROM SR-189 TO Gravel Pit Road

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2. As development occurs and any of the **LOCAL JURISDICTIONS** believe a change in any of the access categories is necessary, a request shall be submitted to **UDOT** through the **LOCAL JURISDICTIONS**, and Rural Planning Organization where appropriate. The request shall include an explanation of the need for the change. A request for reassignment in access category shall not be made solely to accommodate planned growth of an entity, a specific access request, or to allow the permitting of access connections that would otherwise not be permitted. US-40 as referenced herein is an L/A (limited access) facility and that change of access locations are not guaranteed and are required to follow the **UDOT** policy and process for access change which include approval from the **Central UDOT** right of way director and payment for the appraised value of the change in access.

PART B: TRAFFIC SIGNAL PLAN and ACCESS CONTROL PLAN

1. All parties will maintain traffic signal, street, and access spacing according to this agreement.

2. **UDOT**, as part of this corridor and access control agreement, requires the following conditions/requirements be met and maintained:
 - A. Offsetting of existing and future streets is not encouraged. The streets should access US-40 at 90 degree angles and line up across the intersection. Should there be a need for any variation from this standard, an allowable skew of no greater than 15 degrees will be accepted.

 - B. Every effort possible should be made for existing non street accesses onto US-40 to be combined and access made to internal roadway systems in the development and not directly onto US-40 in accordance with **LOCAL JURISDICTIONS** master street plans. This is to help facilitate the traffic flow onto US-40 by limiting access onto US-40 from roadway systems and not individual accesses. It is recommended that these accesses be set back from the US-40 intersections at least 300 feet to allow for intersection function and vehicle queuing.

 - C. If existing **UDOT** roadway right of ways, including easements, are proposed to be used by new developments for the construction of acceleration/deceleration lanes;

additional property will be required to be dedicated to **UDOT** so as to preserve right of way for future **UDOT** projects such as roadway widening, shoulders, drainage features, etc. The proposed US-40 typical roadway cross section is shown as exhibit B for illustrative purposes.

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D. The **LOCAL JURISDICTIONS** should have all permanent improvements above ground set back 30 feet from the existing ROW line or perpetual easement line to facilitate future widening of US-40 and to protect historic drainage features such as ditches/drainage canals, etc. See Exhibit B

E. The portion of US-40 from the US-189 intersection to Airport Road will have curb and gutter type drainage features and that the section of US-40 from Airport Road to milepost 22 will have a shoulder ditch for drainage into existing drainage canals or ditches.

3. The following locations are identified as existing, warranted, or potential traffic signal locations along US-40:

- | | |
|------------------------------|------------|
| A. US-189 | (Existing) |
| B. 1500 South | (Proposed) |
| C. Airport Road | (Proposed) |
| D. Center Creek Road/2400 S | (Proposed) |
| E. Mill Road/1200 E | (Proposed) |
| F. Mile Post 20 | (Proposed) |
| G. Little Sweden Road/3600 S | (Proposed) |

4. Proposed traffic signals listed in #3 above will not be installed unless warranted and approved by UDOT. It may be necessary to restrict certain types of traffic movements at any intersection or access in order to maintain traffic flow and improve safety through the corridor.

5. To accommodate potential signals at Center Creek Road and Mill Road, UDOT agrees to grant an exception to the category 5 signal spacing requirements. Those potential signals shall be no closer than 1,100 feet. All other category 5 access spacing requirements will remain in force throughout that section.

6. Segments of the highway which are currently designated as No Access, Limited Access, or Regular Right-of-Way are unchanged by this Agreement.

7. Exhibit A shows the US-40 corridor referencing the category type and existing and proposed signal locations.

8. The parties shall consider the concepts contained herein during the development of any master plans in this area and work towards the common goal of this Agreement.

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9. In the event there are proposed changes in the provisions covered by this Agreement, a modification to this Agreement approved in writing by all parties is required to place them into effect.

10. The failure of any party to insist upon strict compliance of any of the terms and conditions, or failure to delay by either party to exercise any rights or remedies provided in this Agreement, or by law, will not release either party from any obligations arising under this Agreement.

11. Each party represents that it has the authority to enter into this Agreement.

12. If any provision or part of a provision of this Agreement is held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision. Each provision shall be deemed to be enforceable to the fullest extent under applicable law.

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

HEBER CITY

Municipal Corporation in the State of Utah

By: Michelle K. Vest
Title: CITY RECORDER
Date: JUNE 15, 2017

By: Al McDaniel
Title: MAYOR
Date: 15 JUNE 2017

(IMPRESS SEAL)



ATTEST:

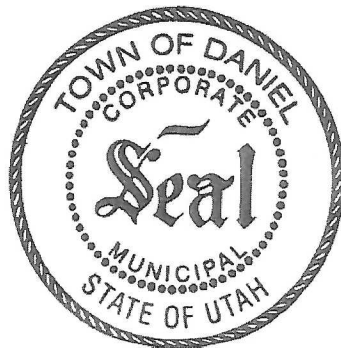
TOWN OF DANIEL

Municipal Corporation of the State of Utah

By: Lynne Shindurling
Title: Clerk/Recorder
Date: 6/20/17

By: [Signature]
Title: MAYOR
Date: 6-20-17

(IMPRESS SEAL)



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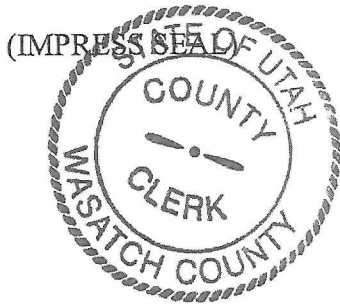
ATTEST:

WASATCH COUNTY

Municipal Corporation of the State of Utah

By: Michelle B. Crook
Title: Deputy Clerk
Date: 6-8-2017

By: [Signature]
Title: WASATCH Co. MANAGER
Date: JUNE 8, 2017



RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By: [Signature]
Region Three Traffic Operations Engineer
Date: July 31, 2017

By: [Signature]
Region Three Director
Date: 7/31/17

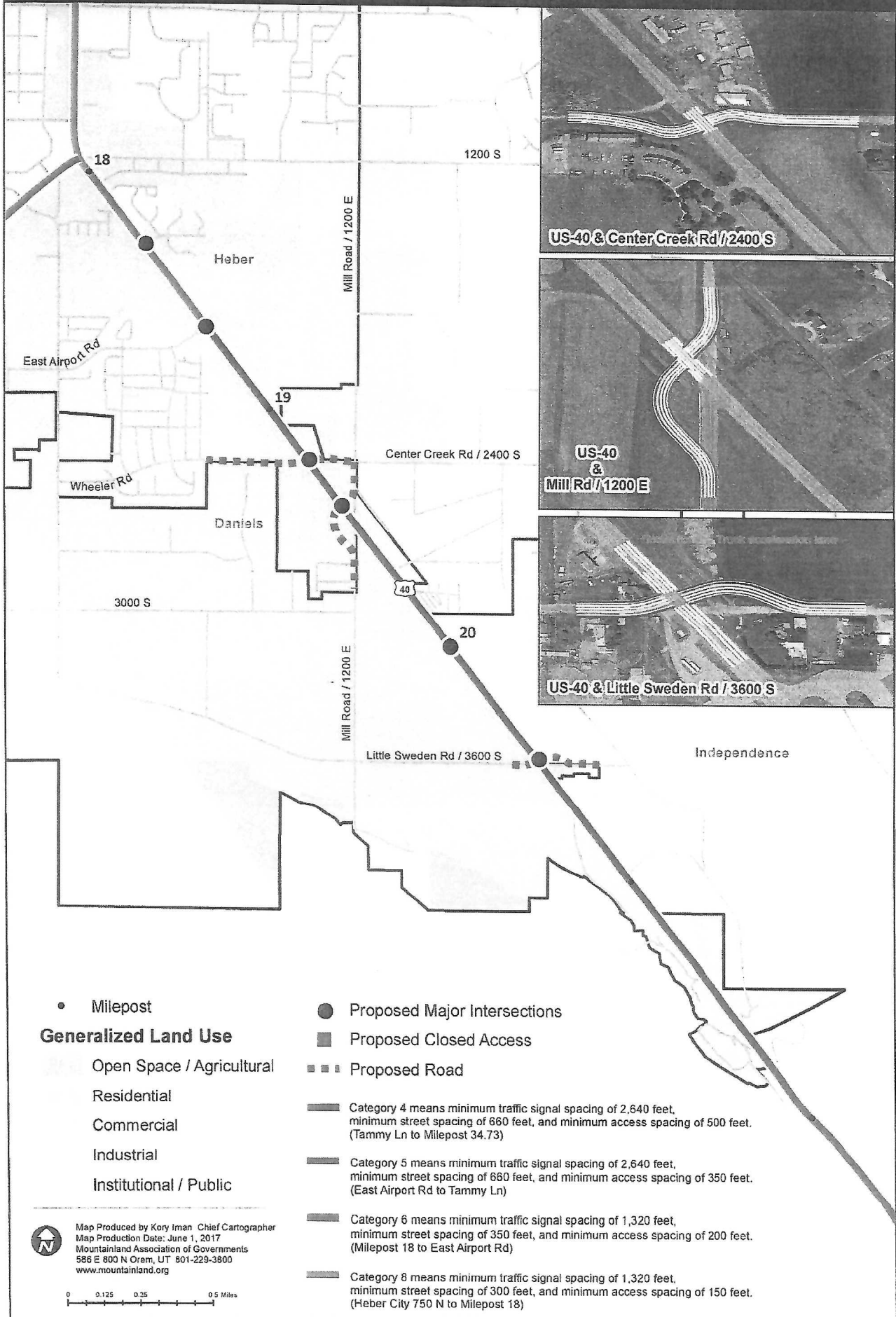
APPROVED AS TO FORM:

This Form Agreement has been previously approved as to form by the office of Legal Counsel for the Utah Department of Transportation.

COMPTROLLER OFFICE

By: [Signature]
Contract Administrator
Date: 8/3/17

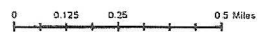
US-40 Highway Access Management



- Milepost
- Generalized Land Use**
 - Open Space / Agricultural
 - Residential
 - Commercial
 - Industrial
 - Institutional / Public

- Proposed Major Intersections
- Proposed Closed Access
- ▬ Proposed Road
- ▬ Category 4 means minimum traffic signal spacing of 2,640 feet, minimum street spacing of 660 feet, and minimum access spacing of 500 feet. (Tammy Ln to Milepost 34.73)
- ▬ Category 5 means minimum traffic signal spacing of 2,640 feet, minimum street spacing of 660 feet, and minimum access spacing of 350 feet. (East Airport Rd to Tammy Ln)
- ▬ Category 6 means minimum traffic signal spacing of 1,320 feet, minimum street spacing of 350 feet, and minimum access spacing of 200 feet. (Milepost 18 to East Airport Rd)
- ▬ Category 8 means minimum traffic signal spacing of 1,320 feet, minimum street spacing of 300 feet, and minimum access spacing of 150 feet. (Heber City 750 N to Milepost 18)

Map Produced by Kory Iman Chief Cartographer
 Map Production Date: June 1, 2017
 Mountainland Association of Governments
 586 E 800 N Orem, UT 801-229-3800
 www.mountainland.org



TYPICAL SECTION NO. 1

US-40

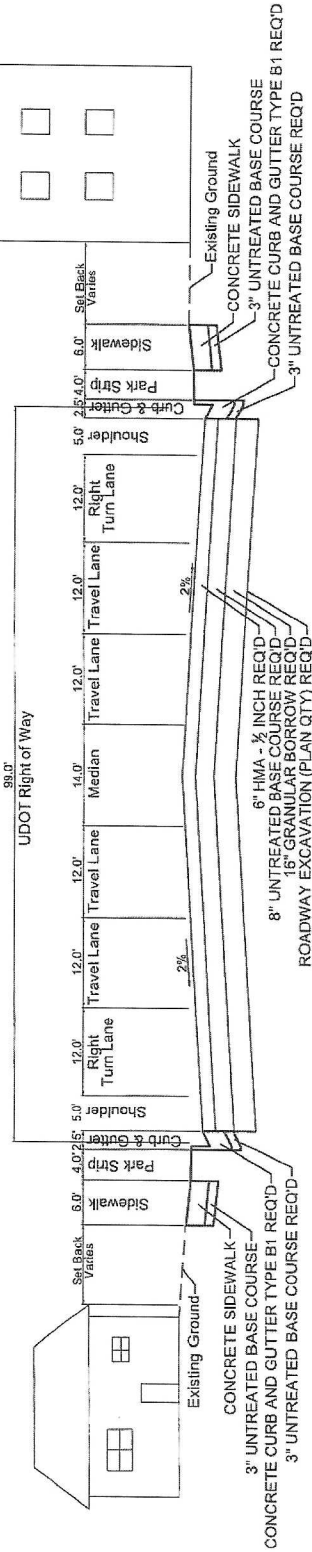
Widening from US-40 to East Airport Rd (M.P. 18 to M.P. 18.65)

Category 6

DESIGN SPEED 50 MPH

6'

NOTES:
1. SIDEWALK AND PEDESTRIAN FACILITIES ALLOWED AS PER LOCAL JURISDICTIONAL ORDINANCE



TYPICAL SECTION NO. 2

US-40

Widening from East Airport Rd to Deer Meadow Ln (M.P. 18.65 to M.P. 20.9)

Category 5

DESIGN SPEED 60 MPH

6'

NOTES:
1. ONCE OUTSIDE THE 32' CLEARZONE, STEEPER SLOPES CAN BE USED.
2. SIDEWALK AND PEDESTRIAN FACILITIES ALLOWED AS PER LOCAL JURISDICTIONAL ORDINANCE

