



Planning Commission Meeting

July 27, 2023
6:00pm

125 West 400 North
Mapleton, UT 84664



PLANNING COMMISSION AGENDA

Thursday, July 27, 2023, at 6:00pm
125 West Community Center Way (400 North), Mapleton, Utah 84664

The order of agenda items is subject to change at the discretion of the Planning Commission Chair.

6:00 p.m. Call to order: Pledge, Invocation, and Introductions/Announcements.

Consent Item

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Commission may ask that any items be considered individually for purposes of Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

1. Planning Commission Meeting Minutes – July 13, 2023.

Action Item

2. Consideration of a Variance request from the required 30-foot corner lot setback for a new shed on a property located at 375 North Clegg Canyon Drive. The applicants are David and April Orgill.

Public Hearings

3. Consideration of a request to rezone five parcels from A-2 to RA-2 located at approximately 100 North Main Street.
4. Consideration of an ordinance amending Mapleton City Code Title 17 regarding subdivision requirements.

PUBLIC COMMENT MAY BE ACCEPTED AT THE DISCRETION OF THE CHAIR

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting/hearing should notify April Houser at the Community Development Office, at Mapleton City, 125 West 400 North, Mapleton UT 84664, or by phone, (801) 489-6138, giving at least 24 hours notice. Signature on this document certifies that it was posted in the City Office on 7/17/23.

THIS AGENDA SUBJECT TO CHANGE WITH A MINIMUM OF 24 HOURS NOTICE
(Last Modified July 17, 2023)

April Houser, Executive Secretary

Item:

2

Date:

7/27/2023

Applicant:

David & April Orgill

Location:

375 N Clegg Canyon Dr.

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

No

Zone:

PRC-8

Attachments

1. Mapleton City Code and Utah Code.
2. Application information.

REQUEST

Consideration of a request for a variance from the required 30-foot corner lot setback for a new shed on the property located at 375 N Clegg Canyon Drive.

BACKGROUND & DESCRIPTION

The subject property is approximately .83 of an acre in size and is located on the corner of 400 North and Clegg Canyon Drive in the Clegg Canyon subdivision. The lot has a 60 foot wide storm drain easement on the west side of the lot to protect some buried storm water retention chambers that were constructed as part of the subdivision. Mapleton City Code (MCC) section 18.821.070 requires a 30' setback from the property line abutting 400 North for all structures. The City also requires approval of any structures being built within the storm drain easement to ensure that the storm chambers are not impacted.

The property owners recently completed construction of a single-family dwelling on the lot and are working on other backyard improvements. City staff noticed a new structure that was being built that appeared to be encroaching into the stormwater easement as well as the required corner setback. The property owners had received approval from the Home Owner's Association and moved forward believing no City approvals were required. Upon being notified of the setback violation, the property owners filed a variance application requesting approval to allow the structure to remain in its current location, which is approximately eight feet from the property line along 400 North.

EVALUATION

MCC Section 18.84.360 states that the Planning Commission may only grant a variance if specific requirements are met. The burden is on the applicant to prove that all of the conditions justify a variance. Staff has included the code language below followed by a brief response.

1. Literal enforcement of the ordinance would cause an unreasonable hardship, as defined in Utah Code section 10-9a-702, for the applicant that is not necessary to carry out the general purpose of the land use ordinances.

Response: The applicant argues that requiring the shed to move would cause an undue financial hardship to the family. Unfortunately, according to Utah Code Section 10-9a-702, a hardship cannot be self-imposed and cannot be economic. So while there may be other reasons to consider the variance, a financial hardship cannot be one of them.

2. There area special circumstances , as defined in Utah Code Section 10-9a-702, attached to the property that do not geneally apply to other properties in the same zone.

Response: The applicant argues that the existence of the storm drain easement is a special circumstance that should warrant a variance. Staff concurs that the large storm drain easement can be considered a special circumstance and does limit the available buildable land. Corner lots also have two 30-foot setbacks, one for each frontage, where interior lots only have one. While the lot does have more constraints than other lots in the area, there is still adequate room to locate the shed on the south side of the storm drain easement, or in other locations on the site, that would not require a variance. The special circumstances of the lot are not so limiting that the shed could only be built within the corner setback.

3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

Response: The property right in question is the ability to build a detached shed. The applicant argues that the shed is essential to their enjoyment of the property and denying the variance would unfairly restrict their property rights. While there are more constraints on this lot than some other lots in the zone as discussed above, the applicants have not been denied any rights enjoyed by others. The setback requirement is not denying their ability to build the shed, there is adequate space on the lot to build the shed without encroaching into the corner setback.

4. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

Response: The General Plan sets broad goals and policies regarding development within the City. The zoning ordinance then adopts specific requirements to implement the goals and policies of the General Plan. For example, the General Plan has goals to preserve and enhance Mapleton's rural atmosphere as well as maintaining a focus on large lots as a way of preserving open space. The zoning ordinance requirements on lot sizes and setbacks then helps implement these goals.

The applicant's request is relatively minor in nature and would not significantly impact the the General Plan on its own. However, if variances were granted more frequently for strucures within the front or corner setbacks, it could lead to development that is not consistent with the General Plan.

5. The spirit of the land use ordinance is observed and substantial justice is done.

Response: It is staff's position that a variance is not required to ensure substantial justice. While the lot does have constraints, there are other locations that the shed could be constutred that would not impact the setback requirements.

RECOMMENDATION

Deny the variance request and require the shed to be moved to a location that complies with the required setbacks and does not impact the underground storm drain chambers.

Attachment “1”
City & State Code Governing Variances

Mapleton Code Section 18.84.360

F. Conditions Of Granting A Variance: The Planning Commission may only grant a variance to waive or modify the requirements of a land use ordinance as applied to a parcel of property if:

1. Literal enforcement of the ordinance would cause an unreasonable hardship, as defined in Utah Code section 10-9a-702, for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
2. There are special circumstances, as defined in Utah Code section 10-9a-702, attached to the property that do not generally apply to other properties in the same zone;
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
4. The variance will not substantially affect the General Plan and will not be contrary to the public interest; and
5. The spirit of the land use ordinance is observed and substantial justice done.

Utah Code 10-9a-702. Variances.

- (1) Any person or entity desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the applicable appeal authority for a variance from the terms of the ordinance.
- (2) (a) The appeal authority may grant a variance only if:
 - (i) literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - (ii) there are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - (iii) granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 - (iv) the variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - (v) the spirit of the land use ordinance is observed and substantial justice done.
- (b) (i) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection [\(2\)\(a\)](#), the appeal authority may not find an unreasonable hardship unless the alleged hardship:

- (A) is located on or associated with the property for which the variance is sought;
and
 - (B) comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
- (ii) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection [\(2\)\(a\)](#), the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
- (c) In determining whether or not there are special circumstances attached to the property under Subsection [\(2\)\(a\)](#), the appeal authority may find that special circumstances exist only if the special circumstances:
- (i) relate to the hardship complained of; and
 - (ii) deprive the property of privileges granted to other properties in the same zone.
- (3) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
- (4) Variances run with the land.
- (5) The appeal authority may not grant a use variance.
- (6) In granting a variance, the appeal authority may impose additional requirements on the applicant that will:
- (a) mitigate any harmful affects of the variance; or
 - (b) serve the purpose of the standard or requirement that is waived or modified.

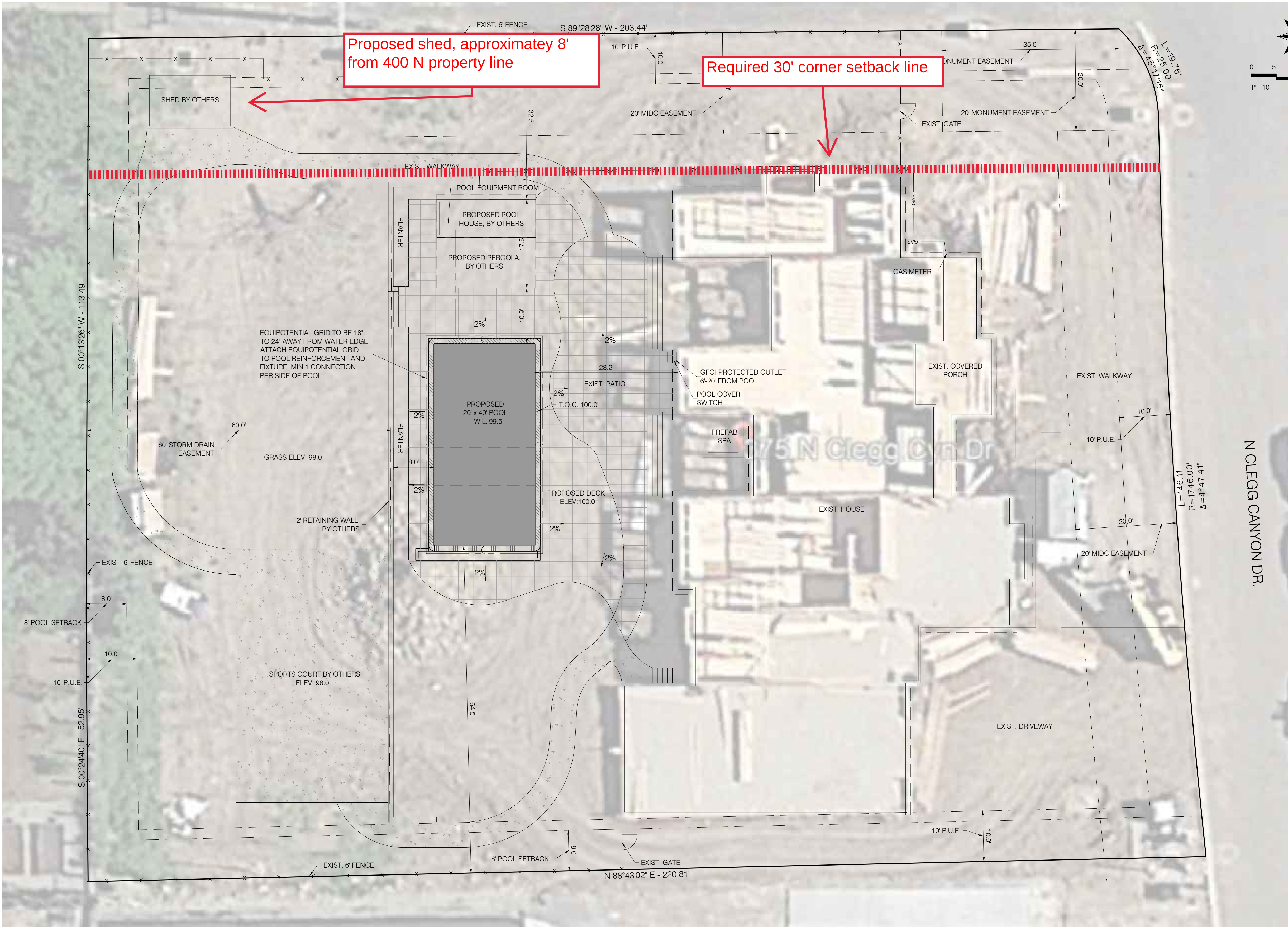
Attachment "2"

Application Information

Dear City of Mapleton Board of Zoning, I am writing to formally apply for a variance to the land use ordinances of the City of Mapleton, as provided for in Utah Code section 10-9a-702. The purpose of this letter is to present compelling reasons and circumstances that warrant the granting of the variance. I believe that the literal enforcement of the ordinance would cause an unreasonable hardship for my family, which is not necessary to carry out the general purpose of the land use ordinances. There are several factors that support our request for a variance. Firstly, there are special circumstances attached to our property that do not generally apply to other properties in the same zone. Specifically, we have an underground retention pond for the development on our property, which the city has advised us not to build upon due to the possibility of future maintenance needs. Therefore, the shed location is not on top of the underground retention pond, and the proposed structure would not interfere with any potential maintenance requirements for the pond as marked out by the city employee. Additionally, the current location of the shed will provide privacy for a significant portion of our yard. This increased privacy will contribute to the safety and well-being of our family. The ability to have a secluded area within our property will enhance our overall enjoyment and sense of security. Moreover, the shed location and the full landscape plan have already been approved by our Homeowners Association (HOA). This approval demonstrates that the shed's placement is in line with the requirements of the neighborhood and meets the aesthetic standards set by the community. We have adhered to the guidelines and regulations established by our HOA, ensuring that our proposed structure is consistent with the overall character and appearance of the area. Granting the requested variance is essential to the enjoyment of a substantial property right possessed by other properties in the same zone. The proposed structure would serve as a storage shed, providing essential storage space for our family's property. Denying the variance would unfairly restrict our property rights and hinder the ability to maintain our property in a manner consistent with neighboring properties. Furthermore, the variance we seek will not substantially affect the general plan and will not be contrary to the public interest. The intended structure will be aesthetically in line with existing structures in the area, ensuring a harmonious appearance. Furthermore, the shed will not obstruct any public views or impede the flow of pedestrian or vehicular traffic. Granting the variance will therefore have minimal impact on the public interest. Lastly, by allowing the requested variance, the spirit of the land use ordinance will be observed, and substantial justice will be done. Due to the expanding building costs, changing the layout of our yard to accommodate the shed in strict compliance with the ordinance would result in undue financial hardship for our family. Granting the variance would alleviate this burden and enable us to maintain a reasonable and affordable cost for the construction project. Considering the aforementioned reasons and circumstances, we kindly request your favorable consideration of our application for a variance. We firmly believe that our case satisfies the conditions outlined in Utah Code section 10-9a-702 and meets the requirements for a just and reasonable exception to the land use ordinances. Thank you for your attention to this matter. We remain at your disposal for any further information or documentation you may

require. We appreciate your understanding of our unique situation and the potential impact of the ordinance on our family's welfare.

CREATED: 6/5/2023, 3:45 PM; FILED: 6/5/2023, 3:45 PM; PROJECT: 142; SHEET: 2.0; TITLE: PROPOSED SITE PLAN



General Notes

- All construction to be performed in accordance with City Standards and Specifications.
- Not all utilities are shown on this plan. Verify the location of all existing utilities including cables, conduits, pipes, water lines, gas lines, etc. by contacting a utility locating service such as Blue Stakes to mark utility locations prior to construction.
- Protect existing utilities, structures, and street improvements which are to remain in place, from damage. Any utilities, structures or improvements damaged due to construction shall be repaired or replaced to the cities standards.
- Pool area shall be enclosed by a 6 foot tall barrier / fence with 6 foot tall, self-closing, self-latching gate. Gate shall swing out away from the pool area.

Construction Notes

- Contractor shall be responsible for submitting a Notice of Intent (NOI) to be reviewed and approved by the Utah DWQ.
- The NOI must be submitted to DWQ 45 days prior to the start of construction and may entitle coverage under the Utah DWQ General Permit for Storm Water Discharges associated with construction activity.
- A UPDES Storm Water Discharge Permit may be required. The Contractor shall be considered the Permittee.
- Provide sediment control at all points where storm water runoff leaves the site, including waterways, overland sheet flow, and storm sewers.
- Place sand or gravel bags around existing storm drain collection systems to protect from sediment and debris.
- Construction access shall be constructed with a minimum 6" deep gravel (3" to 6") size to prevent tracking of mud offsite and in a manner that will protect existing utilities, sidewalks, curb and gutter from damage. No dirt

- or debris shall be placed over the sidewalk or curb & gutter.
- Tracking or spilling mud, dirt or debris upon streets, residential or commercial drives, sidewalks or bike paths is prohibited. Any such occurrence shall be cleaned up immediately.
- A lined concrete wash out area must be provided at the site for all concrete, paint, stucco, or masonry work. Washout on ground is prohibited. Washout area can be used for any type of tool and or equipment cleanup.
- A chemical toilet is required to be on site during construction and located on a pervious surface.
- Building site is to be cleaned on a regular basis.
- All erosion control Best Management Practices shall be inspected and maintained regularly and after every storm event.
- Gas line is to be buried 12"-18" below finish grade. Install #18 yellow tracer wire 4'-6" above gas line with caution tape placed over wire.

- All electrical equipment shall be grounded and outdoor outlets should be WRU rated and GFI.
- All drain covers are to be VGB certified.
- All materials for pools, spas and apparatuses shall be constructed of materials that are non-toxic to humans; that are impervious and enduring; that will withstand design stresses; that will provide a watertight structure and easily cleanable surface.
- All joints in the pool deck shall be watertight.

PROPOSED SITE PLAN

SCALE: 1"=10'-0"

Site Grading Notes

- All storm water and dirt will be kept on site during construction until final landscaping is finished.
- Existing drainage patterns along property lines shall remain as is. Berms, swales, and/or silt fences maybe required to prevent storm water from flowing onto adjacent lots.
- Drainage ditches or watercourses that are disturbed by construction shall be restored to the grades and cross-sections that existed prior to construction.
- Slope finish grade away from existing structures and foundations a minimum of 2% and maximum of 5% for 10 feet (3 to 6 inches). Provide all necessary horizontal and vertical transitions between new construction and existing surfaces for proper drainage.
- All grading, excavation and backfilling work shall conform to the geotechnical soils report approved for this site. The report must include soil classification, soil bearing pressure and lateral equivalent fluid pressure. A geotechnical engineer must inspect excavations prior to any fill or concrete being placed.

Property Information

Owner: Reese, Kady and Joseph
Address: 562 S Waterway Rd
Lehi, UT 84043
Subdivision: Lot 1, Jordan Willows Plat Z
9,800 sf, 0.22 acres
Parcel No: 43.253.0001
Lehi Zoning Requirements
Zone: RA-1
Min. Area: 15,000 sf
Min. Lot Width: 100 feet

Pool Requirements

Any swimming pool shall be completely surrounded by a fence or wall having a height of at least five feet to control access. The pool shall not be closer than 4' to any property line.

Setback Requirements 12.020 (E.2)
Rear Yard Setback: 4 feet
Side Yard Setback: 4 feet

Pool Equipment

Pool Volume
Cu. ft. 3,345.61 ft³
Gallons 25,027 gallons
Turnover Rate 12 hr min.

Pool Heater: Max E-Therm 400, 400,000 BTU
Pool Filter: Pentair CLEAN AND CLEAR PLUS Cartridge Filter
Pool Pump: INTELLIFLOW ASF Variable Speed & Flow Pump
Pool Cover: Auto cover by contractor

Gas Line: 115' @ 1.5" Ø

Electrical
Electrical Panel Rating: 100 AMP 1224
Circuit Breaker: (4) 20 AMP
Wire Size: #2 URD

All equipment to be grounded.

Contractor Information

Company Name: FORM Pools
Operation Manager: Lynsie Davis
801-656-6515, ext 703 office



PROJECT #: 142

PROJECT: ORGILL POOL
STREET: 375 N CLEGG CANYON DR.
CITY: MAPLETON, UT

CONTRACTOR TO VERIFY ALL CONDITIONS & DIMENSIONS

SHEET SIZE: ARCH D
24X36

PROPOSED SITE PLAN

CLIENT:

PLAN SUBMITTAL DATES	
DATE:	DESCRIPTION:
6/5/2023	SUBMITTAL 1

DATE: 6/5/2023

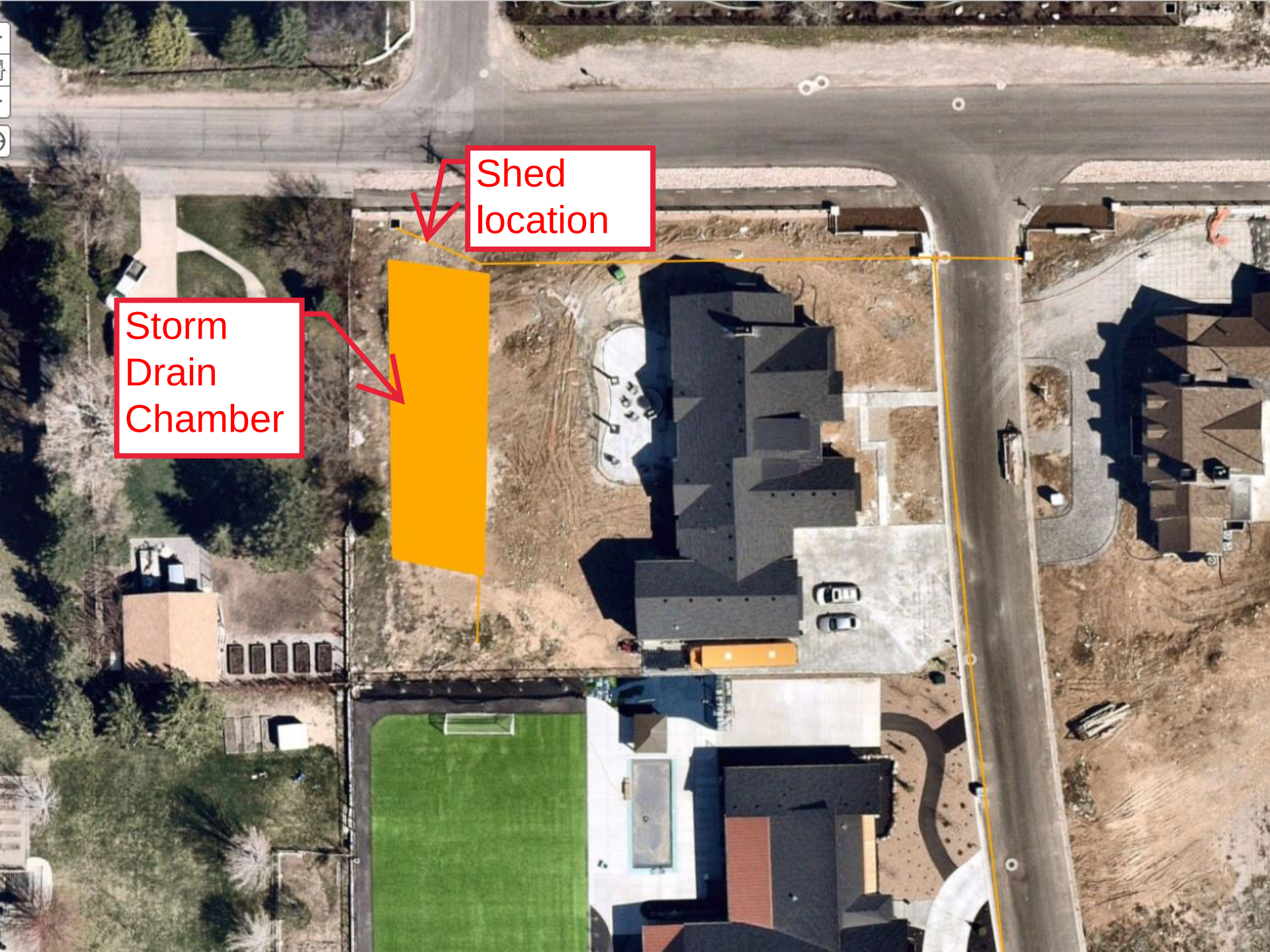


DRAWN BY: M. JONES
PROJ. ENGINEER: B. SAFLEY

SHEET #

2.0

DAVID KEITH ENGINEERING, PLLC RESERVES ITS COMMON LAW COPYRIGHT TO THE CONTENT AND USE OF THESE DRAWINGS OR PLANS. NO PORTION OF THE DRAWINGS OR PLANS ARE TO BE REPRODUCED, CHANGED OR COPIED WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF DAVID KEITH ENGINEERING, PLLC.

An aerial photograph of a residential property. A large orange rectangle is placed on a dirt area, with a red arrow pointing to it from the 'Storm Drain Chamber' label. A red arrow points to a small black object on the property line from the 'Shed location' label. A yellow line runs along the property boundary. The property includes a large house with a dark roof, a swimming pool, a green lawn, and a driveway. A road is visible on the right side of the property.

Shed
location

Storm
Drain
Chamber

Shed framing



Item:

3

Date:

7/27/2023

Applicant:

Mapleton City

Location:

Approximately 100 N Main Street

Prepared By:

David Stuenzi Jr,
Planner

Public Hearing:

Yes

Zone:

A-2

Attachments

1. Application information.

REQUEST

Consideration of a request to re-zone five properties located at approximately 100 North Main Street from A-2 to RA-2 to ensure that each parcel complies with minimum lot size standards.

BACKGROUND & DESCRIPTION

The subject parcels range in size between approximately .59 acres to .77 acres. Four of the properties are located alongside Main Street, while one is located alongside Maple Street. These lots are in the A-2 zone and are currently designated as "legal-nonconforming" lots.

The current classification of these five properties as "legal-nonconforming" is a result of their location within the A-2 zone without meeting the minimum requirement of two acres. The city is seeking to change the zoning of these parcels to RA-2, where a minimum lot size of one-third of an acre is required. This re-zoning would enable these lots to attain the status of legal conforming lots. Two of the lots are currently vacant and it is anticipated that these will be built on in the future.

EVALUATION

Rezone requests are considered legislative actions. The Planning Commission and City Council generally have broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community and is supported by city ordinances and policies.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing rezone requests:

1. *Public purpose for the amendment in question.*
2. *Confirmation that the public purpose is best served by the amendment in question.*
3. *Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
4. *Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
5. *Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
6. *Adverse impacts on adjacent landowners.*
7. *Verification of correctness in the original zoning or general*
8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

General Plan: The Future Land Use Map designates the site as “*Medium Density Residential*”. This designation corresponds to the RA-2 zone and allows for one-third of an acre lot. The proposed re-zone is consistent with the general plan.

Zoning: The properties are currently zoned A-2 which requires two acres per lot. As mentioned previously, the subject properties are all non-conforming, as they are smaller than two acres. The properties across the street to the west are all already zoned RA-2. The proposed re-zone will ensure that the subject lots are all considered legal conforming and will be consistent with neighboring properties.

RECOMMENDATION

Recommend approval of the rezone request to the City Council.

Proposed to be
rezoned from A-2 to
RA-2



Existing Zoning

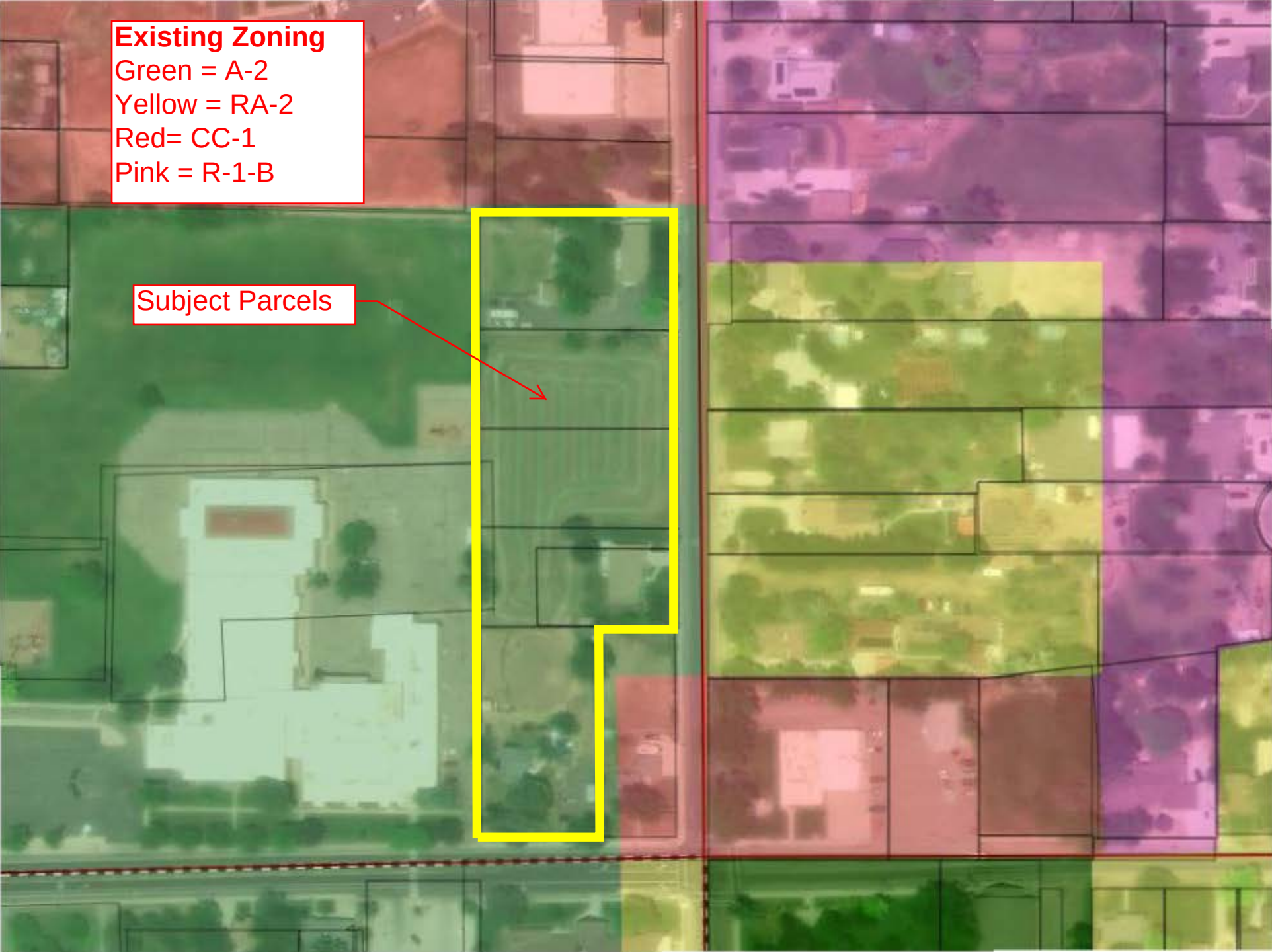
Green = A-2

Yellow = RA-2

Red = CC-1

Pink = R-1-B

Subject Parcels



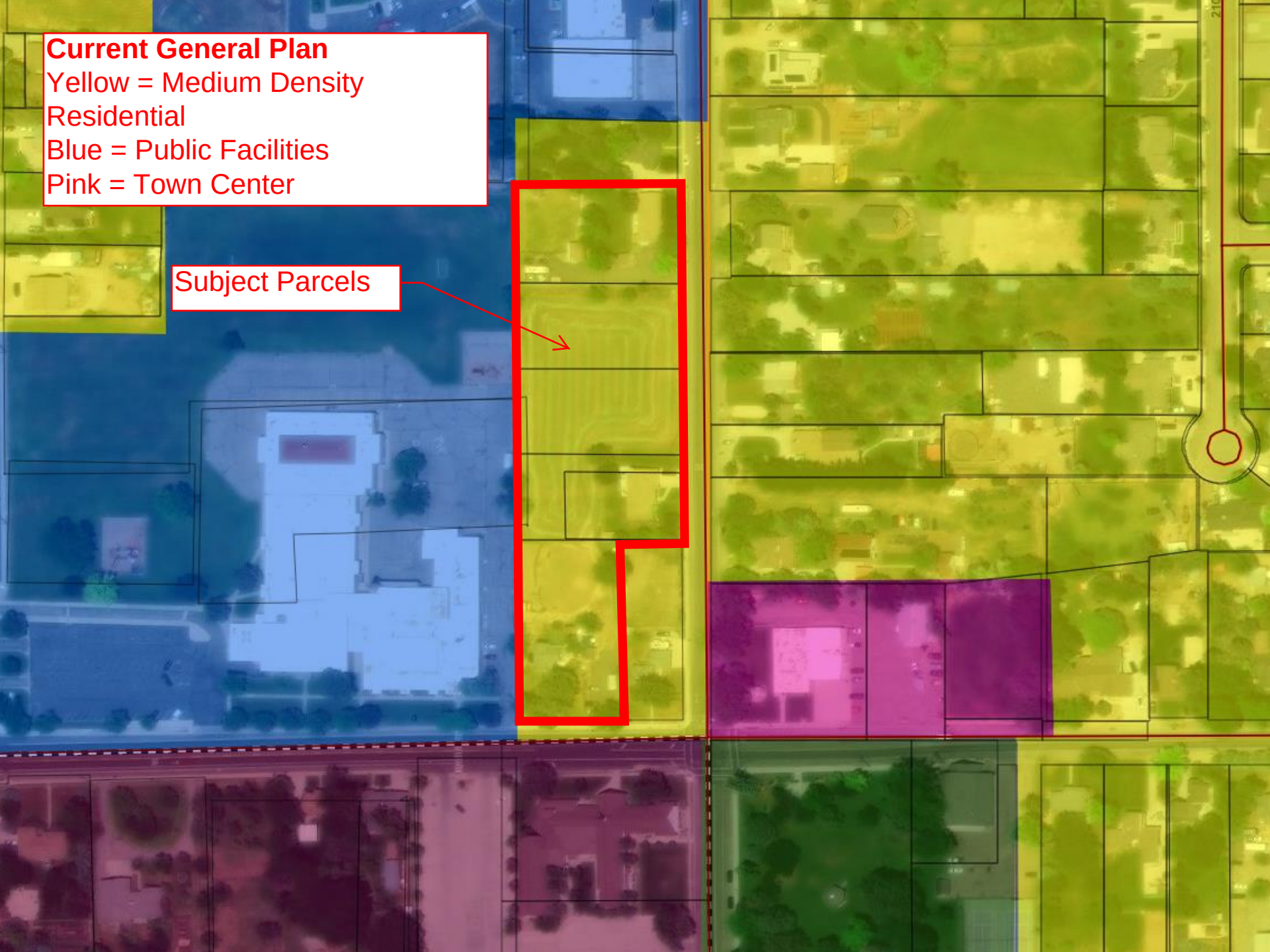
Current General Plan

Yellow = Medium Density Residential

Blue = Public Facilities

Pink = Town Center

Subject Parcels



Planning Commission Staff Report

Item:

4

REQUEST

Consideration of amendments to Mapleton City Code Title 17 and 18.90.130 regarding subdivision requirements.

Date:

7/27/23

BACKGROUND & DESCRIPTION

During the 2023 legislative session, SB 174 was passed. The bill included several provisions that impact subdivision standards including:

Applicant:

Mapleton City

Location:

N/A

Prepared By:

Sean Conroy, Community
Development Director

- Establishes specific timelines for review of subdivision applications;
- Indicates that cities must identify a “Land Use Authority” responsible for the review of preliminary subdivision plat applications and that the land use authority **cannot** be the City Council;
- The maximum width of a local residential roadway cannot exceed 32’ of asphalt;
- Water rights dedication requirements must be based on actual usage data from the city; and
- Cities can no longer require a bond for front yard landscaping.

Public Hearing:

Yes

Mapleton City Code title 17 contains the City’s subdivision ordinance. The proposed ordinance is meant to update the City’s standards to comply with recently adopted state law as well as to make other updates to conform with current best practices and procedures. Exhibit “A” shows the proposed amendments in strikeout and underline and only contains those sections of the code that are being amended. Some of the more notable changes include:

Zone:

All

Attachments

1. Draft ordinance.

- Identifies the Development Review Committee (DRC) as the land use authority for subdivisions of two lots or less;
- Identifies the Planning Commission as the land use authority for subdivisions of three lots or more;
- Refers to state code requirements for review timelines;
- Clarifies what technical reports and reviews are required;
- Updates engineering design standards;
- Ensures that requirements are consistent with other master plans (transportation, wastewater, water resources, etc.); and
- Updates water dedication requirements based on usage data (indoor requirement being reduced from .45 acre feet per lot to .3 for attached housing and .35 for detached).

RECOMMENDATION

Recommend approval of the ordinance to the City Council.

EXHIBIT "A" – SUBDIVISION ORDINANCE AMENDMENTS

(Changes shown in strikeout and underline. Only those sections that include amendments have been included)

TITLE 17

DEVELOPMENT CODE, PART II; SUBDIVISIONS

Title And Intent 17.01

Subdivision Plans And Plats Required 17.02

Condominiums 17.03

Procedure For Approval Of A Subdivision 17.04

Documentation Requirements 17.08

Design Standards And Criteria 17.12

~~Standard Specifications And Drawings~~ Public Works Design Standards 17.14

Landscape Standards 1 (Rep. by

Ord. 2016-01, 5-18-2016, eff. 6-16-2016) 17.15

Subdivision Improvements 17.16

Trail Location And Construction Standards 17.18

Performance Guarantees 17.20

General Requirements 17.24

Fees And Charges 17.28

Definitions 17.32

Administration And Enforcement 17.36

Constitutional Takings Appeal Procedure 17.37

Cleanup, Public Rights Of Way 17.42

17.02.010: SUBDIVISION PLATS REQUIRED; TO BE RECORDED:

No person shall subdivide, as defined by section 17.32.010 of this title, any tract of land within the incorporated limits of the city; nor shall any person sell, exchange, purchase or otherwise convey a parcel of land which is part of a larger tract, if such sale or agreement

would have the effect of creating a "subdivision" as defined by this title, unless and until a final plat, prepared in accordance with the provisions of this title, shall have been reviewed and approved by the appropriate ~~land use authority decision-making body~~ consistent with chapter 17.04 of this title and recorded in the office of the county recorder. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.02.020: EXEMPTION FROM PLAT REQUIREMENTS:

A. Agricultural lot splits that comply with the following standards are exempt from plat requirements:

1. The property qualifies as land in agricultural use under section 59-2-502 of the Utah code; and
2. Each lot will comply with the minimum lot size requirement of the applicable zone in which the property is located; and
3. The property does not contain any existing residential units and will not be used for nonagricultural purposes; and
4. The boundaries of each lot or parcel shall be graphically illustrated on a record of survey map that is presented to the city. Upon approval by the community development director or his/her designee the record of survey map shall be recorded with the Utah County recorder.

B. Parcel boundary adjustments are exempt from plat requirements. A "parcel boundary adjustment" means a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

- ~~1. No additional parcel is created, and~~
- ~~2. Each property identified in the agreement is unsubdivided land, including a remainder of subdivided land. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)~~

Formatted: Border: Bottom: (No border)

17.03.080: APPROVAL AUTHORITY:

Preliminary condominium plats shall be reviewed by the planning commission, ~~which shall make a recommendation to the city council~~. Upon approval of the preliminary plat ~~by the city council~~, a final plat and construction drawings shall be submitted for review and final approval by the development review committee. If an applicant contests any requirements imposed by the DRC as part of the final plat approval, the applicant may request that the application be referred to the ~~planning commission city council~~ for a final decision. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

CHAPTER 17.04
PROCEDURE FOR APPROVAL OF A SUBDIVISION

SECTION:

- 17.04.010: Development Review Committee
- 17.04.020: Prepare And Submit Plans To City
- 17.04.030: Submission Of Preliminary Plat Application
- 17.04.040: ~~Planning Commission~~ Review Of Preliminary Plat
- 17.04.050: ~~City Council Review~~ Reserved
- 17.04.060: Prepare And Submit Final Plat, Engineering Drawings, And Documents To The Development Review Committee (DRC)
- 17.04.070: Reserved
- 17.04.080: Reserved
- 17.04.090: Amending And Vacating A Subdivision Plat
- 17.04.100: Nuisance Strips And Remnant Parcels
- 17.04.110: Applicant Completes Improvements Or Submits Performance Guarantee
- 17.04.120: Final Plat Recorded In Office Of County Recorder
- 17.04.130: Availability Of Adequate Public Facilities
- 17.04.140: Unavailability Of Adequate Public Facilities

17.04.020: PREPARE AND SUBMIT PLANS TO CITY:

The applicant shall prepare and submit a land use application, including fees, in accordance with this code and community development department policy. The applicant may submit a concept plan. While the concept plan is optional except under the circumstances stated below, a preliminary and a final plat are required. The submission shall be in accordance with the following standards and guidelines:

A. Concept Plan:

1. The concept plan shall include the drawings and documentation set forth in the concept plan application maintained by the community development department.
2. Where the applicant owns or controls more territory than he proposes to submit for preliminary or final approval, or under circumstances where the proposed subdivision is part of a larger project or territory which the applicant owns or controls and which includes property in more than one planning district or zone as defined in the Mapleton

City general plan, the city may require that a concept plan covering the larger area be submitted. The concept plan for the larger area shall show how the immediate development relates: a) to possible development of the remaining territory, b) to the city's major street plan, and c) to the provision of other public services, utilities and facilities.

3. An applicant may submit a concept plan if the applicant desires to obtain input from city staff or the ~~planning commission city council~~ prior to undertaking the preparation and submission of a complete preliminary plat. ~~If the concept includes a request for a rezone or a zoning text amendment, the concept may be referred to the city council.~~

~~4. If the community development director concludes that, because of the scope or complexity of a proposed project, the proposal should be reviewed by the city council at the concept plan stage, he may direct that the plan be forwarded for review by the city council prior to the preparation of the preliminary plat.~~

~~54.~~ Any review of a concept plan ~~by the city council~~ shall be considered as advisory only and shall not constitute a commitment of approval of a subsequent preliminary plat or final plat.

B. Preliminary Plat:

1. The preliminary plat shall include the drawings and documentation set forth in the application form provided by the community development department as well as the requirements set forth in this title ~~and the Public Works Design Standards.~~

2. Where a subdivider proposes to submit a final plat containing less territory than shown on the preliminary plat (phased development) the preliminary plat shall identify each of the proposed phases. Any such final plat phasing scheme shall occur at logical "break points" in the project and provide access and utility services which will be adequate in the event that subsequent phases do not occur. The phasing scheme shall also incorporate the provisions of chapter 17.12 of this title.

3. No phasing scheme shall have the effect of leaving a residual lot, non-conforming parcel or previously divided land for which the required subdivision improvements have not been previously constructed. For purposes of this code a "residual lot" shall be defined as a zoning lot, created by the proposed subdivision, but which is not shown as a lot on the final plat of the subdivision project or as future development. A future development parcel must be developable into multiple lots meeting the area standards for the applicable zone. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.030: SUBMISSION OF PRELIMINARY PLAT APPLICATION:

A. An applicant shall submit a preliminary plat application to the community development department.

B. The application will then be reviewed by the DRC for completeness and consistency with Mapleton City standards. Multiple reviews and submittals may be required based on

the completeness and accuracy of the application consistent with Utah Code section 10-9a-604.1.

C. Upon a determination that the application is complete, the DRC shall schedule the application for review by the planning commission. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016) The applicant shall also submit plans to the city's water consultant to be input into the water model. The cost for this review shall be the responsibility of the applicant.

17.04.040: ~~PLANNING COMMISSION~~ REVIEW OF PRELIMINARY PLAT:

A. The city shall provide notification to all property owners within three hundred feet (300') of the proposed subdivision. The city may require the applicant to reimburse the city for any expenses incurred by the notification.

B. The ~~DRC planning commission~~ shall be the administrative land use authority ~~final decision-making body~~ for all preliminary plat applications of two (2) ~~three (3)~~ lots or less (including all proposed phases) that do not include: 1) a legislative request (rezone, general plan amendment, TDR overlay, etc.), and/or 2) a request to amend or waive certain public improvement requirements per subsection 17.12.040B of this title. For all other subdivisions, the planning commission shall be the administrative land use authority ~~make a recommendation to the city council to: 1) approve the plat, 2) approve the plat with conditions, or 3) deny the plat. The commission may also continue review of the plat with a request for changes and/or additional information.~~

C. In reviewing the proposed subdivision, the administrative land use authority ~~planning commission~~ shall consider the following:

1. Are the plans, documents and other submission materials (including technical reports where required) sufficiently detailed for proper consideration of the project?
2. Do the submitted plans, documents and submission materials conform to applicable city standards?
3. Does the proposed development conform to city zoning ordinances and subdivision design standards?
4. Do any natural or manmade conditions exist on or in the vicinity of the site defined in the preliminary plat that, without remediation, would render part or all of the property unsuitable for development? Does the preliminary plat address these conditions?
5. Does the preliminary plat provide for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions?
6. Does the preliminary plat impose an undue financial burden upon the city?

7. Are the location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the preliminary plat consistent with the city's general street map and other applicable elements of the general plan? Does the preliminary plat recognize and accommodate the existing natural conditions?

8. Are the public facilities, including public utility systems serving the area defined in the preliminary plat adequate to serve the proposed development?

9. Will the project contemplated in the preliminary plat conform to the intent of this title as stated in chapter 17.01 of this title?

D. The ~~administrative land use authority~~ planning commission may direct that changes be made in the preliminary plat so that it conforms to the objectives of the applicable zone and this title, including, but not limited to, redesign of the road system, future extension of the road system into adjacent properties, relocation of lot boundary lines, and increase in water line size and other utilities if necessary for the proposed development or future development.

E. All preliminary plat approvals shall be valid for ~~three (3)~~ two (2) years unless otherwise specified by the final administrative land use authority or part of a master development agreement ~~decision making body~~. If an applicant fails to receive Final Plat approval in accordance with section 17.04.060 of this title within the time frame specified, the preliminary plat approval shall become null and void. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.050: ~~CITY COUNCIL REVIEW;~~ RESERVED:

~~—A. After the planning commission has made a formal recommendation, the preliminary plat shall be scheduled for review by the city council.~~

~~—B. The city council shall consider the recommendations from the DRC and the planning commission and shall review the application for consistency with applicable federal, state and local standards.~~

~~—C. The city council shall take action to: 1) approve the preliminary plat, 2) approve the preliminary plat with conditions, 3) continue review of the plat with a request for changes and/or additional information, or 4) deny the preliminary plat. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)~~

17.04.060: PREPARE AND SUBMIT FINAL PLAT, ENGINEERING DRAWINGS, AND DOCUMENTS TO THE DEVELOPMENT REVIEW COMMITTEE (DRC):

A. After receiving preliminary plat approval, the applicant shall submit a final plat and construction drawings consistent with the final plat application checklist provided by the community development department.

B. The DRC shall review the final plat and engineering drawings for consistency with applicable standards and with any conditions required by the administrative land use authority final decision making body for the preliminary plat.

C. Upon a determination that the application is consistent with applicable standards and conditions, the DRC shall provide a written letter of approval to the applicant.

D. If an applicant is proposing substantial changes to the preliminary plat, the applicant shall be referred to the administrative land use authority decision making body that approved the preliminary plat for final approval. Substantial changes shall include an increase in the number of proposed lots, changes to the location and/or configuration of streets including stub streets, and/or other changes deemed substantial by the DRC.

E. If an applicant contests any requirements imposed by the DRC as part of the final plat approval, the applicant may request that the application be referred to the planning commission city council for a final decision.

F. The following actions must be taken within two (2) one (1) years of final plat approval or the applicant must reapply for preliminary plat approval:

1. The subdivision plat shall be recorded in the office of the Utah County Recorder; or

2. A Site Restoration/Durability Bond shall be posted with the City and a preconstruction meeting has been held with the DRC.

G. The DRC may grant a one (1) year extension provided the final plans have been updated to address any changes to City ordinances and standards that may have been updated or changed since the time of the Final Plat Approval. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.090: AMENDING AND VACATING A SUBDIVISION PLAT:

A petition to vacate, alter or amend an entire plat, or to vacate a street in a subdivision shall conform to Utah code. Petitions to adjust lot lines between adjacent properties, or petitions to combine lots in a platted and recorded subdivision shall require approval from the community development director consistent with Utah Code section 10-9a-608, and the plat shall be signed by the planning commission chairperson, mayor, and all other applicable signatures. Said amendment shall be drawn in final plat format to meet Mapleton City code. The plat shall include the lot or lots to be vacated. If adjusting a lot line or combining lots, the previous lot(s) shall be considered "vacated" and the new lot(s) in their new configuration shall be shown on the amended plat. The plat shall be given the same name as the subdivision that is affected, and shall be given the next available plat alphabetical designation. Said amendments and lot line adjustments as herein defined, shall not create a new building lot, and the amendment or lot line adjustment shall not violate the lot requirements in the underlying zone. Appeals to decisions made to approve an amended subdivision plat shall be the same as described in section 18.84.460 of this code. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.04.110: APPLICANT COMPLETES IMPROVEMENTS OR SUBMITS PERFORMANCE GUARANTEE:

After final plat approval by the ~~administrative land use authority~~ appropriate land use authority, the applicant shall either complete the required improvements or post a performance guarantee in accordance with section 17.16.010 of this title. A preconstruction meeting with the DRC shall be required prior to the commencement of construction. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

CHAPTER 17.08
DOCUMENTATION REQUIREMENTS

SECTION:

17.08.010: Document Submittal Requirements

17.08.020: Technical Reports Required; ~~CE-1 Zone And Other Zones As May Be Required~~

17.08.020: TECHNICAL REPORTS REQUIRED; ~~CE-1 ZONE AND OTHER ZONES AS MAY BE REQUIRED:~~

All subdivision applications shall include the reports identified in subsections A1-A3 below. The reports described in subsections A4-A5 are also required for subdivisions in the CE-1 zone.

~~The technical reports are required for all subdivision applications in the CE-1 zone, floodplain zones A or B as defined by the U.S. department of housing and urban development flood insurance rate map and all other property in the fault buffer areas or debris flow areas indicated on the Utah County hazard map.~~

A. Technical Report: In addition to other materials required for submission, the preliminary plat shall be accompanied by copies of the following technical reports prepared by a professional engineer licensed by the state of Utah.

1. Geotechnical And Geology Report (Global And Site Specific): The report shall include, but is not necessarily limited to, identification and mapping of the location of major geographic and geologic features such as fault traces, surface ruptures, zones of deformation, potential slide and other high hazard areas such as mine shafts and avalanche paths, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, recommendations covering the adequacy of sites proposed for development, and any potential adverse impact on the natural environment. This report shall be completed by a geotechnical engineer or an engineering geologist. The geotechnical report shall contain a certification in accordance with section 18.30.090 of this code.

The geotechnical investigation shall include soil borings extended to a depth sufficient to define the soil stratigraphy, water table and other features within the zone of significant stress of the proposed structural footings of the proposed development. If the development needs evaluation of slope stability then the soil borings will extend deep enough to define all soil layers in the zone of possible slippage.

If published geologic maps show possible faults in the area or a surface geologic examination reveals signs of faulting then the geotechnical investigation will be supplemented by trenching in addition to the soil borings. The trenches will be so located as to intercept the apparent fault at a perpendicular angle to the trend of the fault. The trenching will extend a minimum of twenty feet (20') each side of the located fault. Developments of two (2) acres or more will require at least two (2) trenches to define the fault. One trench will be approximately where the fault enters the property and the other where it leaves the property. The trenches will be excavated to a depth that will define the fault and allow physical observation and measurement to be taken.

2. Soils Report: The report shall include, but is not necessarily limited to, information with respect to slope analysis, general soils classification, suitability for development, erosion potential, any recommendations for proposed methods of mitigating any constraints determined to be present as part of the development plan, and any adverse impact on the natural environment.

3. Stormwater, Grading And Drainage Plan: The plan shall include, but is not necessarily limited to, information on groundwater levels, identification and mapping of drainage channels and systems, floodplains, existing details and contours where modification of terrain is proposed, the direction of proposed drainage flow, proposed plans and the location of all surface and subsurface drainage devices to be constructed as part of the proposed development, erosion control measures during the course of construction, identification of any grading and drainage problems such as the alteration of natural drainage patterns and any other problems of the proposed development, and a plan to mitigate or eliminate such problems and any adverse impact on the natural environment.

4. Natural Conditions And Vegetation Analysis And Preservation Plan: This report and plan shall include a survey of existing trees, large shrubs and ground covers, a plan for the proposed revegetation of the site, detailing existing vegetation to be preserved, new vegetation to be planted and any modifications to existing vegetation, and the identification of any vegetation problems and recommendations as how to mitigate or eliminate such problems and avoid potential adverse impact on the natural environment.

5. Fire Protection Report: The report shall include, but not be limited to, identification of potential fire hazards, mitigation measures, access for fire protection equipment and proposed fire flow capability.

The scope and content of these required technical reports and plans shall be in accordance with city standards. The planning commission, subject to the prior recommendation of the city engineer, may waive the necessity for submitting one or more of the technical reports or any elements of a report where, in its opinion, conditions associated with the proposed

development do not require consideration of the subject matter covered. Also, where the lot is contained within an approved subdivision and the technical reports previously submitted as part of the subdivision approval process are sufficient in scope and detail to adequately address the issues required under this chapter, this requirement may be waived. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.010: SUBDIVISION DESIGN TO CONFORM TO STANDARDS:

The layout and design of all subdivision developments shall be in accordance with the standards as contained herein, including the Public Works Design Standards, or as may be adopted by the city pursuant to the provisions of chapter 17.24 of this title. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.020: STREETS AND ROADS; GENERAL CRITERIA:

A. Subdivision Plans To Be Consistent With Transportation Master Plan And Circulation Element Of The General Plan: Subdivision plans shall be consistent with the transportation and circulation element of the general plan as adopted by the city, as follows:

1. Arterial And Collector Streets: Where the area of a proposed subdivision includes any arterial or collector class streets, as shown on the transportation master plan and circulation element of the general plan, the subdivision plan shall incorporate such streets in the location shown on the transportation master plan and circulation element of the general plan and the approval of the final plat shall include the dedication of the right of way and its improvement in accordance with the applicable city standards.

2. Major Local, Minor Local and County Lane: Where the area of a proposed subdivision includes any minor-major class streets, as shown on the transportation master plan and circulation element of the general plan, the subdivision plan shall provide for such streets in the approximate location shown and the approval of the final plat shall include the dedication of the right of way and its improvement in accordance with the applicable city standards. Locations of minor local and country lane streets may vary from the locations shown on the master plan but must be approved as part of the plat approval process.

~~—3. Modifications: Subdivisions may include modifications to the locations and designations of streets shown on the transportation plan provided the modifications do not inhibit the implementation of the goals and policies of the plan.~~

B. Relationship To Adjacent Streets: The proposed street system shall properly align and be compatible with adjacent streets.

C. Access To Adjacent Properties: In order to facilitate the development of an adequate and convenient circulation system within the city and to provide access for the logical development of adjacent vacant properties, the city may, as a condition of approval, require

the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision. All such stub streets shall be fully developed to the boundary of the subdivision. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street.

D. Temporary Dead End (Stub Streets): Where a final plat includes a dead end stub street which is intended to be continued into adjacent property in the future and which serves as the primary access for one or more adjacent lots, said final plat shall make provision for temporarily accommodating vehicular movement and the extension of utility services by designating temporary cul- de-sacs, turnaround areas, travel easements connecting the end of the stub street with other streets in the vicinity or such other temporary measure as may be approved by the planning commission. Such temporary facilities required pursuant to this provision shall remain until such time as the street has been extended into the adjacent property and the improvements accepted by the city. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.12.030: STREETS AND ROADS; RIGHT OF WAY WIDTH:

Subject to the provisions adopted under section 17.12.040 of this chapter:

A. The minimum width of right of way for streets shown on the transportation ~~master plan circulation element of the general~~ plan shall conform to the width ~~shown on the applicable street cross section correlating with the street type~~ as designated on the ~~master~~ plan and/or based on the approved street cross sections for the subdivision. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.040: STREETS AND ROADS; WIDTH OF PAVEMENT; OTHER IMPROVEMENTS:

~~A. All streets within and adjacent to the subdivision shall be paved with hot mix asphalt concrete (HMA). The width of the hard surfacing and the location and type of other required street improvements shall be as set forth on the applicable street cross section standard adopted by the city council.~~

~~AB.~~ As part of the preliminary plat review process, if approved by the ~~planning commission city council~~, the curb, gutter, and sidewalk improvements otherwise required may be modified and specifically tailored to more effectively achieve the policies, goals, and objectives of Mapleton City. The modification shall be consistent with appropriate engineering measures to protect public safety and shall be made after the recommendation of the ~~DRC city engineer, the city staff, and the planning commission~~. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.12.050: STREETS AND ROADS; DESIGN STANDARDS:

~~A. Reverse Curves: Reverse curves shall have a tangent of at least one hundred feet (100'), unless in the opinion of the planning commission such is not necessary.~~

~~AB. Street Intersection: Streets shall intersect each other as nearly as possible at right angles. Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°). Offsets in street alignment ~~of more than~~ between fifteen feet (15') ~~and or less than~~ one hundred fifty feet (150') shall be prohibited.~~

~~BC. Street Grades: The minimum grade of any street shall be 0.4%. The maximum grade of any street in the subdivision shall be eight percent (8%) unless the street design has been approved by the city engineer based on site specific constraints. In no case shall the city engineer approve a street grade in excess of twelve (12%).~~

~~CD. Street Curves: Where the street lines within a block deflect from each other at any one point more than ten degrees (10°), there should be a connecting curve. The radius of the curve for the street centerline ~~should~~ be not less five hundred and ten feet (510') for arterial streets, than three hundred fifty feet (350') for ~~arterial and~~ collector class streets, two hundred ~~fifty~~ feet (250') for ~~a major~~ local streets, ~~and one hundred feet (100') for minor local and country lane streets.~~~~

~~DE. Curbs: Where curbs are required said curbs at intersections shall be rounded with curves having a minimum lip of curb radius of fifteen ~~twenty~~ feet (20~~15~~') for local ~~minor~~ streets, and twenty five feet (25') for collector and arterial streets. Property lines at street intersections shall be parallel to the curve where necessary to fit the curb radius.~~

~~EF. Street Names: New street names should not duplicate those already existing. A street obviously a continuation of another already in existence should bear the same name. Before the street is named, the proposed name must be submitted to and approved by the city.~~

~~FG. Cul-De-Sacs: Cul-de-sacs shall be discouraged. Cul-de-sacs may be appropriate in cases where the possibility of future adjacent development does not exist due to topography or existing development, where an additional through street would be unnecessary, or other special circumstances as determined appropriate by the land use authority final decision making body. When permitted, permanent cul-de-sacs shall be designed in accordance with adopted standard drawings, each cul-de-sac stem shall meet the standard street requirement including right of way, pavement width, gutter, curb, and sidewalk within residential subdivisions. The minimum pavement back-of-curb diameter in a cul-de-sac shall be ninety ~~eight~~ feet (90~~80~~'). Cul-de-sac returns shall have a minimum ~~back~~ lip of curb radius of twenty five ~~six~~ feet (25~~6~~').~~

The ~~land use authority decision making body~~ may require a sidewalk connection through a cul-de-sac to allow for pedestrian connectivity to existing or future adjacent development and/or public streets.

~~GH. Easements: Public utility easement shall be required along all sides of each lot ~~where necessary to allow~~ for poles, wire, conduits, storm or sanitary sewers, gas and water mains,~~

and other public utilities. They typical width of public utility easements shall be ten feet (10'), however these may be adjusted by the city engineer based on need.

H4. Road Edge Curbing: All Mapleton City streets shall be curbed unless specified by the city engineer. Consideration shall be given to the transportation master plan, nature of the zone and adjacent properties when determining whether high back (Type E), low back (Type H) or no curbing will be required.

H5. Street Thickness: All Mapleton City streets shall be hard surfaced (asphalt) with a minimum of three inches (3") bituminous coat even with the lip of the curb applied over eight inches (8") of untreated road base consistent with the Mapleton City standard plans addendum to APWA standard drawings and specifications. The minimum may be increased based on recommendations of the site specific geotechnical report. In addition, the developer shall be required to pay a fee to be determined by the City Engineer, for a seal coat to be applied one to three years after development. The City will then be responsible for the application of the seal coat.

I4. Vehicle Access: Subdivision projects of thirty (30) lots or more shall provide at least two (2) points of vehicular access.

K4. A traffic impact study shall be required for all residential subdivisions of thirty (30) lots or more. A traffic impact study shall be required for all non-residential or mixed uses subdivisions or projects that require fifty (50) parking spaces or more.

L4. Where street design standards are not specified in the Mapleton City Municipal Code, street design shall conform to the latest edition of the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets." Other published professional standards, i.e. ITE, ASCE, may be considered at the sole discretion of the City Engineer. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021; Ord. 2022-10, 9-21-2022)

17.12.055: ALL LOTS TO ABUT ON AN APPROVED STREET:

A. Each lot in a subdivision shall abut upon and have access to a street which is:

1. Dedicated to the City by the subdivision plat, or
2. An existing publicly dedicated street, or
3. An existing private street that has been approved by the City prior to 2016, or

4. A private street that has been approved under the criteria outlined in subsection B of this section.

B. The administrative land use authority City Council may approve a request for a private street that complies with the following criteria: (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

1. The street must be part of a planned unit development in the Planned Development (PD), Specific Development Plan (SDP), or Residential (R-2) Zones. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2019-03, 3-6-2019, eff. 4-2-2019)

2. Private streets will only be allowed for streets that have no public interest for traffic circulation and connectivity.

3. The final design and cross section of any private street shall be determined by the ~~administrative land use authority~~ City Council based on recommendations from the DRC and Planning Commission. ~~Unless otherwise authorized by the City Council, p~~ Private streets shall be no less than twenty feet (20') in width.

4. The maximum length of a dead end private street shall not exceed five hundred feet (500').

5. A note on the plat shall be included indicating that Mapleton City has no responsibility to improve or maintain the private streets contained within, or private streets providing access to, the property described in the plat, nor does the City have responsibility for any of the infrastructure associated with the roadway such as sidewalks, drainage facilities, streetlights, curbs, and/or landscaping.

6. The applicant shall provide a maintenance plan outlining how the private streets will be maintained. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.070: LOTS; DESIGN STANDARDS:

A. Building Sites: The lot arrangement, design, and shape shall be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography and conform to requirements set forth herein. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage which would be unusable for normal purposes.

B. Size of Lots: All lots shown on the subdivision plat must conform to the minimum requirements of the zone in which the subdivision is located. The ~~administrative land use authority final decision-making body~~ City Council may require lots to be larger than the minimum size established in the zone if it makes the following findings:

1. Larger lots are necessary when abutting existing lots or parcels on adjacent properties to achieve a mutually compatible relationship between the proposed lots and adjoining land uses; and

2. Requiring larger lots will implement the goals and policies set forth in the Land Use Element of the General Plan regarding land use compatibility and buffers.

C. Corner Lots: Wherever possible corner lots shall have ten feet (10') extra width to accommodate the additional setback requirements.

D. Angle Of Lot Lines: Side lot lines should be approximately at right angles, or radial to the street line, except where topographic conditions make it advisable to have side lot lines deflect at sharper angles.

E. Parts Of Lots: All remnants of lots below minimum size left over after subdividing of a larger tract must be attached to adjacent lots rather than allowed to remain as unusable parcels.

F. Multiple Ownership Of Lots: Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the subdivision shall be considered as a joint project and the final plat shall be signed by all affected property owners.

G. Conformance To Standards: Any lot that contains a portion of ground within the CE-1 Zone shall conform to the CE-1 Zone standards. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

H. As part of the building permit application for each lot, a lot specific soils report shall be submitted to ensure that the soils are suitable for construction and to identify the high water mark in areas with a high water table.

17.12.090: DESIGN STANDARDS FOR MULTI-FAMILY AND SPECIFIC DEVELOPMENT PLAN (SDP) ZONES:

The following minimum standards shall apply to all proposed multi-family and specific development plan (SDP) zone projects. This section may apply to other zones and developments as dictated by a development agreement prior to the rezoning of a property. Additional design standards may be added during the execution of a development agreement.

A. Single-family detached homes shall have the following design standards:

1. A variety of architectural styles shall be required. No two (2) homes of the same exterior architectural design shall be situated next to, or across the street from, another.

2. The developer/builder shall provide Mapleton City with no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials. Exceptions shall be granted if the lots or pads are sold to individuals who will build custom homes. If the lots are purchased by one builder or multiple builders who have purchased a "block" of lots or pads, then these design standards shall apply.

B. Attached buildings, such as duplexes, twin homes, condominium units, or similar, shall be approved by the administrative land use authority planning commission and city council as part of the project plan approval.

C. Building materials shall be approved by the administrative land use authority Mapleton City council, with recommendation from the planning commission.

D. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.

E. Building height shall be the same as allowed in the original zone.

F. Garages shall not be the main feature of the home. Garages shall either be detached to the rear of the home, set back from the facade of the home, flush with the home, or extended out from the home no more than four feet (4'). Garages may be located off of an alleyway in the rear of the home. Said alleyway may only be allowed as part of the overall design, and shall be sufficient to allow for one-way traffic, or two-way traffic if the alley does not connect to another public street.

G. Carports shall only be allowed in the SDP zone, but shall not be permitted in front of the building. Therefore, it is the intent of this section to have carports, for attached buildings only, located in back of the home or building. Other appropriate locations may be permitted ~~with recommendation from the planning commission to the city council by the~~ administrative land use authority.

H. Orientation:

1. The front elevation of every building shall face a street or small park or be visible and directly accessible from a street. Where units are across the street from a park, the front elevation shall face the park. Rear yards which occur along local or collector streets shall be buffered by nonsee-through barriers of a permanent structure with a minimum of six feet (6') in height pending compliance with a fencing ordinance.

2. The front elevation and primary entrance of every building shall face:

- a. A street, or
- b. A plaza, or
- c. A small park, or
- d. A landscaped walkway that is visible and directly accessible from a street.
- e. Buildings used to meet the minimum frontage requirements must have front elevations and primary entrances facing a street.

3. Orientation for all multi-unit buildings:

- a. At least seventy five percent (75%) of the front yard frontage shall have buildings within the minimum and maximum setback.
- b. Buildings that are located within thirty feet (30') of a side property line facing a street shall have at least twenty five percent (25%) of the wall in window or door areas.
- c. Parking areas shall not be located between buildings and the street. Parking lots may be located on one side and behind the buildings.
- d. Buildings shall be directly accessed from the street and the sidewalk.

e. Ground floor pedestrian entrances must be oriented toward the street and an open space accessible from a street.

4. Setback requirements:

a. Porches may project up to six feet (6') into required setbacks. Bay windows, fireboxes and balconies may extend up to three feet (3') into required setbacks.

b. Every primary entry shall be accompanied by a porch or covered area. (Ord. 2003-02, 1-15-2003, eff. 1-29-2003)

CHAPTER 17.14

~~STANDARD SPECIFICATIONS AND DRAWINGS~~ PUBLIC WORKS DESIGN STANDARDS

SECTION:

17.14.010: Adopted

17.14.010: ADOPTED:

The city hereby adopts by reference the ~~Public Works Design Standards-standard specifications and drawings regulations~~ as if fully set forth herein. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.16.010: IMPROVEMENTS REQUIRED:

A. The improvements hereinafter set forth shall be required to be constructed for all areas shown on the final plat and at all off site locations designated at the time of final approval. All subdivision improvements shall meet minimum city standards and specifications as directed by the city engineer.

B. The following two (2) options are available to an applicant regarding the installation of the improvements required by this chapter:

1. The improvements shall be completed prior to the plat being recorded in the office of the county recorder. The following requirements apply to this option:

a. No construction activity shall begin until:

(1) Final construction drawings have been approved by the city engineer that address any and all outstanding issues as identified by the development review committee and any and all conditions of approval as adopted by the land use authority;

(2) A preconstruction meeting to include the city engineer and the applicant has been held. During the preconstruction meeting the city engineer shall outline the city standards that will be used during the inspection of the improvements;

(3) The applicant has submitted the following bonds:

(A) A site restoration bond shall be in cash equal to the amount of the durability bond. This bond shall be released upon plat recording.

(B) A right of way (ROW) excavation permit and associated fee for any work that may be required in an existing city ROW. The amount shall be based on the city engineer's estimate for the work to be done in the ROW;

(4) All engineering inspection fees have been paid;

(5) The applicant has obtained approval of a stormwater pollution prevention plan and a land disturbance permit; and

(6) The applicant has submitted a utility notification form signed by all applicable utility companies.

b. If the improvements do not comply with city standards, the plat shall not be recorded in the office of the county recorder until such time as all deficiencies are corrected.

c. A durability bond in accordance with the provisions of section 17.20.050 of this title shall be established prior to plat recording.

d. Prior to plat recording, the applicant has submitted a lien waiver release for each contractor, subcontractor and supplier.

2. A performance guarantee and a durability bond securing the installation of any required improvements shall be submitted to the City in accordance with the provisions of chapter 17.20 of this title prior to recording of the final plat at the Office of the County Recorder. The following requirements apply to this option:

a. No construction activity shall begin until:

(1) Final construction drawings have been approved by the City Engineer that address any and all outstanding issues as identified by the DRC and any and all conditions of approval as adopted by the decision making body;

(2) A preconstruction meeting to include the City Engineer and the applicant has been held. During the preconstruction meeting the City Engineer shall outline the City standards that will be used during the inspection of the improvements;

(3) All project fees have been paid; and

(4) The applicant has obtained approval of a stormwater pollution prevention plan and a land disturbance permit.

C. Exemption to the requirement for improvements:

1. Upon application by the landowner, the City Engineer may waive the requirement for curb, gutter, sidewalks when required by the approved street cross sections ~~and/or pressurized irrigation lines~~ as a one-time exception provided the following findings can be made:

- a. The subdivision would create no more than one additional lot; and
- b. There are no more opportunities to create additional lots in the future based on the current zoning.

2. If multiple lots are proposed on an existing street that does not include curb, gutter and sidewalk within six hundred sixty feet (660') of the proposed lots, the applicant may request a waiver from the installation of these improvements. The waiver may be granted for only existing streets designated as "minor local" or "major local" according to the current Mapleton Transportation Plan. New streets to be constructed within the project area are not eligible for a waiver. The waiver must be approved by the final decision-making body reviewing the preliminary plat. In granting the waiver, the decision-making body should consider the development potential of other properties within six hundred sixty feet (660').

3. Any waiver or modification of the requirements must be based on a determination that the waiver more effectively achieves the policies, goals, and objectives of Mapleton City. The modifications shall be consistent with appropriate engineering measures to protect public safety.

4. No other waiver of any of the minimum level of improvements required by section 18.84.390 of this Code is authorized under this subsection. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2019-01, 1-16-2019, eff. 2-20-2019; Ord. 2021-17, 7-7-2021)

17.16.025: STREETS TO BE DEDICATED; PARTIAL WIDTH STREETS; RETAINER STRIPS NOT PERMITTED:

All streets within and adjacent to the subdivision shall have been previously conveyed to the City by deed or dedication or shall be shown on the final plat for dedication to the City for street purposes. All streets shown on the final plat for dedication to the City shall conform to the minimum standards for both street right-of-way width and street improvements for the entire width of street, except that the ~~administrative land use authority-City Council, subject to the prior recommendation of the Planning Commission,~~ may accept the dedication and/or improvement of a partial width street provided:

- A. That the proposed partial width street is located at the border of the subdivision and the land abutting the uncompleted side is not owned by the subdivider;

B. That the width of right-of-way of the proposed partial street shall be not less than one-half (1/2) of the total width for the class of road, plus an additional seven feet (7') of width or twenty feet (20'), whichever is greater. Where a new development is completing a partially completed road, the applicant will be responsible to install new pavement to the proposed centerline of the road. This may be achieved by reconstructing the paved surface using Mapleton City Standards or with a two inches (2") grind and overlay;

C. That the improvements constructed on the partial width street shall include:

1. The curb, gutter and sidewalk improvements on the side abutting lots in the subdivision, where applicable,

2. All required utilities, and

3. A hard surfaced travelway portion having a width not less than one-half (1/2) that required for the specific road classification plus an additional seven feet (7') or twenty feet (20'), whichever is greater;

D. That there are no existing conditions which would have the effect of preventing the subsequent development of the remaining portion of the street;

E. That, in the opinion of the City, construction of a partial width street at the proposed location will not create an unsafe or hazardous condition; and

F. No final plat shall be approved where access to a proposed or existing street from adjacent property is proposed to be prohibited through the use of an access retainer strip. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021)

17.16.030: CULINARY WATER:

A. The subdivider shall be responsible for installing all off site and on site water mains necessary for the proposed subdivision. All on site mains shall be installed in such a way that each lot may be served therefrom. All mains shall extend to the boundaries of the subdivision. Dead end lines may not be approved unless in the exception of a cul-de-sac or stub to adjacent development for future connection.

B. All water mains shall be sufficient in size to provide a volume of flow and level of pressure adequate for culinary use (in accordance with State and City standards) and fire protection purposes, provided, that no water main shall be less than eight inches (8") in diameter. Proposed sizes and locations of water mains shall be consistent with the Mapleton City Water Resources Master Plan.

C. Water service laterals shall be installed to each lot from the main line to the outer edge of any road proposed to be dedicated to the city. The service laterals shall be not less than one inch (1") diameter and shall consist of: 1) the corporation stop adjacent to the main line, 2) the lateral pipe running from the main to the edge of the adjacent lot, and 3) the stop and waste valve, meter box and meter setter located in the park strip where applicable or other location specified by the city engineer.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements.

E. Each lot shall be served by a water lateral connected to an in service city water trunk line.

F. Prior to final plat approval, the project plans shall be submitted to the city engineer or designee to be included in the city's water model. Based on the water model results, the applicant may be required to make system upgrades to ensure reliable water service. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.035: PRESSURIZED IRRIGATION:

A. The subdivider shall be responsible for installing all on site pressurized irrigation mains. If an existing pressurized irrigation main lies within six hundred (600) linear feet of the subdivided property, following the course of any city street the subdivider shall also be responsible to install off site mains and to connect them with the existing pressurized irrigation main. All mains shall extend to the boundary of the subdivision.

B. All pressurized irrigation systems shall conform to the pressurized irrigation master plan of the city, provided that no main shall be less than eight inches (8") in diameter.

C. Pressurized water service laterals shall be installed from the main irrigation line to the lot line proposed. The service laterals shall be not less than one inch (1") in diameter and shall consist of: 1) the corporation stop valve adjacent to the main line, 2) the lateral pipe running from the main to the edge of the adjacent lot, 3) the corporation valve, meter box and meter setter located in the park strip where applicable or other location specified by the city engineer. The corporation stop valve adjacent to the main line is part of the city's pressurized irrigation system, and may not be accessed, or used by the property owner without prior approval of the city.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.050: SEWAGE DISPOSAL:

A. The subdivider shall be responsible for installing all off site and on site sewer mains necessary for the proposed subdivision and consistent with the Mapleton City Wastewater

Master Plan. All on site mains shall be installed in such a way that each lot may be served therefrom. All mains shall extend to the boundaries of the subdivision and should terminate in a manhole.

B. All sewer mains shall be sufficient in size to provide an adequate flow. No sewer main shall be less than eight inches (8") in diameter.

C. Sewer service laterals shall be installed from the main line to the outer edge of any road proposed to be dedicated to the city. The service laterals shall be not less than four inches (4") in diameter, and shall be located ten feet (10') inside the property line.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements.

E. Each lot shall be served by a sewer lateral connected to an in service city sewer trunk line. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.075: FIBER CONDUIT:

The subdivider shall be responsible for the installation of a two inch (2") conduit across the frontage of each lot for future city use as well as fiber pedestals as indicated on the final approved fiber plans. The requirements for installation, trenching, backfill, and materials shall be identified in the Mapleton City Construction Standards and Specifications as maintained by the city engineer. (Ord. 2020-12, 10-7-2020; amd. Ord. 2021-17, 7-7-2021)

17.16.085: STREET LIGHTING:

~~A. Prior to plat recording, the applicant shall pay a streetlight fee based on the adopted fee schedule to allow for the installation of streetlights within the subdivision. The city will coordinate the purchase and installation of the streetlights with the applicable power company.~~ The developer shall be responsible for the cost to install street lights within the subdivision based on the city's adopted specifications.

B. The number and location of residential street lights shall be determined by the city engineer but will typically be required as follows:

1. At entrances to subdivision and at intersections;
2. One light every three hundred feet (300') on collector roads;
3. One light every six hundred feet (600') on major and minor residential roads; and
4. No lights are required on a country lane.

C. For subdivisions that abut a major collector road or greater, and/or are designated as "Flex Use" in the Land Use Element of the General Plan, the City may require the developer to install additional street lights in accordance with section 18.92.050.B of this code.

D. Trail lighting, separate from street lighting, may be required along trail corridors. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021)

17.16.090: ENVIRONMENTAL HAZARDS:

If any of the following conditions exist, technical reports in accordance with section 17.08.020 of this title will be required. Adverse environmental conditions must be eliminated or accommodated as follows:

A. Soils:

1. The placement of streets, buildings and the designation of building sites on areas of unstable soil shall be prohibited.
2. Soils with a significant erosion hazard shall be protected. Revegetation or other erosion control measures may be imposed as a condition of subdivision approval.

B. Stormwater Disposal:

1. ~~To the maximum extent possible s~~Stormwater produced from the subdivision development up through the one hundred (100) year flood shall be properly disposed of within the limits of the subdivision.
2. Pipes, sumps and other facilities for the collection and disposal of stormwater shall be installed where required by the city. The location, size, and design of said facilities shall be in accordance with the city's stormwater disposal plans and standards or as directed by the city engineer and shall be designed for the one hundred year (100) flood.
3. Stormwater inlets within defined Zone 2 drinking water source protection zones must be installed with pre-treatment as determined by the City Engineer.

C. Flooding:

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. The subdivision layout shall make adequate provision for natural drainage channels and floodways.
3. All water, sewer and other utility systems and facilities located in designated flood areas shall be designed and constructed to minimize flood damage including the infiltration of floodwater into the system, or discharge of the system into the floodwaters.
4. Base flood data shall be provided by the developer as part of the preliminary plat.

D. Other: Where applicable, other adverse environmental conditions must also be eliminated or adequately accommodated. The additional conditions shall include, but not

be limited to, seismic, landslide, groundwater, and noise or blasting impact. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.24.080: DEDICATION OF WATER RIGHTS TO THE CITY:

A. Water Rights Dedication And Conveyance Requirements: Any applicant requesting approval ("applicant") for a development, subdivision, annexation, or any other new connection to the city's culinary or secondary water system ("development"), which increases the need for water service from the city, shall dedicate and convey to the city water rights ("water rights"), in a sufficient quantity and type to satisfy the anticipated culinary water and secondary irrigation water needs of the proposed development. Satisfaction of this water rights dedication section and the accompanying conveyance requirements shall be a condition precedent to and requirement for approval of all development applications.

B. Water Rights Required To Be Conveyed:

1. The city may, in its discretion, accept any water right, water company share, or water interest, it determines meets the dedication requirements of this section.

2. With respect to the water to satisfy the culinary needs of the proposed development, the water must be legally authorized to be diverted from city's municipal wells or other sources of municipal water supply, on a year round basis, for municipal and industrial purposes in the entire service area of the city ("municipal rights").

3. With respect to the water to meet the secondary water needs of the proposed development, the water must be legally authorized to be diverted from city's sources of irrigation water, on a seasonal basis, for outside irrigation use in the entire service area of the city ("irrigation rights").

4. A change application is required if a change in the nature of use, point of diversion, period of use, or place of use of water rights or shares is necessary to meet the dedication requirements of this section. The City may deny a request for a change application at its discretion. If a change application must be filed with the Utah division of water rights to make any water right or share able to meet the dedication requirements herein, the following shall apply:

a. If an applicant is dedicating water rights or water shares from an irrigation company outside the area, the applicant shall process the change application prior to plat recording.

b. If an applicant is submitting water shares from inside the area from an acceptable source, as determined by the city engineer, prior to the recording of a final plat the applicant shall either process a change application or submit the shares in the name of Mapleton City in a sufficient amount to meet the requirements outlined in subsection B5 of

this section after any reduction which the state engineer may require to be returned to the hydrologic system. The applicant shall submit a fee to the city based on the most current fee schedule adopted by the city council for the city to process a change application to convert the shares to municipal use.

5. The amount of water rights to be conveyed to the city shall be determined as follows:

a. Water Rights For Municipal Use:

(1) Inside Residential Use: The amount of water rights to be conveyed to provide an adequate supply of water for inside residential use based on the needs of the development, shall be ~~0.45~~ 0.30 acre-feet per residential unit for townhomes, condominiums or other multi-family units, and 0.35 acre-feet per unit for single family detached units, equivalent residential unit ("ERU").

(2) Industrial And Other Municipal Uses: The amount of water rights to be conveyed in order to provide an adequate supply of water for industrial and other municipal uses based on the needs created by the development, shall be determined by the city engineer on a case by case basis according to the anticipated demand of the development.

b. Water Rights For Outdoor Secondary Irrigation Uses: The amount of water rights to be conveyed to provide an adequate supply of outdoor secondary irrigation water based on the needs of the proposed development, shall be 2.5 acre-feet per maximum potentially irrigable acre within the proposed development. The maximum irrigable acreage shall be determined by deducting the maximum allowed building coverage allowed in the zone in which the development is proposed from the total lot size of each lot included in the project area. Any common open space or conservation easement property shall also be included in the irrigable land when calculating the water dedication requirement. The City may require applicants that are developing within any pressure zone above zone one as identified in the Water Resources Master Plan to purchase water from the City from the City's Utah Lake Drainage Basin Delivery System (ULS) allocation. The purchase amount shall be set in the adopted fee schedule.

6. The city shall have the authority to require the transfer of more residential or secondary irrigation water than is required herein when the city engineer determines that the development will consume more water than is required herein.

C. Approval Of Water Rights By The City: Water rights proposed by the applicant to be dedicated to the city must first be reviewed and formally accepted by the city. Prior to acceptance of such water rights, the city shall evaluate the rights proposed for conveyance based on any relevant criteria, and may, in its sole discretion, refuse to accept any water right, water company share, or water interest as enumerated in subsection B of this section which it determines to be: 1) defective with respect to legal title, 2) insufficient with respect to annual quantity, priority, reliability, or flow rate, 3) unsuitable for municipal use, 4) not reasonably likely to be approved for change by the state engineer for municipal and secondary irrigation purposes within the entire service area of the city, or 5) defective in any other respect that makes the water rights unusable by the city to deliver water to the development. The city's refusal to accept a proposed water right shall not constitute a

waiver of, and shall not relieve the applicant from its obligation of complying with the requirements of this section as a condition to development approval.

D. Conveyance Of Water Rights To The City:

1. Subsequent to review and approval of the water rights proposed to be dedicated by applicant to the city, the developer shall convey the water rights to the city, without cost, by deed, assignment, water dedication agreement and/or such other applicable and appropriate instrument of conveyance in form and substance as shall be approved by the city.

2. All conveyances of water rights shall be free and clear of all liens, encumbrances and adverse claims, except as may be expressly approved and accepted by the city in writing.

3. The water rights shall be conveyed to the city prior to the recording of a final plat in connection with each phase of the development. An approved final plat shall not be signed or recorded prior to conveyance of the accepted water rights.

E. Effective Date: The city hereby specifically finds that it is necessary for the immediate preservation of the health, safety, and welfare of the present and future inhabitants of the city that this section shall take effect July 25, 2014. (Ord. 2014-09, 7-1-2014, eff. 7-25-2014)

~~**18.90.130: BONDING:**~~

~~Bonding shall be required for all landscaping improvements prior to obtaining a building permit or commencing work on any project where landscaping is required by this title. Bonds shall be subject to the requirements as outlined in the adopted Mapleton City bond form.~~

Formatted: Strikethrough

Formatted: Font color: Auto, Strikethrough