



Planning Commission Meeting

March 23, 2023

6:00pm

125 West 400 North
Mapleton, UT 84664



PLANNING COMMISSION AGENDA

Thursday, March 23, 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 Items

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 – February 9, 2023.
2. Consideration of a Home Occupation Permit for a home-based business that grows and sells cut flowers located at 832 North 550 West. The applicant is Amy Earl.

Public Hearings

3. Consideration of a request to rezone a 1.6-acre parcel from A-2 to RA-1 with a TDR Receiving Site Overlay (TDR-R) located at 739 South 800 West.
4. Consideration of a request to amend Mapleton City Code (MCC) sections 18.64 and 18.78C and review of the updated concept plan for the Harmony Ridge Project located at approximately 6000 South Hwy 89 in the PD-3 Zone.
5. Consideration of amendments to Mapleton City Code Section 18.84.410 regarding requirements for accessory apartments.

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 3/15/23.

THIS AGENDA SUBJECT TO CHANGE WITH A MINIMUM OF 24 HOURS NOTICE
(Last Modified March 15, 2023)

April Houser, Executive Secretary

Item:

2

REQUEST

Consideration of a Home Occupation Permit for a home-based business that grows and sells cut flowers located at 832 North 550 West.

Date:

3/23/2023

BACKGROUND & DESCRIPTION

The subject property is approximately .43 of an acre in size and is developed with a single-family dwelling. The applicant is requesting approval of a home occupation permit for a flower growing and selling business. The applicant intends on growing flowers in the back yard of the property and to sell them primarily at farmers' markets or other off-site locations. The applicant does plan on having a small stand on-site for one to two days a week during the peak season.

Applicant:

Amy Earl

Location:

832 N 550 W

EVALUATION**Prepared By:**

Sean Conroy, Community
Development Director

Zoning: The subject property is zoned RA-2, which is intended to allow for single-family uses as well as minor agricultural uses. The applicant's proposal is consistent with the RA-2 zone.

Public Hearing:

No

Temporary Uses: The City allows for temporary agricultural stands for fruits, vegetables, or in this case flowers. These uses support the General Plan's goal of maintaining the rural charm of the City.

Zone:

RA-2

Home Occupations: Mapleton City Code (MCC) section 18.84.380 outlines the requirements for home occupations. The purpose of the ordinance is to allow for a *"modest level of business activity... that will not adversely affect, undermine, injure or otherwise significantly depreciate the residential character of the area."* As the Commission reviews this application it must determine whether the proposed business is consistent with this purpose.

Attachments

1. Application information.

MCC Section 18.84.380.F indicates that Planning Commission approval is required for businesses that could have more than two client visits per hour. The following are the main requirements that apply to the applicant's business:

- The activities of the home occupation shall be conducted by members of the residing family. Provided that not more than one (1) person, not a member of the residing family, may be engaged in the home occupation.
- Not more than six (6) cars (including those owned by the resident family) may be parked at the residence at any one time and such vehicles shall be parked within the driveway or in front of the residence. Clients of the home occupation shall not park or store vehicles at the premises overnight.

The applicant is not proposing to have non-family members working at the site and it is not anticipated that the temporary flower stand will result in

having more than six cars on the site at any given time. It is not anticipated that the application will result in anything more than a modest amount of business activity.

RECOMMENDATION

Approve the Home Occupation Permit.

Hi Sean,

I appreciate your email and quick response. Yes, I am able to attend the Planning Commission meeting on March 9th. Do I need to present anything during the planning meeting or just be prepared to answer questions with regards to my business?

Below is the additional information that has been requested:

I am interested in applying for a business license for a small cut flower farm named Backyard Blooms. I desire to grow and sell cut flowers. This will be a seasonal business. Backyard Blooms is registered with the State of Utah.

Q: Where do you grow flowers? Include site plan.

I plan to grow varieties of cut flowers at my residence located at 832 West 550 North in Mapleton. There are two designated gardening areas in my backyard. I have included photos of the plot layout. These photos show the garden spaces and sizes. I currently do not have a green house or a high tunnel on my property. If you need a drawn site plan in addition to these photos, please let me know. It is small scale flower farming.

Q: How often do you sell from the property?

I am planning to have a small flower stand/farm stand on the property 1-2 times a week during peak season. The stand would be located on the south side of our home next to our driveway along 800 West. I anticipate selling at farmer's markets and would love to establish relationships with local florists.

Q: What level of client visits do you expect and where would you accommodate any parking needs?

This is a small-scale operation; I don't anticipate many clients at any one time. Cars could park in my driveway or along 800 West.

Q: Do you have service or delivery vehicles coming to the property?

No

Additional Information:

Growing cut flowers has been a hobby and I am hoping to transition it into a successful small business.

My goals are to: create beauty, create meaningful connections with people in my community, and create opportunities to serve others. The world needs flowers.

Please let me know if you need any additional information.

Thanks again,

Amy Earl

801.372.8588



Plot #1

Plot #2

**Hoping to put a
removable flower
stand here 1-2
times a week
during peak
season.**





Planning Commission Staff Report

Item:

3

Date:

3/23/2023

Applicant:

Mariana & Deivi Prado

Location:

739 S 800 W

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Zone:

A-2

Attachments

1. Application information.

REQUEST

Consideration of a request to rezone a 1.6 acre parcel located at 739 South 800 West from A-2 to RA-1 with a Transferable Development Right Receiving Site Overlay (TDR-R).

BACKGROUND & DESCRIPTION

The subject property is approximately 1.6 acres in size and is located on the corner of 800 South and 800 West. The property is developed with a single family dwelling that was built in approximately 1971. The applicants are requesting that the property be rezoned from A-2 to RA-1 with a TDR-R overlay with the intent of subdividing the parcel at some point in the future to allow for one additional building lot.

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 "Low Density Residential". This designation corresponds to the RA-1 zone and allows for one acre lots or half acre lots with TDRs. All of the abutting properties have the same Low Density designation. The applicant's request is consistent with the General Plan.

Zoning & Concept Plan: The TDR ordinance indicates that properties in the RA-1 zone are eligible to become a TDR-R. Several neighboring subdivision have already been approved as TDR receiving sites including the Silver Leaf subdivision to the north, the Diamond Back subdivision to the east and the Emerald Estates and Riding subdivisions to the south and west. The requested rezone to RA-1 with a TDR-R is consistent with the development pattern of the area.

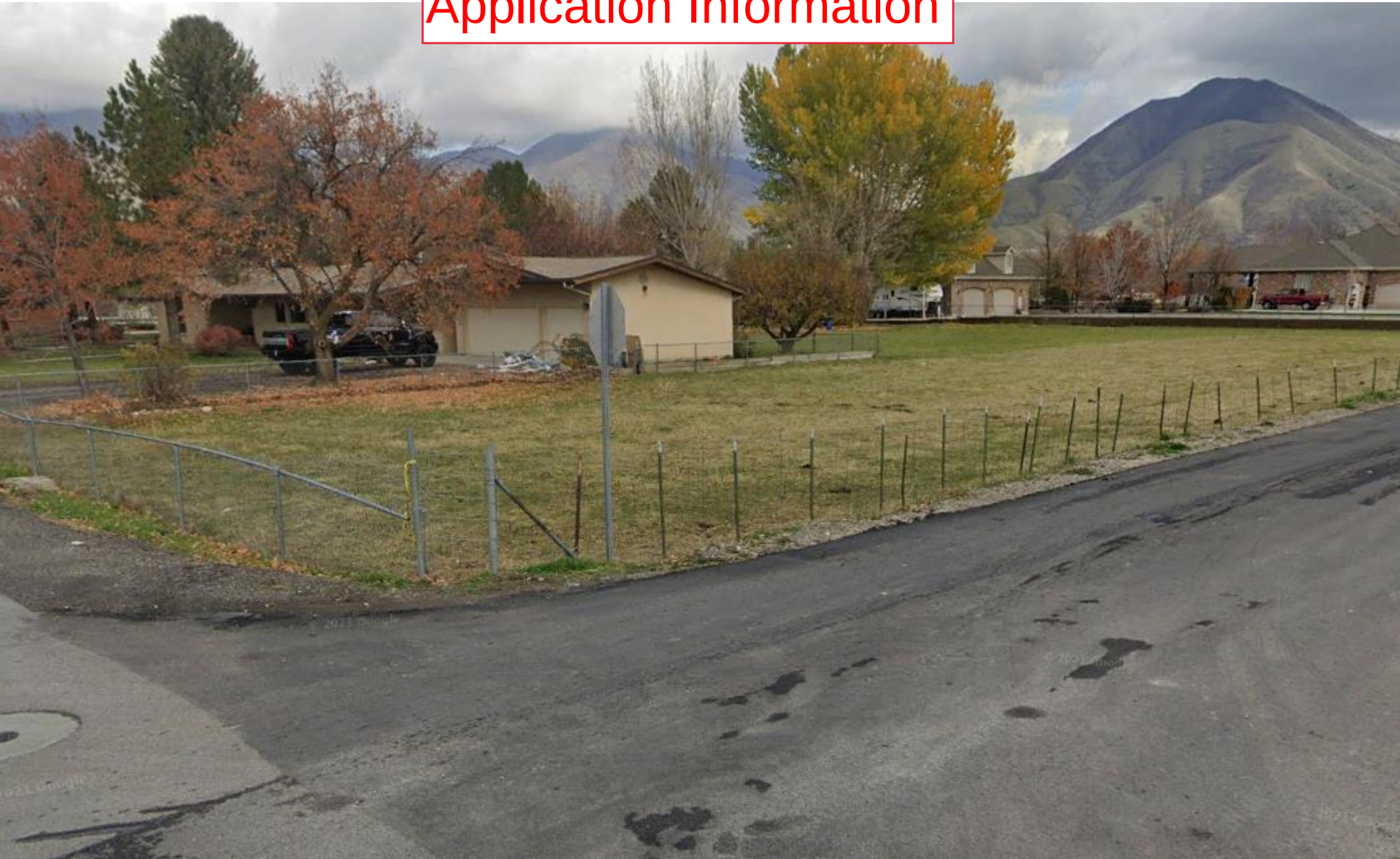
The applicant anticipates submitting an application to subdivision the property at some point in the future. The concept plan shows one lot at approximately .6 of an acre and the other lot at approximately .8 of an acre.

RECOMMENDATION

Recommend approval of the rezone request to the City Council.

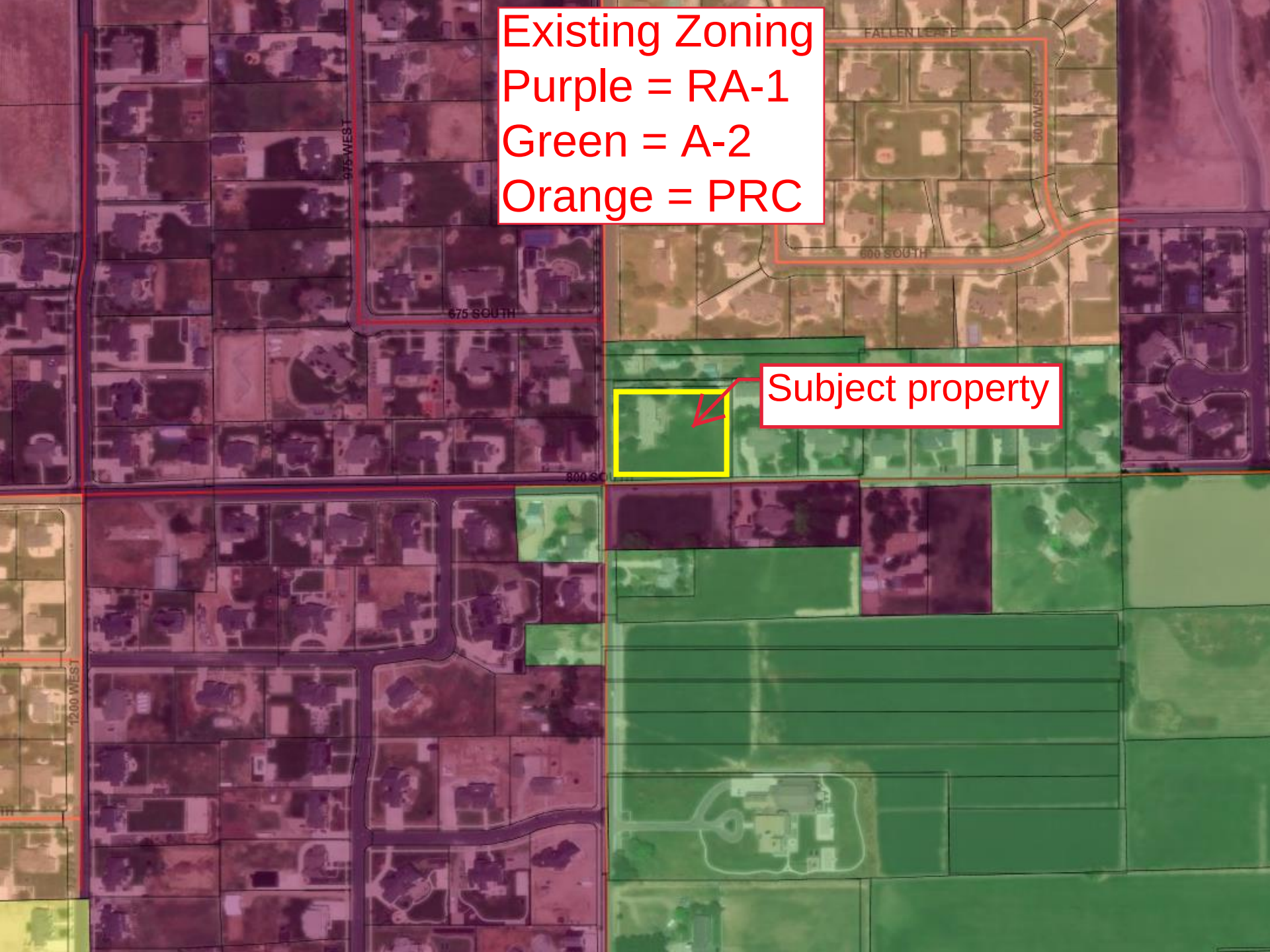
Attachment "1"

Application Information

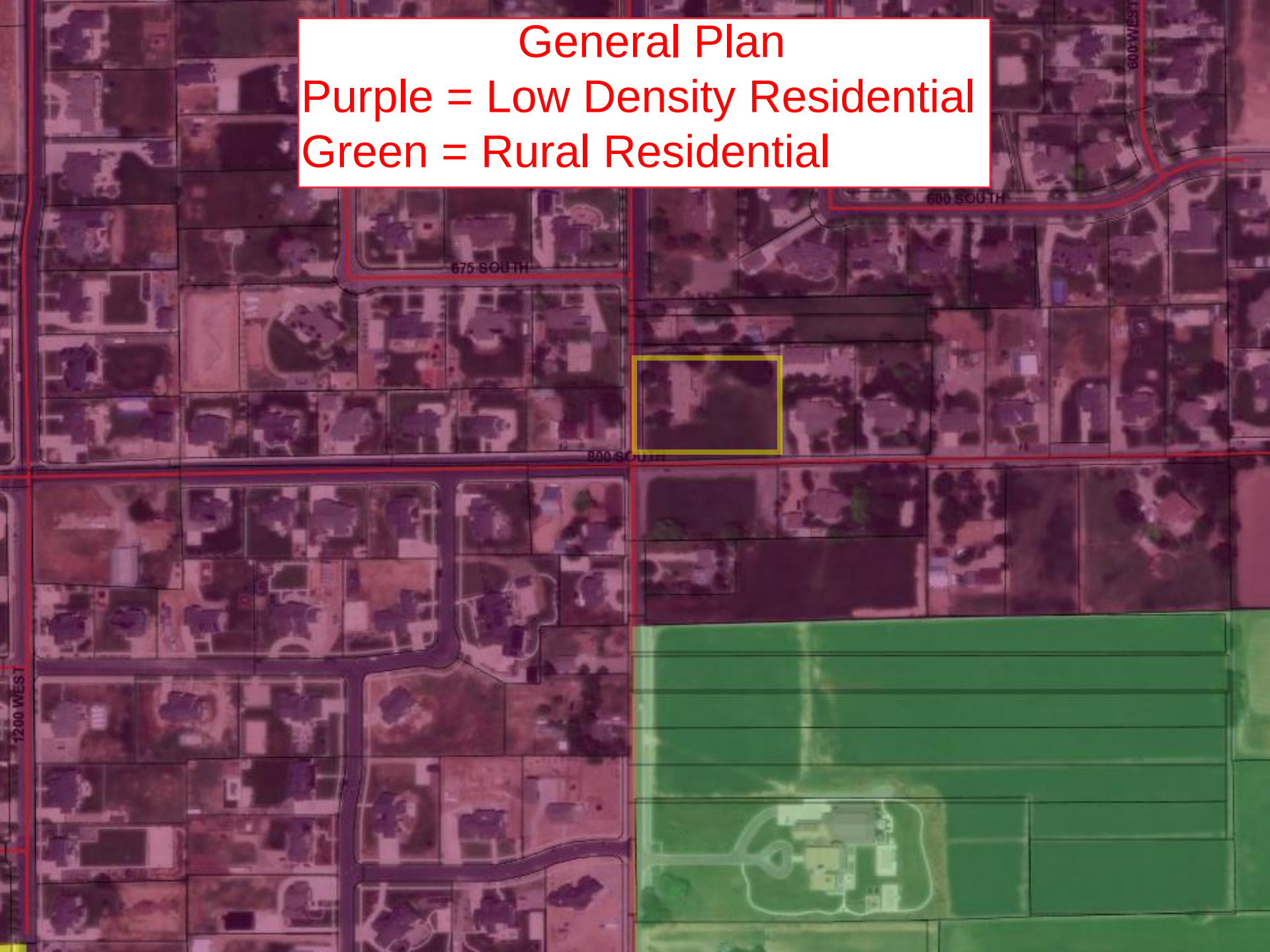


Existing Zoning
Purple = RA-1
Green = A-2
Orange = PRC

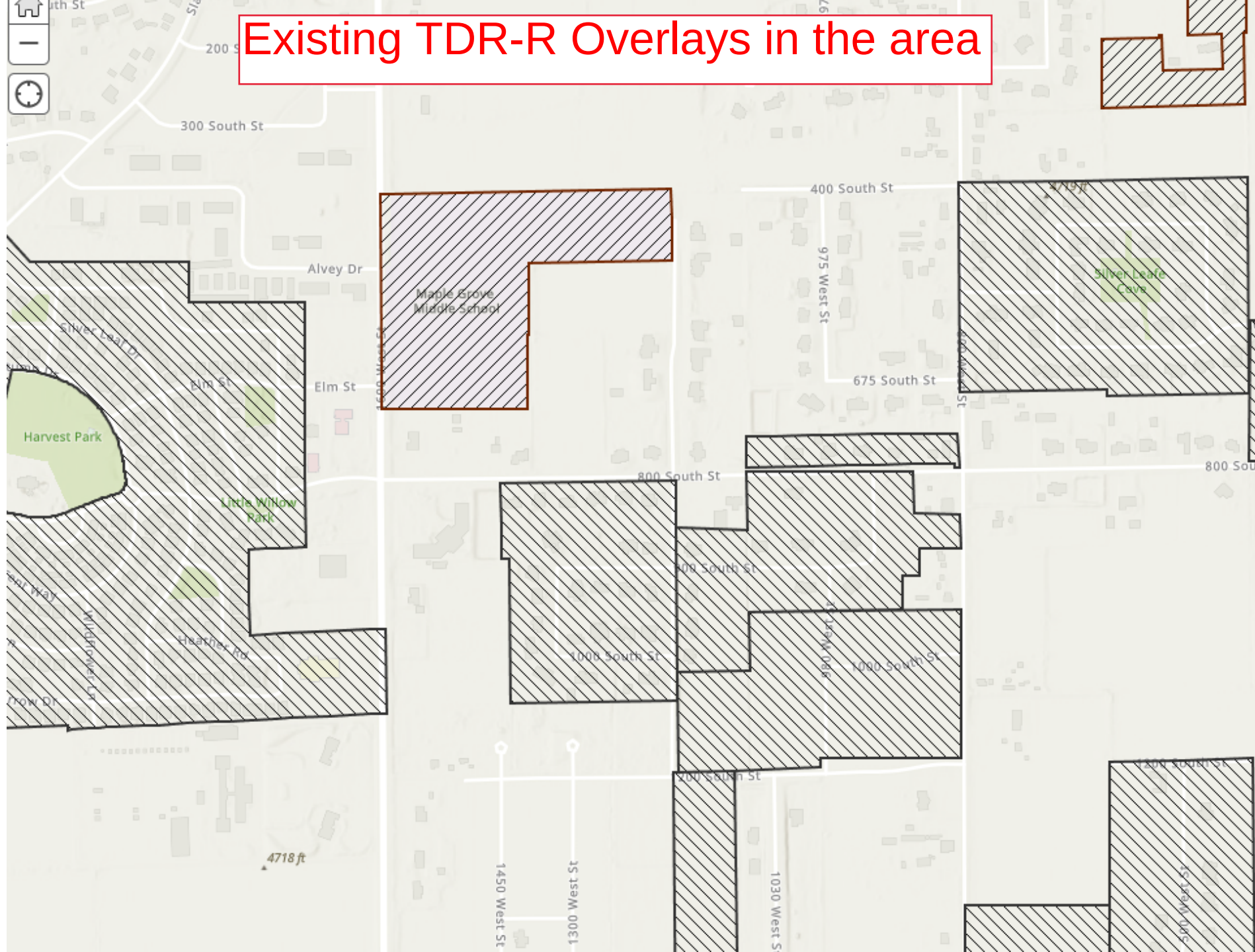
Subject property



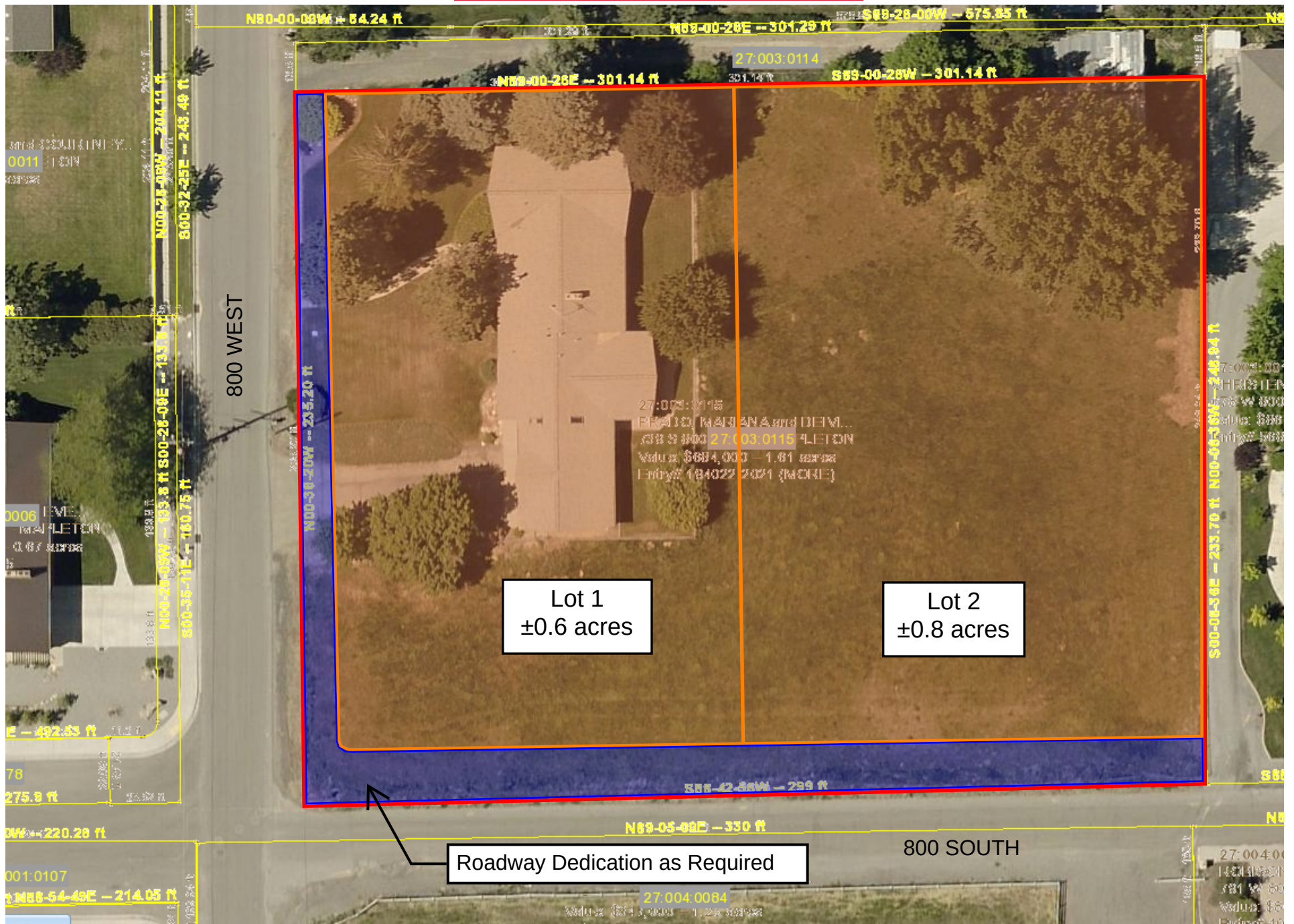
General Plan
Purple = Low Density Residential
Green = Rural Residential



Existing TDR-R Overlays in the area



Development Concept Plan



Item:

4

Date:

3/23/2023

Applicant:

Edge Homes

Location:

6000 S Hwy 89

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Zone:

PD-3

Attachments

1. Application information.
2. Proposed text amendments.

REQUEST

Consideration of a request to amend Mapleton City Code (MCC) sections 18.64 and 18.78C and review of updated concept plans for the Harmony Ridge Project consisting of approximately 990 residential units and at least 50 acres of commercial located in the Planned Development (PD-3) zone.

BACKGROUND & DESCRIPTION

The subject property is approximately 460 acres in size and is the site of the old Trojan Power Plant on the south part of the City. Prior to 2011, the property was located within the Spanish Fork city limits. In 2011 Mapleton City approved a boundary adjustment to bring the property into Mapleton city limits, and also approved a development agreement and the PD-3 zone for the property that included the following:

- 850 residential units including condominiums, town homes and single-family detached lots;
- Approximately 60 acres of industrial and 15 acres of commercial property;
- 3 City parks constructed by the developer; and
- A trails plan.

Edge Homes has recently purchased the property and has been working with staff on a number of potential changes to the development agreement and concept plans that include:

- An increase in density from 850 residential units to 990;
- Elimination of all industrial areas;
- An increase in commercial area to approximately 50 acres;
- Elimination of city parks within the project in exchanged for a \$3.5 million donation to the City's 30 acre future bike park, which abuts the project site;
- A trails plan with improved alignments;
- Dedication of a 30 acre hillside parcel to the City; and
- An increase in development fees of approximately \$826,000.

The attached text amendments are proposed to address the changes to the project concept plan. The Planning Commission is advisory to the City Council regarding the proposed zoning text amendments and changes to the concept plans. Amendments to the Development Agreement will be reviewed and approved by the City Council.

EVALUATION

Zoning text amendment requests are considered legislative in nature. 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.

General Plan: Staff has included below some of the applicable goals and policies from the Land Use Element of the General Plan followed by a brief response.

Goal 1: Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and preservation of open space.

Policy 1.1: Encourage Conservation Subdivisions on vacant undeveloped residential parcels.

Goal 4: Provide a range of housing options and price points that help ensure Mapleton is an affordable place to live.

Goal 5: Encourage a diverse and appropriate amount of commercial uses.

Goal 7: Improve Mapleton view corridors and viewsheds.

Response: Much of the City is zoned for one acre lots or larger to help preserve the City's rural atmosphere. The City has consciously allowed for higher density developments on the southern end of the City (including the subject property) in order to relieve some of the development pressure for the more historic core areas of the City. The subject project is a cluster/conservation type subdivision layout that includes protection of approximately 40% of the site as natural open space. The project includes a variety of housing and commercial options. The dedication of a steep hillside parcel to the City will help ensure that view sheds of the mountain are protected.

Residential & Commercial Density: When the applicant and the City began having discussions about revisions to the project, the applicant was interested in increasing density and staff was interested in reducing or eliminating the industrial areas of the project. The proposed concept plan eliminates the industrial areas, expands the residential component into some of the area formerly shown as industrial and expands the total commercial area. Staff supports the proposed changes for at least the following reasons:

- The project as a whole is generally consistent with the goals and policies of the Land Use Element as discussed above.
- Elimination of the industrial areas and expansion of the commercial areas will create a more aesthetically pleasing entrance to the City and will likely provide a better future commercial tax base.
- With the increase in residential units, the residential density for the project is still less than three units per acre.
- The state legislature continues to focus on the need for each community to provide more housing options. The proposed project will help the City demonstrate it is working towards providing more affordable options within the community.

Parks: In the original development agreement, the applicant was responsible to build three parks that would then be dedicated to the City. The parks were to include amenities such as pavilions, basketball courts, playgrounds and trails. Recently the City acquired a 30 acre parcel that is adjacent to the subject property. The City is in the process of preparing and adopting a recreational trails master plan that includes a proposal for a bike park with other amenities on the 30 acre parcel. Staff has worked with the developer to propose elimination of the City parks within the development in exchange for a donation of \$3.5 million that the City will use to develop the 30 acre parcel.

The applicant is also proposing two parks that will be owned and maintained by the HOA. These will include swimming pools, pickle ball courts, clubhouses and other amenities.

Trails: The original development agreement outlined a number of trails that the applicant would build and it also included an alignment for the extension of the City's Parkway Trail that would run along Highway 6 before crossing into Spanish Fork that the City would build. The applicant's plans still show a number of trails that they will build and dedicate to the City. Staff has also worked with the applicant to move the alignment of the

Parkway Trail off of Highway 6 to create a safer and more enjoyable trail experience. It is anticipated that the trails built within the project will connect with the future trails being planned as part of the City's trails master plan.

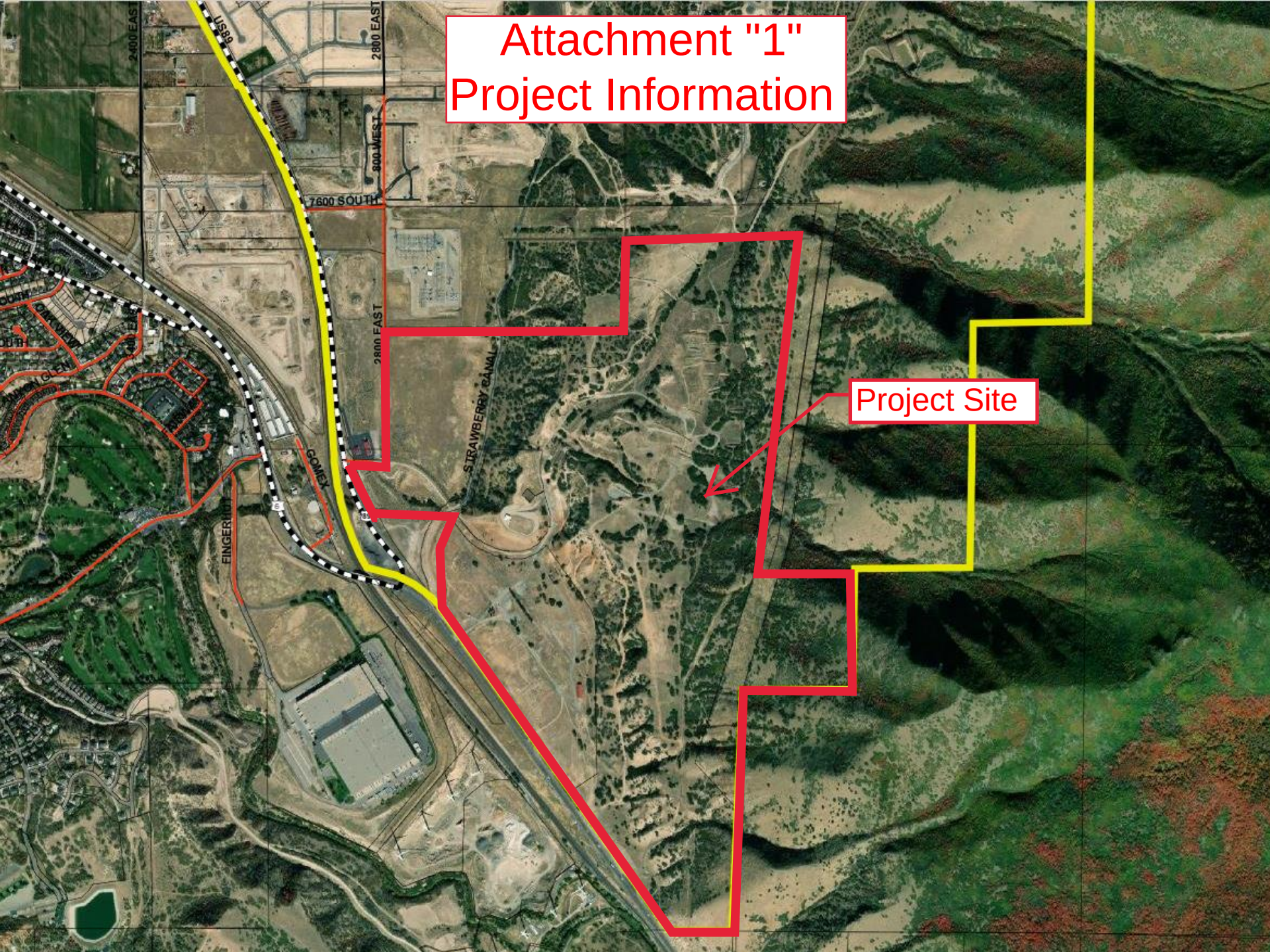
Traffic: A traffic study has been prepared for the project that identifies design suggestions and future improvement needs to accommodate the increase in traffic from the project as it develops. The recommendations of the traffic study will be considered when reviewing future subdivision plats and road improvement projects.

Text Amendments: The proposed text amendments are meant to address the changes to the project, and in some cases simplify the zoning text. For example, in the existing PD-3 text there is lengthy language regarding the requirements for commercial and industrial uses. The proposed amendments eliminate most of that language and just refer to the City's existing general commercial requirements and commercial design standards.

RECOMMENDATION

Recommend approval of the proposed text amendments and concept plan changes to the City Council.

Attachment "1" Project Information

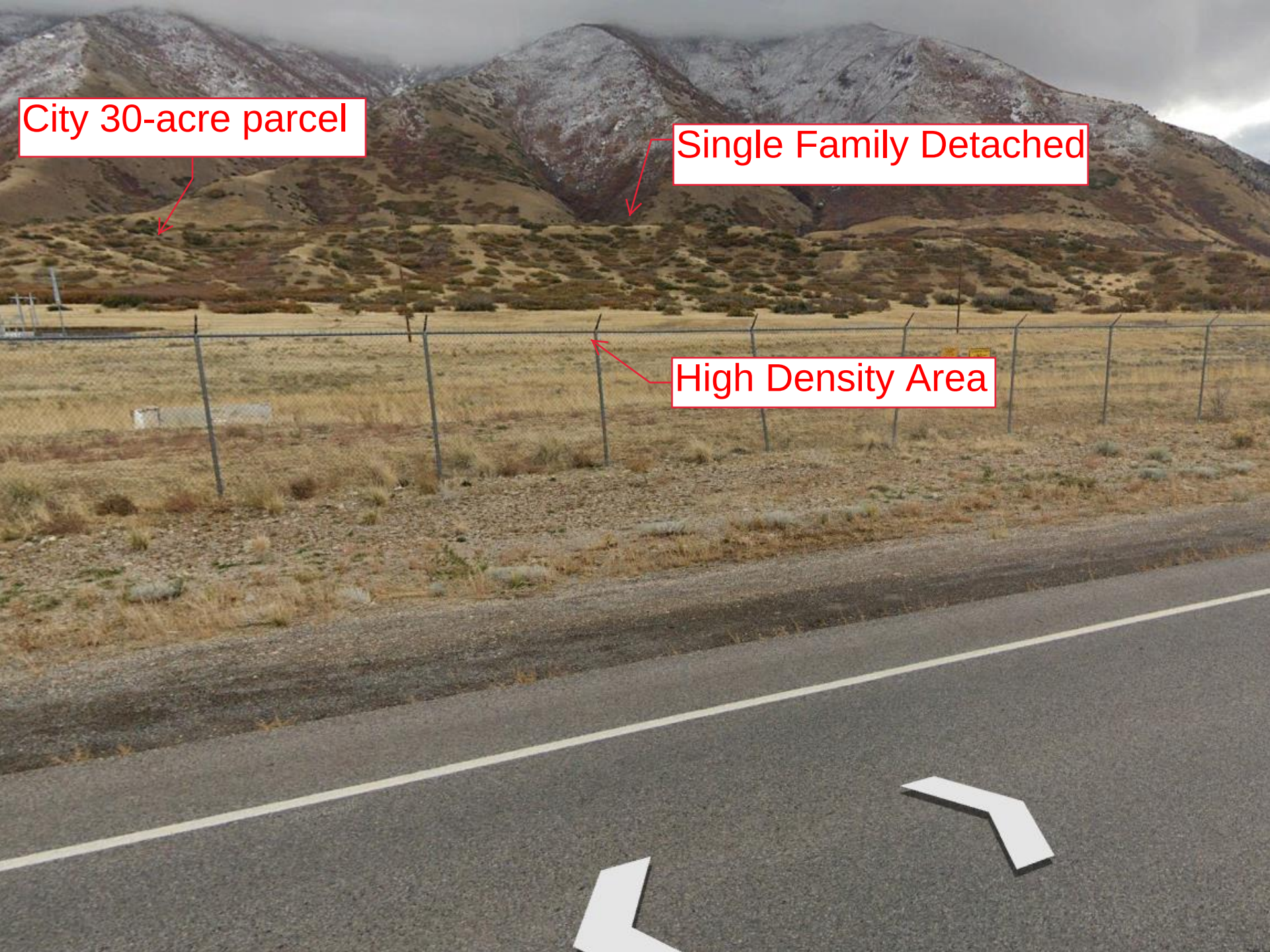


Project Site

City 30-acre parcel

Single Family Detached

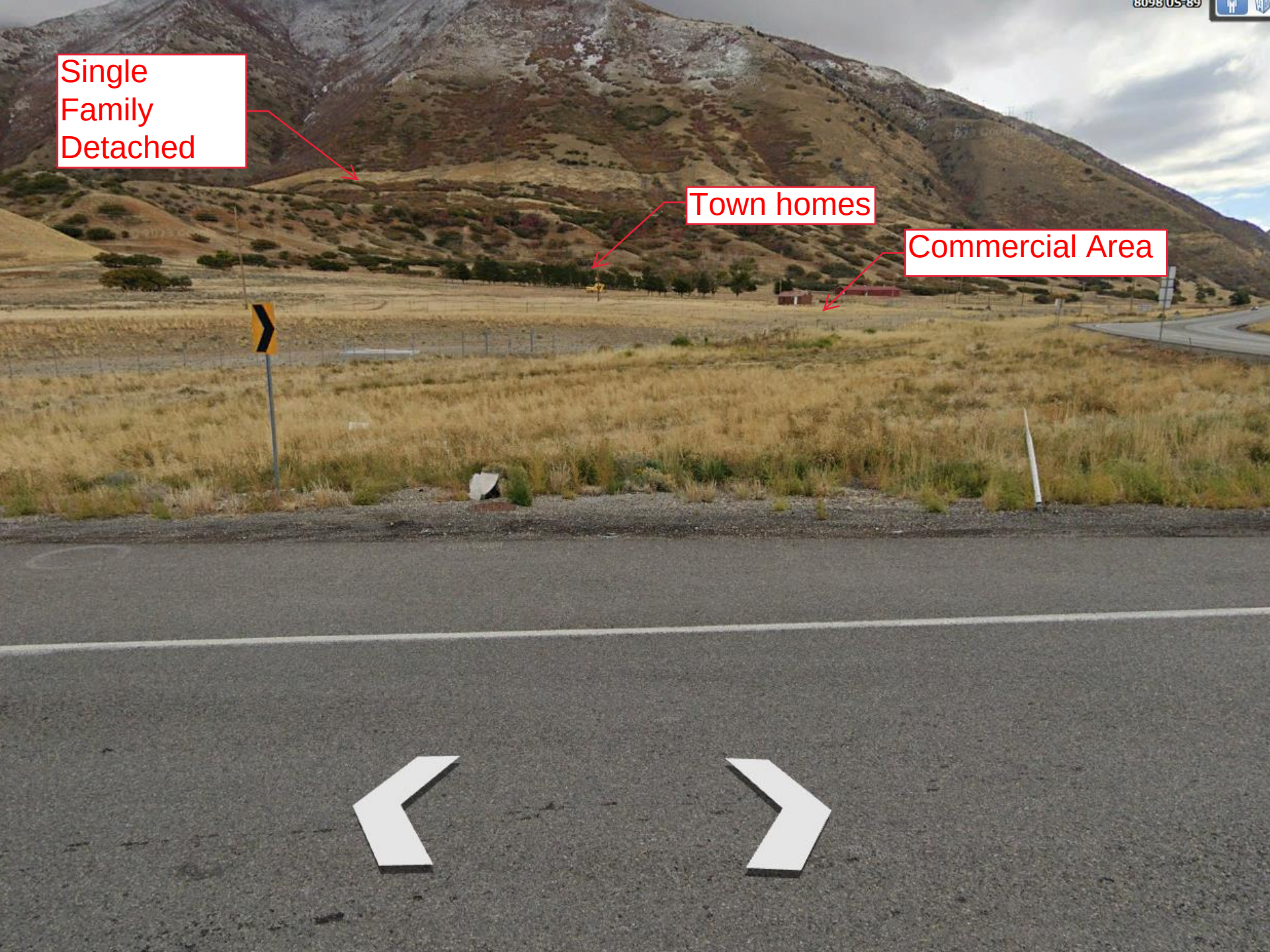
High Density Area



Single
Family
Detached

Town homes

Commercial Area

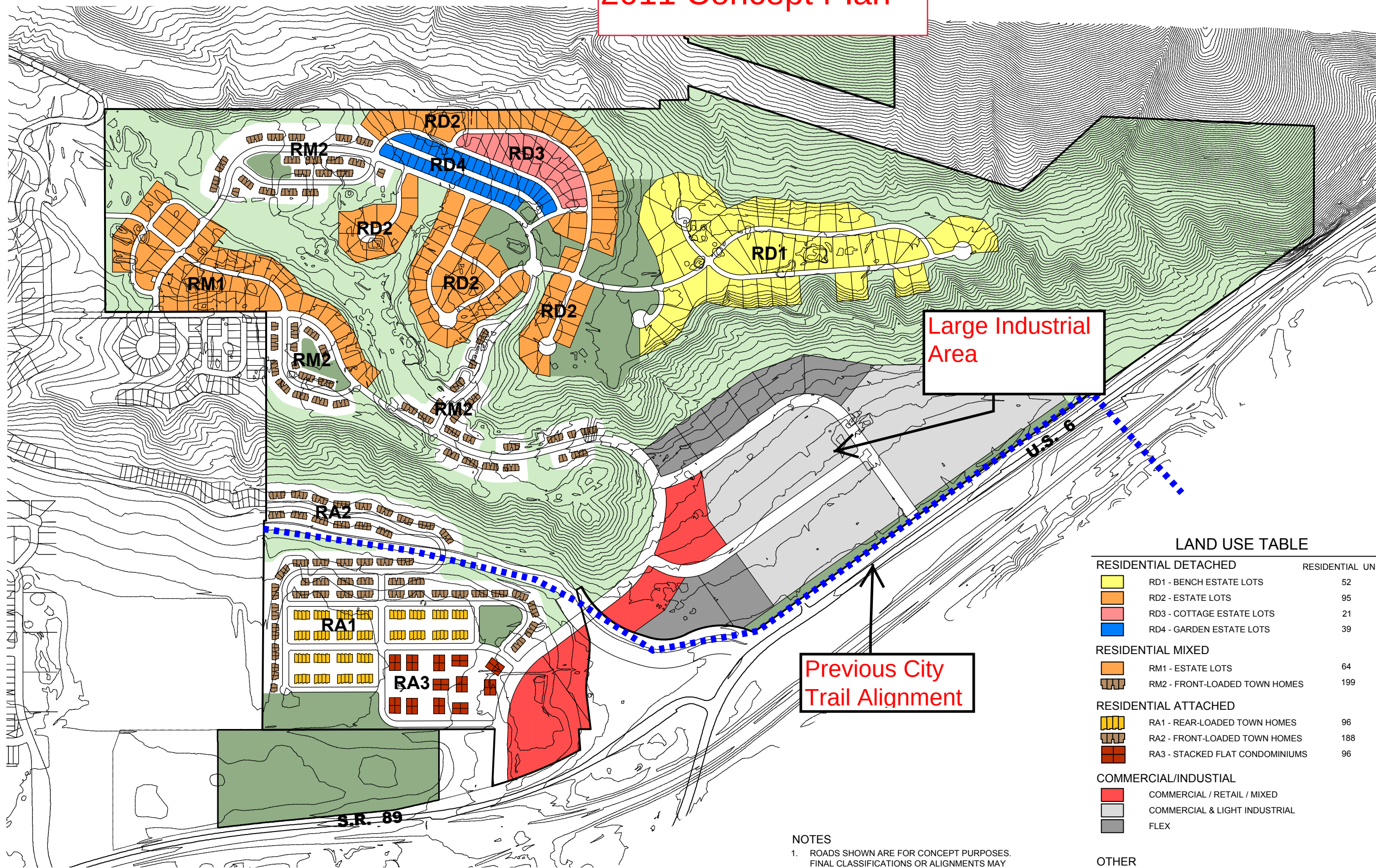


2011 Concept Plan



ENGINEERS
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Previous City
Trail Alignment

Large Industrial
Area

LAND USE TABLE

RESIDENTIAL DETACHED

	RESIDENTIAL UNITS
RD1 - BENCH ESTATE LOTS	52
RD2 - ESTATE LOTS	95
RD3 - COTTAGE ESTATE LOTS	21
RD4 - GARDEN ESTATE LOTS	39

RESIDENTIAL MIXED

RM1 - ESTATE LOTS	64
RM2 - FRONT-LOADED TOWN HOMES	199

RESIDENTIAL ATTACHED

RA1 - REAR-LOADED TOWN HOMES	96
RA2 - FRONT-LOADED TOWN HOMES	188
RA3 - STACKED FLAT CONDOMINIUMS	96

COMMERCIAL/INDUSTRIAL

COMMERCIAL / RETAIL / MIXED	
COMMERCIAL & LIGHT INDUSTRIAL	
FLEX	

OTHER

PARKS (PUBLIC & HOA)	
APPROXIMATE PRESERVED OPEN SPACE / PUBLIC FACILITIES	

TOTAL RESIDENTIAL UNITS	850
TOTAL COMERCIAL/INDUSTRIAL ERU	200
OVERALL TOTAL ERU	1050

NOTES

- ROADS SHOWN ARE FOR CONCEPT PURPOSES. FINAL CLASSIFICATIONS OR ALIGNMENTS MAY VARY.
- FINAL PRESERVED OPEN SPACE AREA TO VARY BASED ON FINAL LOT CONFIGURATION.

HARMONY RIDGE
MAPLETON, UTAH

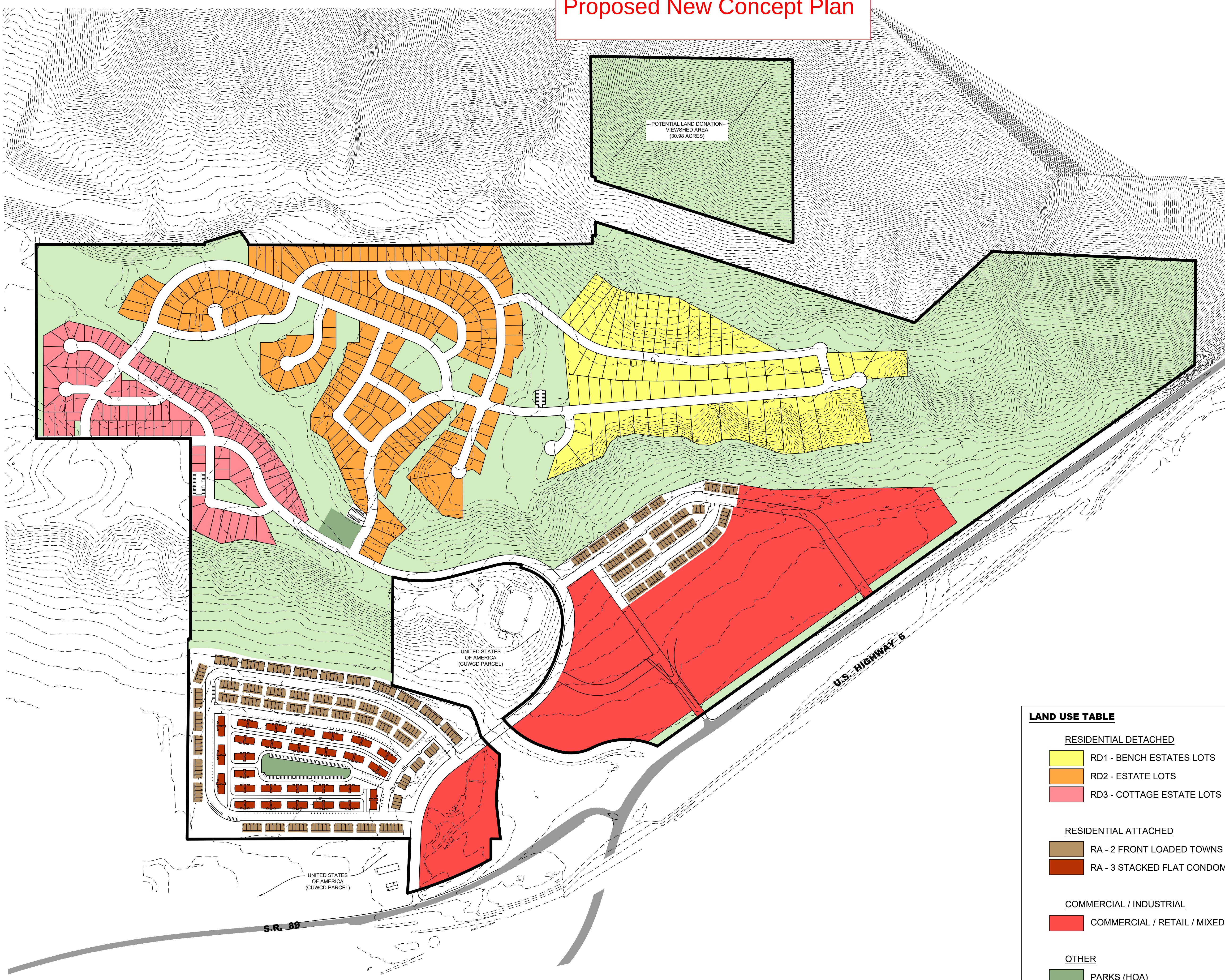
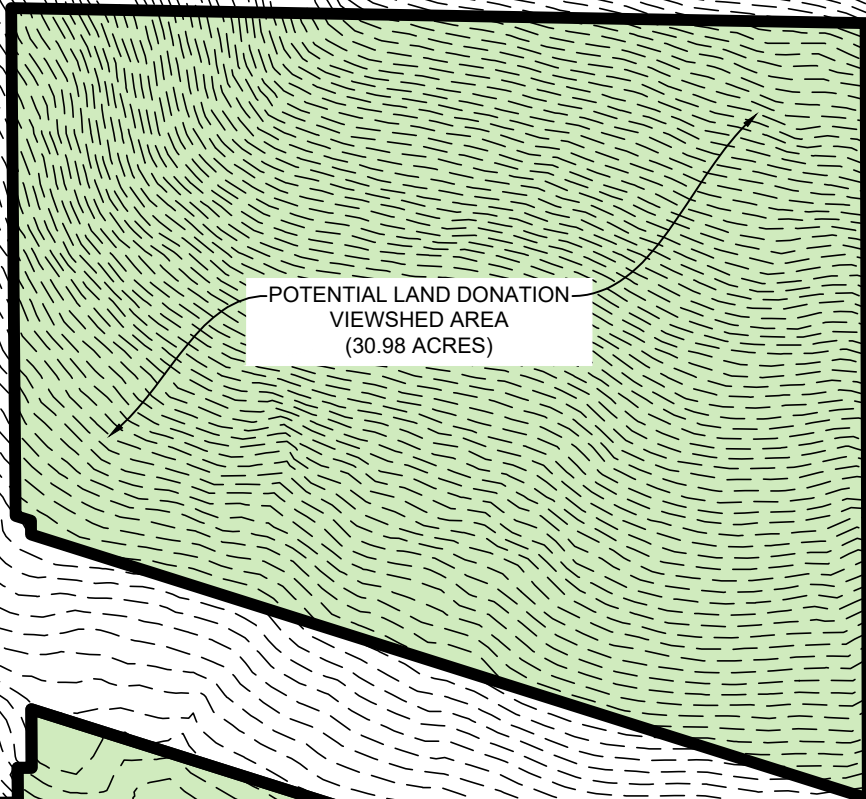
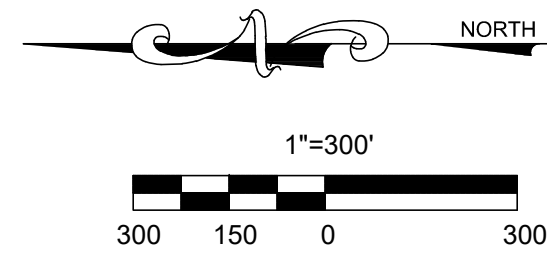
EXHIBIT E - DENSITY PLAN

REVISIONS
1 -
2 -
3 -
4 -
5 -

LEI PROJECT #:
2008-4005
DRAWN BY:
RWK
DESIGNED BY:
GDM
SCALE:
1" = 600'
DATE:
05/17/2011

SHEET
E

Proposed New Concept Plan



LAND USE TABLE		
RESIDENTIAL DETACHED		RESIDENTIAL UNITS
	RD1 - BENCH ESTATES LOTS	71
	RD2 - ESTATE LOTS	203
	RD3 - COTTAGE ESTATE LOTS	102
RESIDENTIAL ATTACHED		
	RA - 2 FRONT LOADED TOWNS	334
	RA - 3 STACKED FLAT CONDOMINIUMS	280
COMMERCIAL / INDUSTRIAL		
	COMMERCIAL / RETAIL / MIXED	
OTHER		
	PARKS (HOA)	
	APPROXIMATE PRESERVED OPEN SPACE / PUBLIC FACILITIES	



- A Utah Corporation -

ENGINEERS

SURVEYORS

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NOT FOR
CONSTRUCTION

HARMONY RIDGE
MAPLETON, UTAH

EXHIBIT E - DENSITY PLAN

REVISIONS	
1	-
2	-
3	-
4	-
5	-

LEI PROJECT #:
2022-0022

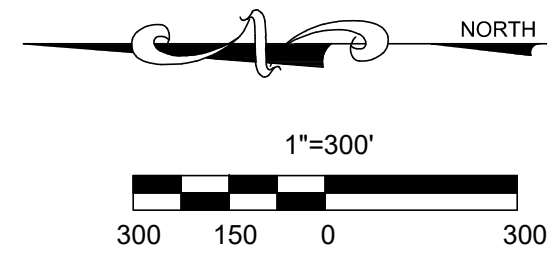
DRAWN BY:
TJP

DESIGNED BY:
NKW

SCALE:
1"=300'

DATE:
2/28/2023

U:\0_LEI PROJECTS\2022\2022-0022 HARMONY RIDGE - MAPLETON\DWG\EXHIBIT E - DENSITY PLAN.DWG 2/28/2023 1:55 PM



LEI

- A Utah Corporation -

ENGINEERS

SURVEYORS

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NOT FOR
CONSTRUCTION

HARMONY RIDGE

MAPLETON, UTAH

EXHIBIT C - DEVELOPMENT PLAN

REVISIONS	
1	
2	
3	
4	
5	

LEI PROJECT #:	2022-0022
DRAWN BY:	TJP
DESIGNED BY:	NKW
SCALE:	1"=300'
DATE:	2/28/2023

SHEET

C



LEGEND

ATTACHED RESIDENTIAL (MULTI-FAMILY) - ± 55.1 ACRES

DETACHED RESIDENTIAL - ± 126.3 ACRES

COMMERCIAL/FLEX - ± 60.7 ACRES

OPEN SPACE - ± 187.0 ACRES



ALL TRAILS TO BE MAINTAINED BY THE CITY UNLESS OTHERWISE NOTED

1. ALL PARK IMPROVEMENTS AND AMENITIES (HOA AND PUBLIC) TO BE APPROVED BY MAPLETON CITY.
2. ALL BONDING FOR PARK IMPROVEMENTS AND AMENITIES (HOA AND PUBLIC) TO CONFORM TO MAPLETON CITY STANDARDS.
3. ALL PARK BOUNDARIES SHARED WITH SINGLE FAMILY LOTS SHALL HAVE CONSISTENT, NON-PRIVACY FENCING.

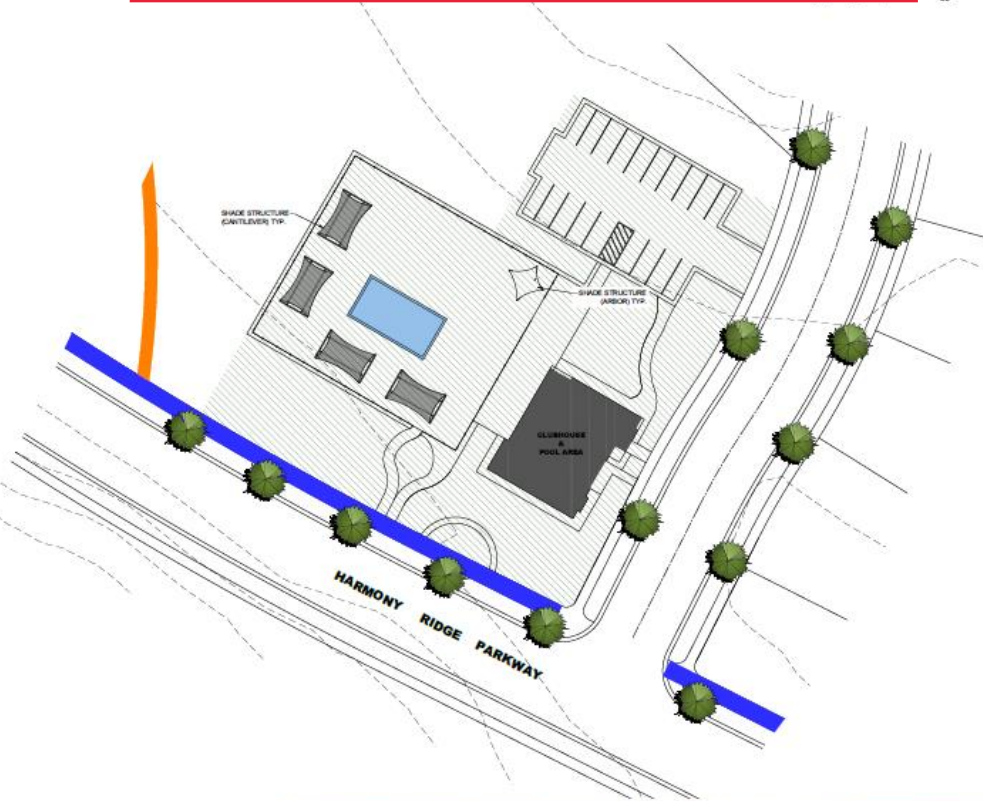
Conceptual Park Amenities												
Name	Responsibility	Size	Shade Structures (Cardener) (sq)	Shade Structures (Acher) (sq)	Childrens Playgound (sq)	Shaded Picnic Area (sq)	Benches (sq)	Cubhouse Seating (sq)	Cubhouse (sq)	Swimming Pool (sq)	Pickleball Court (sq)	Parking Lot (sq)
Park #1	HOA	1.25 acres	2	4	1	2	13	8	1	1	2	54,410
Park #2	HOA	0.60 acres	4	2	0	0	0	0	1	1	0	6,735
Viewshed	City	30.98 acres	6	0	0	0	0	0	0	0	0	0
Total		32.83 acres	6	6	1	2	13	8	2	2	2	61,145

Lower HOA Park

30 15 0 30



Upper HOA Park



2023

Exhibit F-1 – Harmony Ridge Residential Design Standards



Jan 06, 2023

1A: Harmony Ridge Introduction

Introduction

Located along the Wasatch Front at the foot of the Sierra Bonita Mountains, **Harmony Ridge** has been planned as a premier 460-acre master planned mixed use community with approximately 990 residential units and significant light industrial, commercial and retail components. Harmony Ridge is designed with sustainability in mind and will provide a variety of residential housing, unique neighborhood shops and businesses all while preserving a large portion of the community as natural open space.

The Harmony Ridge site is located at the southern end of Mapleton City, at the mouth of Spanish Fork Canyon. This location provides easy access to major transportation corridors, adjacent cities and surrounding public lands. In addition, the unique topography of the site will provide unparalleled views of Utah County and beyond.

Harmony Ridge will provide residents with a wide variety of residential choices, all within walking or biking distance of shopping and employment opportunities. The master plan also preserves approximately 224 acres, just less than 50 percent of the project site, as natural open space. The integrated parks and trail system of Harmony Ridge are highlighted by playgrounds, sports fields, and a series of trails. As a pedestrian friendly environment, Harmony Ridge will enable residents to walk or bike on the trail system or play with their children at the neighborhood field without ever getting into a car.



1B: Design Team

LEI Planners - Engineers - Surveyors (LEI)

LEI has created these Design Standards as a resource for home owners, architects, designers and builders. These Standards will step through the process of designing and building homes in a manner that is consistent with the design intent of Harmony Ridge and compatible with the overall community character.

LEI’s land planning team philosophy is simple: create sustainable places where people want to live, work and play. We believe in creating places that are eco-sensitive, balanced, and sustainable; places where people can easily interact and build communities; and places that are as unique and varied as the environments in which we work.

LEI is located in Spanish Fork, Utah and will act as the point source of contact for all correspondence or inquiries regarding these Residential Design Standards.



ENGINEERS
SURVEYORS
PLANNERS

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Spanish Fork Utah 84660
(801) 798-0555 (Office)
(801) 798-9393 (Fax)
greg@lei-eng.com

1C: Overview of the Design Process

How to Use These Residential Design Standards

The Harmony Ridge Design Standards have been developed as a road map for architects, designers, home builders and home owners. The Design Standards should be consulted from the outset and should remain a guiding document throughout the design and building process.

For Architects and Designers:

The Design Standards establish a framework of standards and limitations designed to contribute to the overall sense of place. The Design Standards shall be used at every step of the design process; from siting the house or structure, overall architectural theme, architectural elements, materials, and finishes.

For Home Builders:

The Design Standards are intended to demonstrate the desired architectural character and to be an aid in achieving the overall vision of the community. The Design Standards will also direct the choice of materials and construction methods, as well as the desired quality of detailing.

For Home Buyers:

The Design Standards are intended to help in making decisions about the type of lot to choose and the home design suitable for each lot. They are also a guide to help review any design that will be produced by the architect, designer or home builder before starting the formal review process.

The Residential Design Standards are meant to guide choices and preferences, educate on the desired character of Harmony Ridge Standards are not intended to replace professional design assistance.

1D: The Architectural Committee

All designs within Harmony Ridge must be approved by the Architectural Committee (AC). The AC consists of professional designers who have the responsibility of evaluating all home and landscape designs proposed within Harmony Ridge to ensure that they meet the intent and specific guidelines. The AC is authorized to approve, approve with conditions, or deny any and all applications based on adherence to these Residential Design Standards. The AC is also authorized to offer suggestions and to work with the designer, home builder, and/or home owner to find tenable design solutions.

1F: Review Process and Schedule

The following stepped process and schedule has been established to assist in the design process and also streamline the AC review and approval duties:

1. Visit the Site

The Owner / Designer / Builder are encouraged to conduct a site visit in order to assess the site in preparation for the required site plan according to Section 4A.

2. Review the Design Standards and Applicable Covenants, Conditions, and Restrictions (CC&R’s).

All applicable requirements, processes and submittals should be reviewed in detail to assure compliance throughout the design and approval phases. If necessary, the AC will be available to clarify design requirements.

3. Prepare and Submit Preliminary Drawings

Following the site visit and review of the Residential Design Standards and applicable CC&R’s, a preliminary drawing package is to be prepared and shall include the following:

- a. Site plan (minimum scale: 1”=20’) according to criteria within Section 4A.
- b. Floor plans (minimum scale: 1/4”=1’).
 - i. Square footage calculations by floor, living area and garage.
- c. Elevation views (minimum scale: 1/4”-1’) including:
 - i. Accurate finished grade shown according to Section 4A.
 - ii. All elevations with detailed materials, heights and colors in accordance with these Design Guidelines.
- d. Landscape plan (minimum scale: 1”-20’) according to criteria within Section 4A.
- e. Architectural Committee checklist, required items and fee.

4. Architectural Committee Preliminary Design Review & Comment

Within ten (10) business days following submittal of two (2) copies of the preliminary drawings, the AC shall complete the following:

- a. Review design for compliance to these Residential Design Standards.
- b. Recommendations of possible changes and upgrades to better reflect the intent of these Residential Design Standards.
- c. Preparation of written comments and red lined drawings, as applicable.

5. Preliminary Design Revision / Final Design Preparation

As necessary, the preliminary design shall be updated and/or information secured according to the AC’s review and comment. The AC will be available as necessary to clarify comments and red lines.



6. Architectural Committee Final Design Review & Comment

Following satisfactory completion of any preliminary design revisions and their incorporation into a final design, two (2) copies of the final design shall be submitted to the AC for review and comment. Within ten (10) business days of submittal, the AC shall complete the following:

- a. Final design review for compliance to these Residential Design Standards.
- b. Review of prior comments and red lines and their incorporations into the plan.
- c. Preparation of written comments, red lines, or approval as applicable.

7. Final Approval

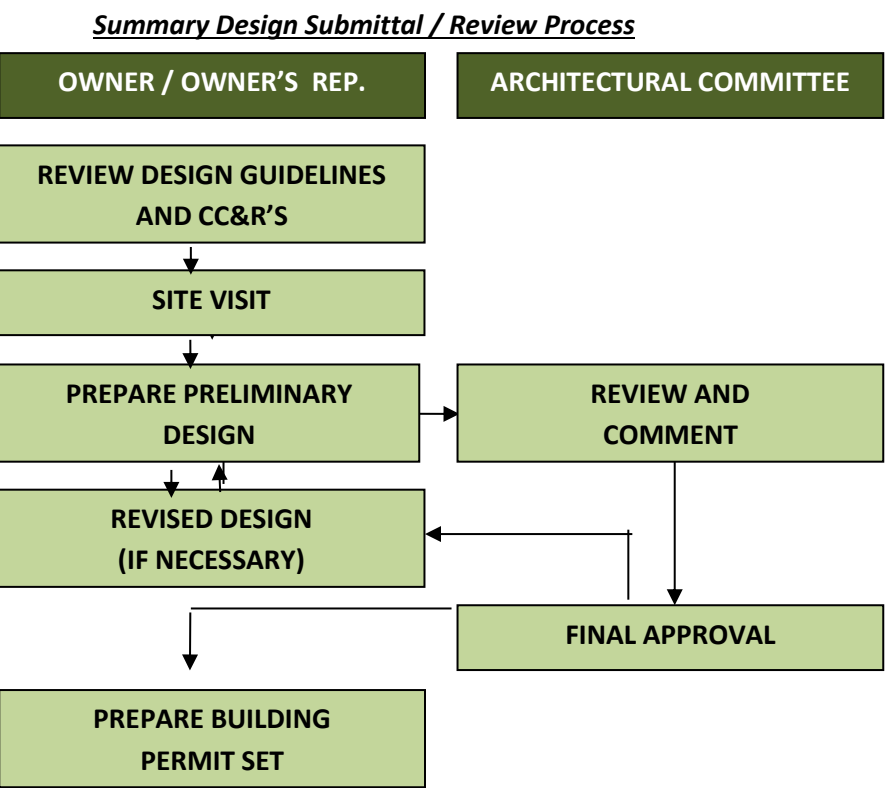
Following successful completion of the preliminary and final design phases, the AC shall prepare a letter of approval with any necessary instructions or conditions.

8. Mapleton City Building Permit

All required information, drawings and AC Final Approval Letter as per the Mapleton City Building Permit Checklist shall be submitted and approved by the City before a building permit is issued.

1G: Review Process Table

The following table provides a brief explanation of the elements reviewed by the local municipality and the AC during the design review process:

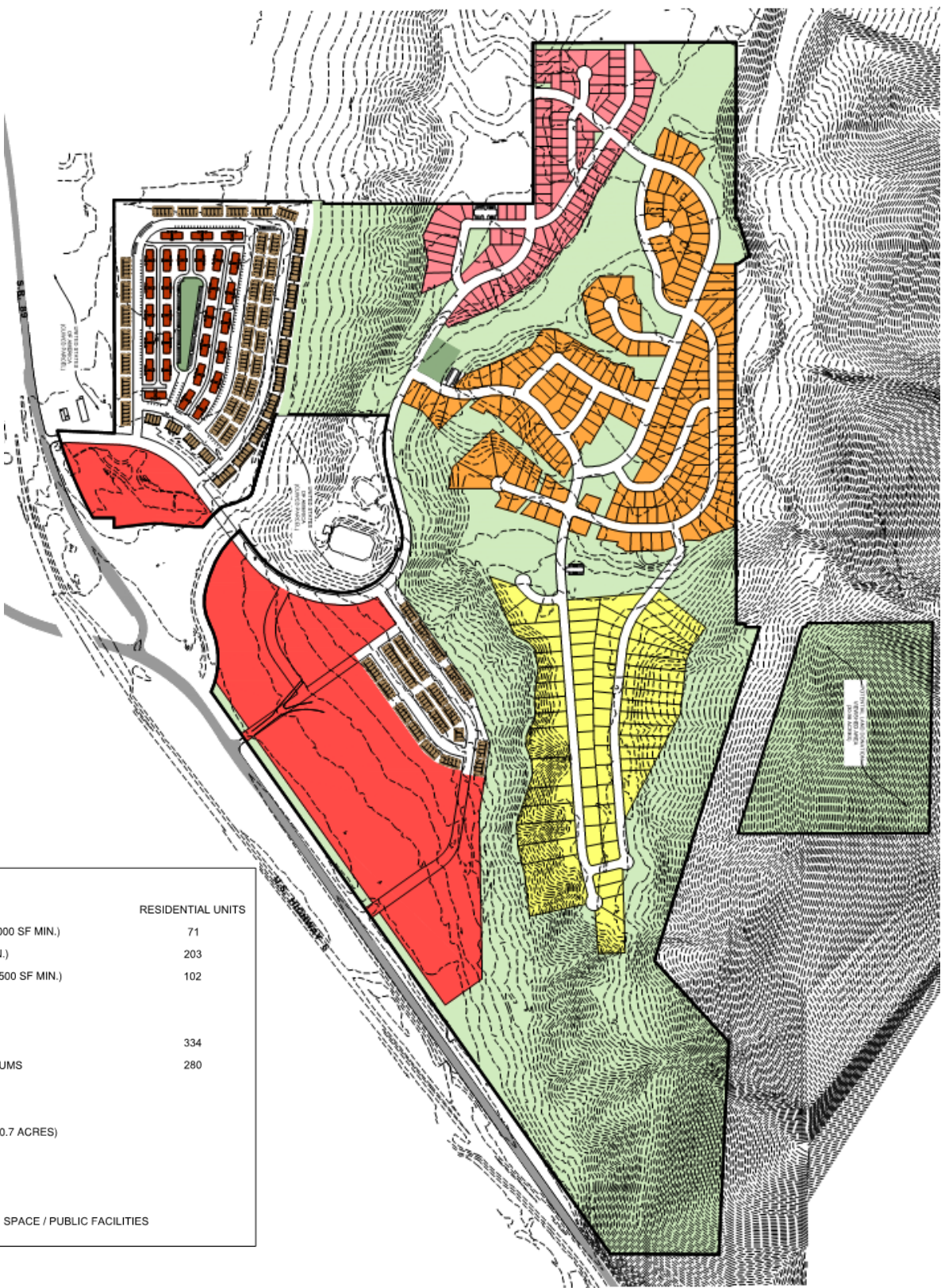


1H: Site Plan

Harmony Ridge offers a wide variety of residential unit types from townhomes to large estate homes with pristine views of the Wasatch Mountains and Utah County. This variety among home types and home design will help to create a true sense of community. The site plan for Harmony Ridge is centralized around access and integration of parks highlighted by playgrounds and a series of trails. The parks are connected throughout the community with a network of pedestrian trails and sidewalks. As a pedestrian friendly environment, Harmony Ridge will enable residents to hike or bike on the trail system or play with their children at the neighborhood play field without ever getting in a car.

General Site Plan Information:

- 481 acres
- 190 acres of open space
- 990 residential units



LAND USE TABLE		
RESIDENTIAL DETACHED		
RD1 - BENCH ESTATES LOTS (12,000 SF MIN.)		71
RD2 - ESTATE LOTS (6,000 SF MIN.)		203
RD3 - COTTAGE ESTATE LOTS (4,500 SF MIN.)		102
RESIDENTIAL ATTACHED		
RA - 2 FRONT LOADED TOWNS		334
RA - 3 STACKED FLAT CONDOMINIUMS		280
COMMERCIAL / INDUSTRIAL		
COMMERCIAL / RETAIL / MIXED (60.7 ACRES)		
OTHER		
PARKS (PUBLIC & HOA)		
APPROXIMATE PRESERVED OPEN SPACE / PUBLIC FACILITIES		

2A: General Lot Standards

This section includes basic elements which must be considered in the initial site investigation and will help match the proposed plan to an acceptable building lot.

The residential units within Harmony Ridge are classified into seven groups based on unit type, lot size and location within the project. Each unit classification will have distinct recommendations and requirements.

2B: Lot Setbacks

Lot setbacks are necessary for parking, access and utilities but they can also help influence the character of the neighborhood. The following setbacks are defined for Harmony Ridge:

- Garage Front Setback - For garages with access directly to a public roadway, the garage front setback is to be the minimum required distance from the front property line (sidewalk) to the face of the garage door. For alley load units, the garage front setback is to be the minimum required distance from the alley curb to the face of the garage door.
- Front Setback - The minimum distance required from the front property line (sidewalk) to the front porch, exterior wall of the house or side entry garage. Roof eaves and uncovered steps may extend into this setback a maximum of two (2) feet.
- Rear Setback - The minimum distance as measured parallel from the rear lot line to the exterior wall of the garage, porch, or living space. Roof eaves and uncovered steps may extend into this setback. Rear setbacks for Estate lots would apply to porch or living space.
- Side Setback - The minimum distance as measured parallel from the side lot line to the exterior wall of the garage, porch or living space. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2'). Side setback requirements for townhomes and multi-family units will apply to end units only.

Lot Types	Setbacks			
	Garage Front	Front	Rear	Side
Bench Estate Lots	25'	15'	15'	8'
Estate Lots	20'	15'	10'	5'
Cottage Estate Lots	22'	12'	10'	5'
Front-Loaded Townhomes	20'	12'	10'	5'

Stacked flat condominiums or apartments will require a fifteen foot (15') minimum between buildings, parking, other structures and all public roadways.

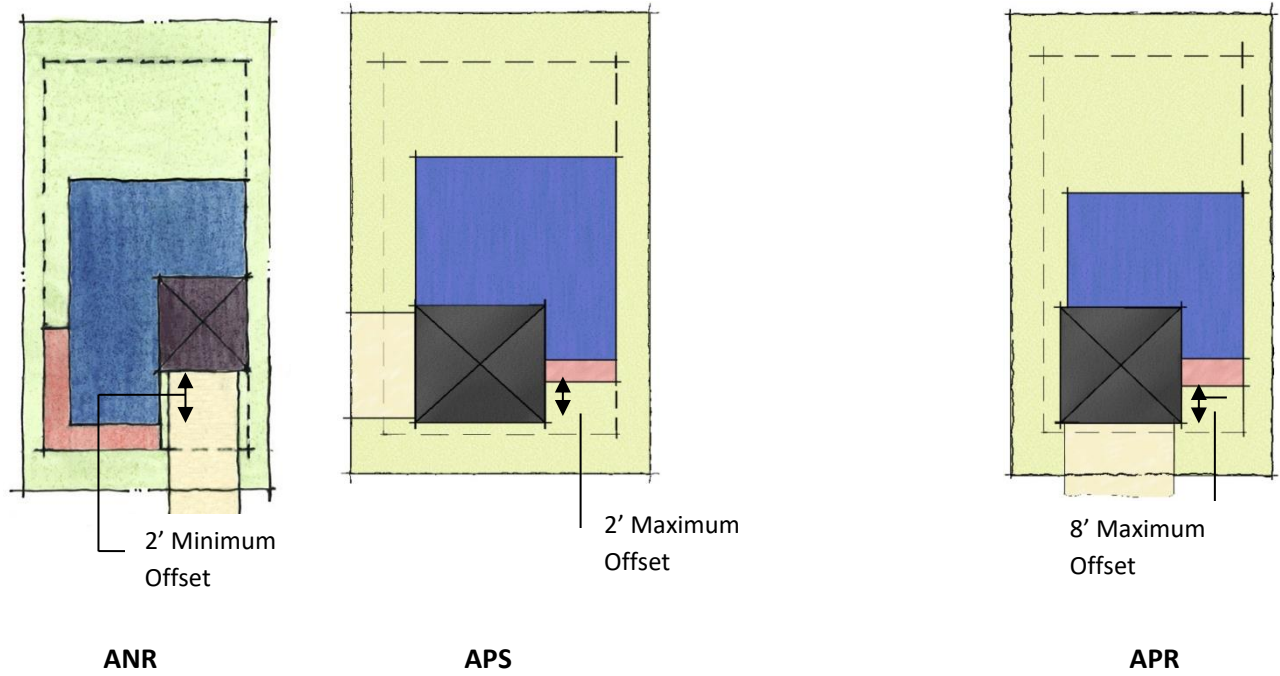
2C: Garage / House Relationship (Detached Housing)

The relationship between the garage and the main house is critical to maintain the character of the community and should be carefully planned. The goal is to avoid “garage dominated” street-scapes by encouraging a variety

of garage locations and treatments. These variations are depicted based on general lot frontage and possible house/garage relationships. It is understood that some sites, housing products or owner preference may result in lot layouts and houses with the garage as a prominent feature of the front elevation. These prominent garage plans should be kept to a minimum and must incorporate mitigating measures. For specific guidelines pertaining to garages, and allowable mitigation measures refer to Section 3G.

In order to determine the type and extent of required mitigation, the house/garage relationship has been broken down to the following types, each of which is illustrated based on lot frontages:

- House/Garage Relationship Key**
- A** - Garage is **Attached** to house
 - P** - Garage is a **Prominent** feature of the front elevation (8' maximum offset)
 - N** - Garage is **Not** a prominent feature of the front elevation (2' minimum offset)
 - R** - Garage door is oriented toward the **Road**
 - S** - Garage door is oriented toward the **Side**



2D: Lot Sizing Requirements (Detached Housing)

The detached residential lots are separated into three (3) different categories for Harmony Ridge, each with unique requirements as follows:

- A. Bench Estate lot requirements:**
- 1. Minimum area: 12,000 square feet.
 - 2. Minimum frontage: 70 feet.
 - 3. Minimum depth: 100 feet.

- B. Estate lot requirements:**
- 1. Minimum area: 6,000 square feet.
 - 2. Minimum frontage: 55 feet.
 - 3. Minimum depth: 75 feet.

- C. Cottage Estate lot requirements:**
- 1. Minimum area: 4,500 square feet.
 - 2. Minimum frontage: 45 feet.
 - 3. Minimum depth: 75 feet.

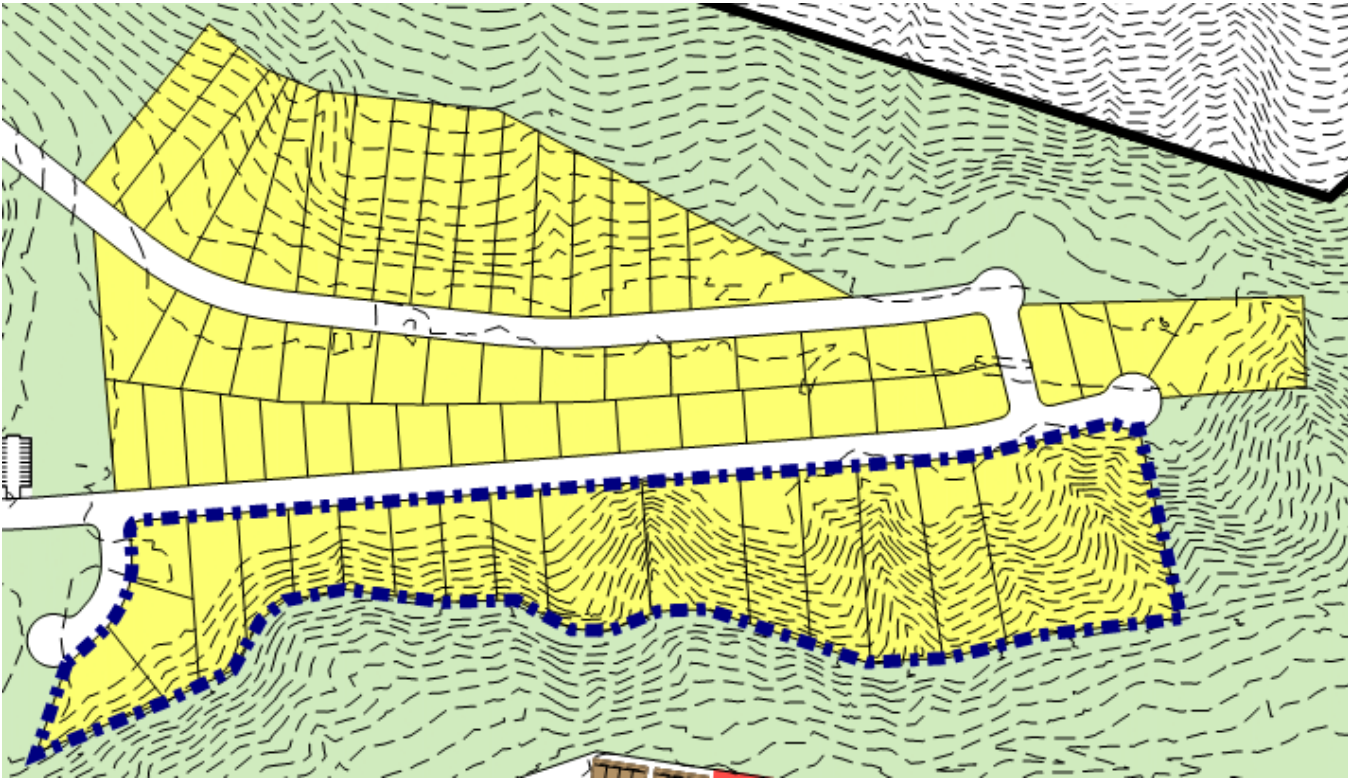
(*Note – there will be no “Garden Estate” lots or any lots less than 4,500 square feet in size).

2E: House Redundancy (Detached Housing)

No identical detached house plan is allowed on adjacent lots. Identical detached house plans are allowed on the corresponding frontage across the street as long as structure is a different color. In cases where a developer/builder purchases a “block” of lots or pads, a total no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials must be provided and reviewed by the AC.

2F: Bench Estate Lot Restrictions (Downhill Lots)

The 17 identified bench estate lots will be restricted to rambler (one-story) house plans with 4-sided architecture.



2G: Building Orientation (Attached Housing)

The front elevation of every building shall face a street or small park or be visible and directly accessible from a street. Units which are located across from a park must face the front elevation towards the park. Corner lots which have a side fronting a park have the option of facing the park or the adjacent street fronting side. Units with rear yards bordering a local or collector street must be buffered by a permanent nonsee-through barrier with a minimum height of six feet (6’) in compliance with Section 4B: Fencing.

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

- 1. A street, or
- 2. A plaza, or
- 3. A small park, or
- 4. A landscaped walkway that is visible and directly accessible from a street.

The orientation of attached housing must have the following:

- 1. Corner units facing a street shall have at least 20 percent of the wall in window or door areas unless specifically approved by the Architectural Committee.
- 2. Parking areas shall not be located between buildings and the street with exception of driveways. Parking lots may be located on the sides, behind buildings or within the interior circulation.
- 3. Buildings shall be directly accessed from the street, sidewalk, or interior circulation.
- 4. Ground floor pedestrian entrances must be oriented toward the street, an open space accessible from a street or interior circulation.

3A: General Architectural Standards

The General Architectural Standards section includes information to assist design beyond the site planning phase. It identifies the most important aspects of building design and creates general design standards that will establish the criteria by which all projects will be judged in the review process. This section will begin with general principles about general architectural character, overall building massing and scale, and will culminate with very specific information needed to design architectural elements and details for the building.



- 4. Roof massing should also be hierarchical to express the primary, secondary, and tertiary parts of the building;
- 5. Mono pitched roofs may be used as additions to the primary building;
- 6. Roofs may be simple gabled or hipped with a roof pitch, between 5-8:12. Porches may have lower roof pitches, but may not be less than 3:12;
- 7. Porches should be well proportioned. Where double story porches are used they should be related to the first story in length and location;
- 8. Porches are strongly encouraged on all residential units and where utilized, shall be a minimum depth of 5 feet;
- 9. Porches may be single or double story;
- 10. Column style is critical in complimenting the design and style of a structure. Columns should accentuate the porch and stoop entry design.
- 11. Employ careful design and simple detailing of facades;
- 12. It is encouraged where possible, the building be oriented in order to maximize views, solar access and daylight;
- 13. Use landscaping to tie the neighborhood together and connect the buildings to their surroundings.
- 14. Total building height may not exceed thirty feet (30') in height to the midpoint of the structure for townhomes, single family units, and stacked flats. See Section 18.78C.080A.060.C and 18.78C.080B.040.C of the Mapleton City Code for measurement system. If the entire structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty-five feet (45') measured to the highest point of the roof.
- 15. Attached or detached accessory units are allowed according to Mapleton City.

3B: General Architectural Character

In general, the architectural design should be simple in form and detailing while responding to the unique character of the site and the contemporary living patterns. The key to achieving this result is application of the following characteristics:

- 1. A composition of many equal masses, which make the main body visually ambiguous, should be avoided;
- 2. Employ adequate architectural elements such as garages, porches, stairs and dormers, which are added to the main body of the house;
- 3. Use screened and covered porches to create an extension of the living space and function as a transition between the privacy of the interior and the purely public sidewalks and streets or as approved through the Architectural Committee;



3C: General Building Element Standards

The architectural goal for Harmony Ridge is simple: well proportioned massing, a rich color palette and sufficient details to create a current form of traditional architecture. Each of the following major elements and components must be addressed:

The Main Body

Most traditional houses are distinguished by a Main Body, which is the principal mass and most important form. Secondary additions may be attached to the Main Body. These can be one or two stories and may be set back from the front.

In order to ensure variety within the front elevation, all housing structures must incorporate the following elements unless otherwise approved by the Architectural Committee:

1. A minimum number of foundation corners are to be incorporated:

a. Bay windows continuous to the foundation count as two (2) corners maximum.

b. A minimum of six (6) foundation corners are to be located along the front elevation unless otherwise stated below.
- Bench Estate Lots – 8 corners.

• Estate Lots – 6 corners.

• Cottage Estate Lots – 6 corners.

• Rear-Loaded Townhomes – 3 corners per unit along front elevation.

• Front-Loaded Townhomes – 3 corners per unit along front elevation.

• Stacked Flat Condominiums – Not applicable (case by case scenario).
2. A minimum overall relief of six (6) feet for single family detached shall be incorporated into the front elevation. Relief to be measured from the most distant wall planes of the front elevation.
3. All structures to contain a minimum of two (2) separate and distinct roof lines on the front elevation.

Building Height

Total building height may not exceed thirty feet (30') in height to the midpoint of the structure for townhomes, single family units, and stacked flats. See Section 18.78C.080A.060.C and 18.78C.080B.040.C of the Mapleton City Code for measurement system. If the entire structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty-five feet (45') measured to the highest point of the roof.

House Size

All houses must provide a minimum finished area. For purposes of calculating required finished area, square footage of basements shall not qualify. For multi-story houses, finished area on floors that are at least fifty percent (50%) below the finished grade of the lot shall not count towards the required finished area.

Lot Types	Rambler		Multi-Story	
	No Basement	With Basement	No Basement	With Basement
Bench Estate Lots	2,200	1,900	2,500	2,300
Estate Lots	1,800	1,600	2,200	2,000
Cottage Estate Lots	1,600	1,400	2,000	1,800
Front-Loaded Townhomes	N/A	N/A	1,200	1,200
Stacked Flat Condominiums	750	750	N/A	N/A

3D: Roof Form

Roof forms should be kept simple, generally with uniform pitch and symmetry. The following guidelines should be observed in the design process unless otherwise approved by the Architectural Committee:

- Roof components such as dormers, cupolas and terraces are encouraged and must be of proper scale and proportion;
- Simple gable and hip roofs are strongly encouraged. These roof forms may be symmetrically designed;
- Every building should have a primary roof and smaller, well-proportioned secondary attachments;
- All secondary roofs should be below the primary ridge line;
- The number and size of all secondary roofs are to be limited to ensure the primary roof remains prominent;
- Complex and non-traditional roofs are discouraged;
- Flat skylights or bubble skylights are discouraged on all roof elevations facing roadways.

Roof Pitches

The roof pitch should be selected to be proportional with the height and mass of the main body and be between 5:12 and 8:12. Roof pitches in excess of 8:12 may be allowed through approval of the AC, based on enhanced architectural style. Porches and secondary attachments may have lower roof pitches, but may not be less than 3:12.

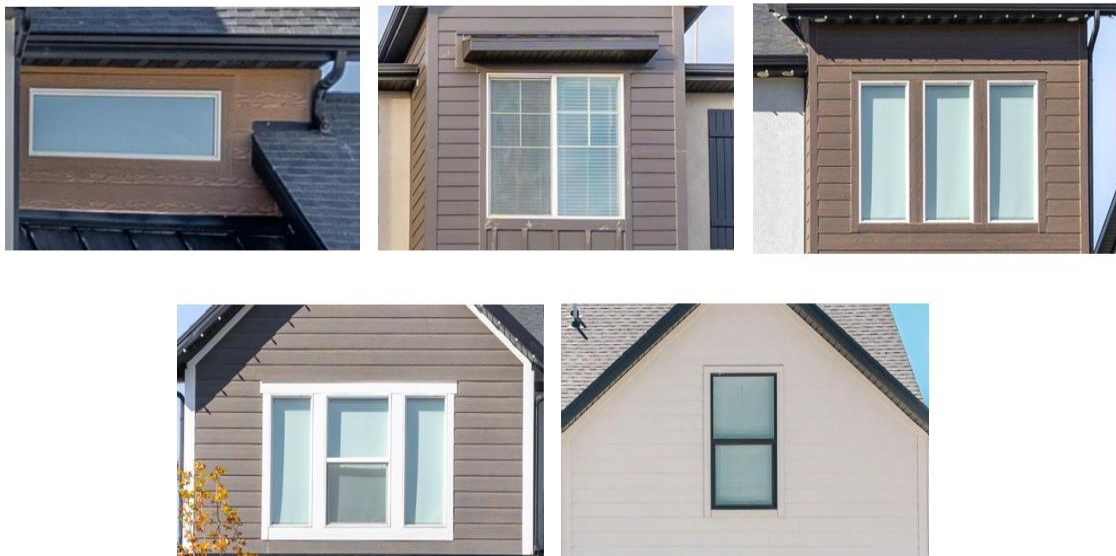
Eaves and Facia

- Minimum eave overhangs are to be twelve inches (12”) in all directions and required on all major building masses. Eaves are to be proportionate to the overall mass of the building.
- Facia is to be a minimum of six inches (6”) in height. Thicker facia is allowed if it is proportional and complimentary to the building mass and related to trim accents. Facia and eaves are to match or compliment the color of the trim or other accents of the house.

3E: Window and Door Composition

Window and door proportion, location and spacing play an integral part in defining the character of the housing within Harmony Ridge. Particular attention must be paid to such elements that do not result in significant additional expense, but have a dramatic effect on the appeal of the house.

The AC will review the placement, shapes, materials and colors to ensure the overall architectural theme is consistent with the other features of the home.



Windows

Shapes

- Windows should be simple in shape, arrangement and detail;
- Unusually shaped windows such as triangles and trapezoids are strongly discouraged;
- The number of window styles on a building should be limited;
- Windows with vertical emphasis are strongly encouraged; as a rule the height should be twice the width.

Window Placement

- Windows are strongly encouraged on front as well as south elevations;
- First floor windows should be lower and taller than second floor windows;
- Large proportionate windows are encouraged on appropriate facades;
- Facades that are wholly or predominantly glass are discouraged;

- Windows should be placed as singular elements or as appropriate repetitive groups;
- All facades should be given equal care and attention in window composition and placement;

Materials and Colors

- Windows may be constructed of wood, vinyl or aluminum;
- True or simulated divided pane windows are encouraged as they enhance the character or style of the house;
- Window frame color to be selected, or painted, to match or compliment trim elements of the house.

Doors

Front entrance doors should be designed, or selected, to compliment the design, style, and character of the entry and overall architectural aesthetic of the home. Doors and trim that surrounds them are to be an integral part of facade composition, and should be combined with windows and other architectural elements to create a balanced design.



Proportions and Shapes

- Transom windows above doors are strongly encouraged. Recommended transom heights are 12” - 18” and should be incorporated as a single door/ transom unit with continuous casing trim. Over-Scaled, two story, or separate transoms are discouraged;
- Moulded or full-glass French doors are not appropriate for use as a front entrance door;
- Sliding doors are allowed, but not as the primary entrance doors.

Materials and Colors

- Doors may be constructed of wood, wood with aluminum or fiberglass cladding, or appropriately patterned metal;
- Door color can be used as a distinguishing feature of a home. However, the color must be selected to compliment rather than distract from the overall architectural style and features of the home;
- Storm or security doors are only allowed if the design, material, and color match that of the entrance door unless otherwise approved by the Architectural Committee.

3F: Architectural Details

All architectural elements should be simple and well detailed. Quality trim, accents and additive elements are essential to achieving the desired architectural standards within Harmony Ridge. The AC will review each of the following items to ensure they are consistent with the overall design of the house and within the specified standards of Guidelines.

Chimney Details

- Direct vent fireplace caps are encouraged **not to** be visible from the roadways and must be reviewed by the Architectural Committee. Additional venting, screening or facade treatment may be required.
- Chimneys are to blend in with the general architectural character of the building;
- The massing and detailing are to be kept traditional and simple so that it can be expressed as a part of the building and not seen as a separate architectural element;
- Chimneys that project out from exterior walls should extend to the foundation/grade;
- Chimneys may be clad with lap siding, brick, or stone. Materials such as shakes and stucco are not appropriate.

Shutters

Shutters may be used as an architectural detail provided that the selected style, material and color are consistent with the overall character of the house. All shutters must be the same size as the windows and appear operable.



- **Limited:** The application of the product should be minimized unless approved by the AC. Such approval will be based on actual material, architectural style and integration with other selected materials.
- **Review:** Use of these products require specific approval by the AC. Such approval will be based on actual material, superiority of material, architectural style and integration with other selected materials.

3G: Building Materials and Colors

These Design Guidelines are intended to achieve an interesting, cohesive and attractive community through implementation of proper design rather than simply a control of the building materials. Therefore, a wide variety of products are allowed, but must be implemented based on actual architectural styling. A maximum of three different wall cladding materials / types may be utilized on any house.

Wall Cladding

Exterior walls may utilize the following materials based on their applicable limitations:

- **X:** Acceptable application of product based on architectural style.

			Main Wall			Soffit / Facia Columns	Accents Gables	Foundation Finish
			Front Elevation	Side Elevation	Rear Elevation			
Brick			X	X	X			X
Stone	(natural &		X	X	X			X
artificial)								
Stucco			X	X	X	Review	Review	X
Cement Fiber Board								
Lap Siding			X	X	X		X	
Board & Batton			Limited	X	X		X	
Shake			Limited	Limited	Limited		X	
Plain / Beaded						X	X	
Trim / Specialty						X	X	X
Engineered Wood								
Lap Siding			X	X	X		X	
Board & Batton			Limited	X	X		X	
Shake			Limited	Limited	Limited		X	
Plain / Beaded						X	X	
Trim / Specialty						X	X	
Natural Wood (Stained)						X	X	
Aluminum						X		

Front Elevation

Particular attention must be paid to material choices for the front elevation. A minimum of twenty-five percent (20%) of the front elevation wall area, exclusive of doors and windows, must be either brick or stone. Exception to this requirement may be granted by the AC based on superior architecture, use of materials and appropriate architectural styling.

Material Transitions

All material transitions are to be carefully reviewed, particularly between different elevations of the house. Material terminations to be made at natural boundaries such as corners, differing planes, and fence intersections.

Roofing

Roofing may utilize the following materials based on their applicable limitations:

- Asphalt Shingles: Architectural or dimensional profiles are allowed with a minimum of a 30 year warranty. With the wide variety of available products, colors and types, the selected material should be complimentary to the overall architectural styling of the house.
- Cedar Shake: Allowed.
- Tile: Use of tile roofing to be based on the overall architectural styling of the house and as approved by the AC.

- Slate: Use of slate roofing to be based on the overall architectural styling of the house and as approved by the AC.
- Other Materials: The use of other roofing materials will be based on approval by the AC.

Colors

The allowable color palette for Harmony Ridge includes low-intensity colors taken directly from the natural surroundings and may include more vivid, primary colors. Fluorescent, unique or colors not typically found in the natural surroundings are prohibited. Color schemes should vary and contrast with adjacent houses. All exterior natural wood products must be painted or stained. Other materials such as stone and brick should not be painted or covered with opaque stains. No more than three (3) colors may be used on a single house for field, accents and trim, unless otherwise approved. All accessory buildings are to utilize the same colors as the main building.

Material and Color Board Submittal

As part of the approval process, a materials and colors “board” shall be submitted to the AC in conjunction with the Preliminary Plan Review. This submittal must include samples, “cut sheets” or detailed information concerning the following:

- Exterior materials as depicted and detailed on the proposed house plans;
- Details on porch columns, windows, doors trim, etc.;
- Roofing material type and color; and
- Colors for field, accents and trim.

4A: Landscape and Site Planning

Introduction

This section begins by introducing the residential landscape design objectives for Harmony Ridge. This section does not provide full and specific landscape design regulations. Rather it establishes an overall set of guidelines, leaving the final arrangement and design of each yard to the judgment and preference of the individual homeowners. This section also provides guidelines and suggestions for site plan preparation, grading and drainage. Landscaping is to conform with Chapter 17.15, “Landscape Standards” of the Mapleton City Code, subject to the following amendments:

General Landscape Design Guidelines

The primary objectives for all residential lots within Harmony Ridge are to create a traditional neighborhood feel, to preserve the limited existing natural vegetation, and to encourage the use of native, water-wise plants, while maximizing outdoor living space for residents. The following general landscape design guidelines are applicable to all lot types within Harmony Ridge:

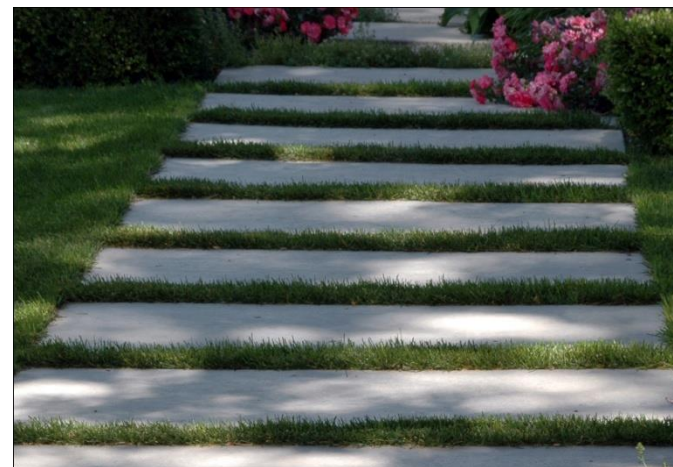
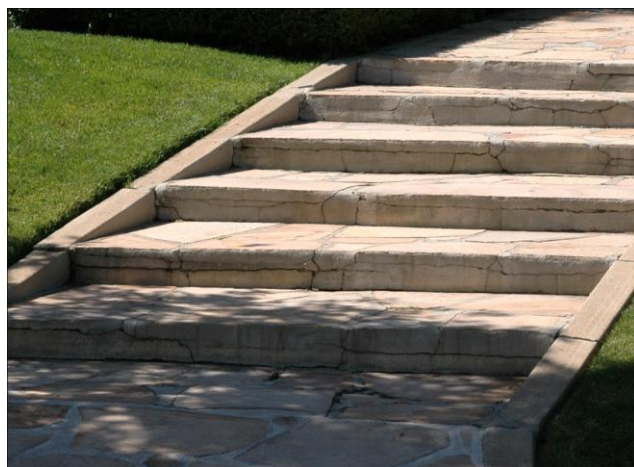
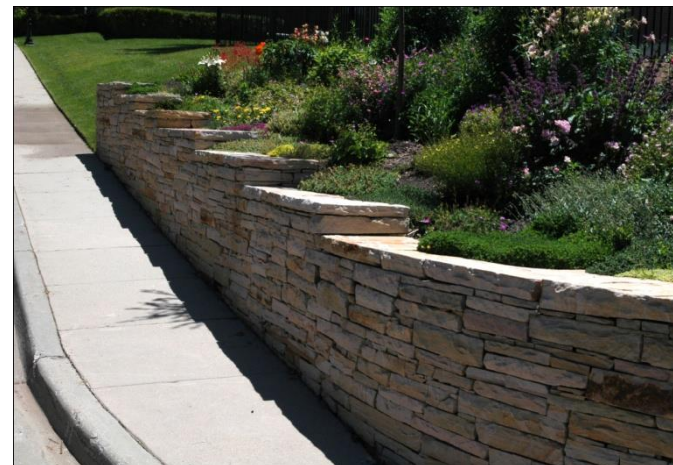
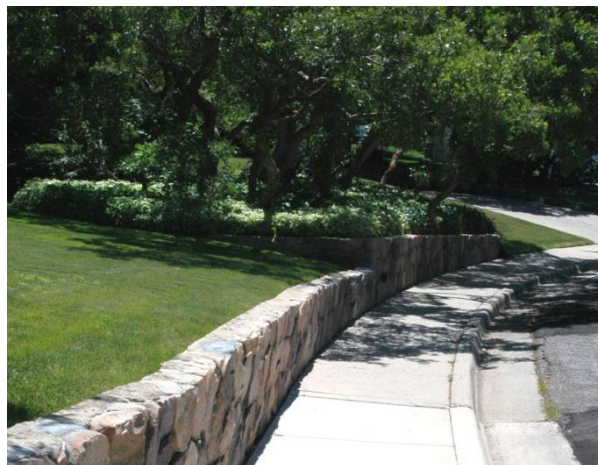
1. All front and street side (corner lots) yard landscaping is to be installed prior to receiving a certificate of occupancy from Mapleton City. An exception may be granted by posting a bond according to Mapleton City Ordinance
2. A minimum of three (3) 2” caliper street trees (depending on lot width) are to be installed within the planter strip (space between sidewalk and curb). The location of these trees are to be shown on the submitted site plan and may be altered by the AC. Street trees types shall be planted according to the Architectural Committee.
3. All front and street side (corner lots) yards are to be 100 percent irrigated with an automatic sprinkler system. It is recommended that all lawn be spray irrigated and all planter areas be drip irrigated. Suggested water times are from 10:00 p.m. to 7:00 a.m.

Site Planning

The proper layout and design of a residential lot can greatly enhance the street appeal of a house. In addition, a well designed lot helps minimize the costs of operation, energy use, and overall maintenance.

As discussed in Section 1E, the following items shall be reviewed during the initial site visit:

- **Lot Orientation** – It is encouraged to maximize solar exposure and determine the most reasonable access point.
- **Grade of Existing Lot** – This will be used to determine finish floor elevation of the house in order to maintain proper drainage, minimize material import/export costs and eliminate significant grade changes between adjacent lots.
- **Preservation of Existing View** – Mountains, skylines, and open spaces.
- **Utility Locations** – The location of sewer lateral, water and pressurized irrigation services (as applicable), electrical boxes, telecommunication boxes, fire hydrants, street lights and signs are to be shown all site plan drawings. Utilizing the information obtained during the initial site visit, a site plan shall be prepared for submittal.



The following items are to be shown on the site plan:

1. All property lines with bearings and distances.
2. Required building setbacks according to these Design Guidelines.
3. Location of all existing structures on adjacent lots.
4. Location and dimensions of all existing and proposed driveways, sidewalks, patios, and retaining walls.
5. Location of all significant existing trees or vegetation.
6. Retaining walls in excess of 4 feet in height are not permitted without the prior written approval of the AC. In addition, retaining walls are not permitted between adjoining properties without the approval of the AC.
7. Existing grade contours for the entire lot at a maximum interval of one foot (1'). In addition, the location and grade of adjoining lot improvements including driveways, landscaping and house shall be included, if available.
8. Finished floor(s) elevation, finished grade elevations adjacent to structure, garage floor elevation, and finished grade at all lot corners.
9. Finish grade contours and spot elevations demonstrating the ability to maintain required slope away from structure for a minimum of ten feet (10'), indication of driveway slope, and drainage pattern for final lot grading.
10. Storm water management details including handling of roof drains and adequate detail to demonstrate no drainage will discharge to adjoining single family detached lots.
11. Erosion Control details demonstrating ability to control erosion on slopes greater than four feet (4') horizontal: one foot (1') vertical. These controls may include landscaping according to the CC&R's, retaining walls, terracing, drainage soils, catchment areas, or other reasonable methods approved by the AC.
12. North arrow and graphic scale.

4B: Fencing

Fencing serves a dual purpose by providing both character and security to the property. Fences are functional decorative and enhance the look of your residential lots. The design, materials and layout of the fence shall adhere to the following standards in order to ensure the proper selection of materials and keeping with the intended architectural character of Harmony Ridge.

Material

The following materials may be used:

- **Vinyl** – All vinyl fences must be light colored. The use of semi-private, lattice or decorative fencing is encouraged.
- **Ornamental Iron** – All ornamental iron fences shall be powder coated. Brick or stone columns may be used in conjunction with ornamental iron fences.
- **Pre-cast Concrete** – All pre-cast concrete fences shall consist of decorative columns and panels (pattern and color), and will require approval by the Architectural Committee.

Location

Fences, walls, hedges or other dividing structures in excess of three feet (3') are not permitted within the front yard setback.

Height

Fences, walls, or other dividing structures shall not exceed six (6) feet in height.

Other Restrictions

Chain link fencing is not a permitted fencing type for any residential lot. However, chain link may be used for dog kennels provided that they are located in the rear yard and not visible from the roadway.



Attachment "2"
Amendments to PD-3 Text
(Changes shown in strikeout and underline)

CHAPTER 18.78C

PD-3 PLANNED DEVELOPMENT-3 HARMONY RIDGE DISTRICT

SECTION:

18.78C.010: Purpose And Objectives

18.78C.020: Adequate Public Facilities

18.78C.030: Architectural Review

18.78C.040: Open Space Requirements

18.78C.050: Design Standards

18.78C.060: Enforcement

18.78C.070: Additional Setback Requirements Or Liability Disclaimers

18.78C.080: Residential Detached

18.78C.080.010: Permitted Uses

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18.78C.100: Commercial/Retail/Mixed Use

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18.78C.010: PURPOSE AND OBJECTIVES:

The planned development-3 Harmony Ridge district (PD-3HR) describes a proposed commercial, retail, ~~light industrial~~ and master planned mixed use development set in the southern area of Mapleton City, east of Highway 89, and commonly known as the “Harmony Ridge Development.” This district consists of a maximum of nine hundred ninety (990)~~eight hundred fifty (850)~~ residential dwelling units, not counting accessory apartments as permitted by this chapter. The product mix and layout of the residential dwelling units shall be governed by a development agreement (or amendment to a development agreement) approved by the City Council of Mapleton City. ~~The district allows a maximum of one hundred seventy (170) residential dwelling units or twenty percent (20%) of the eight hundred fifty (850) units listed above within the mixed use zones of commercial/retail and flex space. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

18.78C.020: ADEQUATE PUBLIC FACILITIES:

In addition to the specific development standards contained in this chapter, areas zoned to the PD-3HR shall comply with section 17.04.130, "Availability Of Adequate Public Facilities", of this code. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.030: ARCHITECTURAL REVIEW:

An architectural committee (AC) shall be employed by the homeowners' associations in the PD-3HR zone to review the applicable covenants, conditions, and restrictions (CC&Rs) and to verify and enforce the established Harmony Ridge residential and commercial/industrial design standards.

No building permit application will be accepted by the city without an approval stamp from the AC. All building guidelines will meet applicable Mapleton City and international building code standards. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.040: OPEN SPACE REQUIREMENTS:

A minimum of forty percent (40%) of the site shall be preserved as permanent open space designated for public recreation and/or natural habitat. Open space may include stormwater management facilities, trails, play fields, greens, and natural areas. Such preserved open space shall be preserved in perpetuity through a deed restriction as approved by the city or through a development agreement (or amendment thereto) to be recorded against the subject property. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.050: DESIGN STANDARDS:

Design elements including, but not limited to, street width, curb radii, drainage facilities, sidewalks, curb and gutter, fencing, and block standards shall conform to the Harmony Ridge preliminary plan, ~~and~~ Mapleton City standards, and a recorded development agreement (or amendment thereto) for the subject property. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.060: ENFORCEMENT:

If the city deems that open space and parks owned by homeowners' associations are not being kept to Mapleton City standards, the city shall have the right to cause such improvements and maintenance to be done and any such expenses by the city shall be assessed to any of the homeowners' associations of the PD-3HR. In the event of the dissolution or inactivity of any homeowners' associations in the PD-3HR, Mapleton City shall have the right to assume title of the open space and parks, and the city shall then charge the individual property owners within the applicable areas for the improvements,

maintenance, and administrative fees required for the above mentioned open space and parks. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.070: ADDITIONAL SETBACK REQUIREMENTS OR LIABILITY DISCLAIMERS:

Nothing in this chapter shall be construed to preclude Mapleton City from setting additional setback requirements, or requiring inclusion of liability disclaimers associated with physical hazards of a geologic nature. Such additional requirements are to be part of any final plat or development agreement. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.080: RESIDENTIAL DETACHED:

The planned development-3 Harmony Ridge district (PD-3HR) incorporates a residential detached land use element within the overall development with the associated requirements as contained herein as set forth in a recorded development agreement (or amendment thereto) for the subject property. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.080.010: PERMITTED USES:

Accessory apartments as allowed by Section 18.84.410 of this title

Cultural, religious activities, or civic uses.

Detached single-family residential dwelling units.

Educational institutions.

Home occupations, subject to the provisions of section 18.84.380 of this title.

Public parks and recreation.

Utility facilities. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.080.020: PERMITTED ACCESSORY USES:

Accessory buildings are subject to the provisions of section 18.26.020 of this title.

Parks, clubhouses, and playgrounds and other associated recreational amenities.

Swimming pools and related equipment. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.080.030: CONDITIONAL USES:

~~Accessory apartments that may or may not be located within the primary dwelling unit. Section 18.84.030 of this title shall not be construed to prohibit accessory apartments within the PD-3HR. Section 18.84.410 of this title shall apply to accessory apartments within the PD-3HR district with the following limited exceptions:~~

~~A. The minimum lot size where the home is located shall not be less than twelve thousand (12,000) square feet.~~

AB. A single-family dwelling with an owner occupied accessory apartment shall provide at least one additional parking stall. The designated parking stall for the accessory apartment may not be located within the front yard setback or side yard setback that is adjacent to a street. The designated parking stall may not be located within a garage, unless at least two (2) other parking stalls within a garage are available for the primary dwelling unit.

BC. Detached buildings (second floor of a garage) may be permitted as accessory apartments in the PD-3HR district and may have external entrances and a maximum height not to exceed the height of the main structure. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.080.040: LOT REQUIREMENTS:

For the purpose of this chapter, the detached residential lots are separated into four (4) different districts, according to the Harmony Ridge conceptual plan, each with unique requirements:

A. Bench Estate lot requirements:

1. Minimum area: 12,000 square feet.
2. Minimum frontage: 70 feet.
3. Minimum depth: 100 feet.

B. Estate lot requirements:

1. Minimum area: 6,000 square feet.
2. Minimum frontage: 55 feet.
3. Minimum depth: 75 feet.

C. Cottage Estate lot requirements:

1. Minimum area: ~~45~~,500 square feet.
2. Minimum frontage: ~~4550~~ feet.
3. Minimum depth: 75 feet.

18.78C.080.050: SETBACK REQUIREMENTS:

For the purpose of this chapter, the detached residential lots are separated into four (4) different districts according to the Harmony Ridge conceptual plan, each with unique requirements:

A. Bench Estate lot setbacks:

1. Garage setback with direct access to a public roadway shall be no less than twenty five feet (25') measured from the property line to the face of the garage door. In no case shall the driveway length be less than twenty ~~five~~ feet (20~~5~~) measured from the back of sidewalk to the face of the garage door.

2. Front and corner side yard setbacks shall be no less than fifteen feet (15') measured from the property line to the porch, exterior wall of the house or side entry garage. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

3. Rear yard setbacks shall be no less than fifteen feet (15') measured parallel from the rear lot line to the exterior wall of the garage, porch, or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

4. Side yard setbacks shall be no less than eight feet (8') measured parallel from the side lot line to the exterior wall of the garage, porch or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

B. Estate lot setbacks:

1. Garage setbacks with direct access to a public roadway shall be no less than twenty feet (20') measured from the property line to the face of the garage door. In no case shall the driveway length be less than twenty feet (20') measured from the back of sidewalk to the face of the garage door.

2. Front and corner side yard setbacks shall be no less than fifteen feet (15') measured from the property line to the front porch, exterior wall of the house or side entry garage. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

3. Rear yard setbacks shall be no less than ten feet (10') measured parallel from the rear lot line to the exterior wall of the garage, porch, or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

4. Side yard setbacks shall be no less than five feet (5') measured parallel from the side lot line to the exterior wall of the garage, porch or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

C. Cottage Estate lot setbacks:

1. Garage setbacks with direct access to a public roadway shall be no less than twenty feet (20') measured from the property line to the face of the garage door. In no case shall the driveway length be less than twenty feet (20') measured from the back of sidewalk to the face of the garage door.

2. Front and corner side yard setbacks shall be no less than twelve feet (12') measured from the property line to the front porch, exterior wall of the house or side entry garage. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

3. Rear yard setbacks shall be no less than ten feet (10') measured parallel from the rear lot line to the exterior wall of the garage, porch, or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

4. Side yard setbacks shall be no less than five feet (5') measured parallel from the side lot line to the exterior wall of the garage, porch or living space. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of ~~threetwo~~ feet (32').

~~—D. Garden Estate (alley loaded) lot setbacks:~~

~~—1. Front and corner side yard setbacks shall be no less than twelve feet (12') measured from the property line to the porch, exterior wall of the house or side entry garage. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').~~

~~—2. Rear yard setbacks shall be no less than twenty feet (20') measured perpendicular from the edge of alley roadway improvements to the face of the garage door. Setbacks for porch or exterior wall of the house or side entry garage shall be no less than five feet (5'). Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').~~

~~—3. Side yard setbacks shall be no less than five feet (5') measured parallel from the side lot line to the exterior wall of the garage, porch or living space. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2'). (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

18.78C.080.060: BUILDING HEIGHT:

The following standards apply to all structures within the residential detached:

A. Except as provided under subsection B of this section, the building height for the main structure may not exceed ~~fortythirty~~ feet (430') to the midpoint of the structure.

B. If the entire main structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty five feet (45') measured to the highest point of the roof.

C. For measurement purposes, "height" shall be measured as the plumb vertical distance from any point on the roof to the final grade below.

- ~~—1. The height of a structure is measured from the top of the established natural grade of the highest point of the lot;~~
- ~~—2. If the natural grade is lower than the established elevation of the street directly in front of the proposed structure, the grade elevation is established from the highest point of the curb or if a curb is not present six inches (6") above the existing asphalt of the road;~~
- ~~—3. The midpoint of the structure is established by measuring from the lowest roof eave to the highest portion of the roofline, then calculating the average of the two (2) points; and~~
- ~~—4. Decorative elements of the structure, including a clock tower, weather vane, steeple, or uninhabitable penthouse structure for the housing of an elevator shaft, is not counted in the overall height of a structure. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

18.78C.080.070: LANDSCAPING AND STREET TREE REQUIREMENTS:

All landscaping shall conform to the requirements found in chapter 18.90 of this title and the master landscape plan for the development.

Street trees shall be required, where appropriate, between the sidewalk and the curb of every street. Said trees shall be a minimum size of no less than two inch (2") caliper and one tree shall be placed at least every thirty feet (30'). Tree species shall be the same as required in the adopted street tree list for Mapleton City or as otherwise approved by the city. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.090: RESIDENTIAL ATTACHED:

The planned development-3 Harmony Ridge district (PD-3HR) incorporates a residential attached land use element within the overall development with the associated requirements as contained herein. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.090.010: PERMITTED USES:

Attached townhomes, condominiums, apartments or other similar uses.

Cultural, religious activities, or civic uses.

Educational institutions.

Home occupations, subject to the provisions of section 18.84.380 of this title.

Public parks and recreation.

Utility facilities. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.090.020: PERMITTED ACCESSORY USES:

Accessory buildings are subject to the provisions of section 18.26.020 of this title.

Parks, clubhouses, and playgrounds and other associated recreational amenities.

Swimming pools and related equipment. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.090.030: SETBACK REQUIREMENTS:

For the purpose of this chapter, attached residential units are separated into two (2) different districts according to the Harmony Ridge conceptual plan, each with unique requirements:

A. Rear loaded (alley) townhome unit setbacks:

1. Front yard setbacks shall be no less than twelve feet (12') measured from the front property line to the front porch, exterior wall of the house or side entry garage. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

2. Rear yard setbacks shall be no less than twenty feet (20') measured perpendicular from the edge of alley roadway improvements to the face of the garage door. Setbacks for porch or exterior wall of the house or side entry garage shall be no less than five feet (5'). Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

3. Corner unit side setback shall not be less than ten feet (10') measured from the property line to the face of the exterior wall.

4. A minimum distance between adjacent buildings shall be ten feet (10') measured from wall to wall. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

B. Front loaded townhome unit setbacks:

1. Garage setbacks with direct access to a public roadway shall be no less than twenty feet (20') measured from the property line to the face of the garage door. In no case shall the driveway length be less than twenty feet (20') measured from back of sidewalk to the face of the garage door.

2. Front yard setbacks shall be no less than twelve feet (12') measured from the front property line to the front porch, exterior wall of the house or side entry garage. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

3. Rear yard setbacks shall be no less than ten feet (10') measured parallel from the rear lot line to the exterior wall of the garage, porch, or living space. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

4. Corner unit side setback shall not be less than ten feet (10') measured from the property line to the face of the exterior wall.

5. A minimum distance between adjacent buildings shall be ten feet (10') measured from wall to wall. Roof eaves and uncovered steps may extend into this setback a maximum of two feet (2').

C. Condominium or apartment setbacks:

1. Front, side and rear yard setbacks shall be no less than ~~twelve-fifteen~~ feet (12~~5~~') minimum between buildings, parking, other structures and all public roadways. Roof eaves, ~~and~~ uncovered steps, and window wells may extend into this setback a maximum of three ~~two~~ feet (32'). (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.090.040: BUILDING HEIGHT:

The following standards apply to all structures within the residential attached:

A. Except as provided under subsection B of this section, the building height for the main structure may not exceed ~~forty-thirty~~ feet (43~~0~~') to the midpoint of the structure.

B. If the entire main structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty five feet (45') measured to the highest point of the roof.

C. For measurement purposes, "height" shall be measured as the plumb vertical distance from any point on the roof to the final grade below.

~~—1. The height of a structure is measured from the top of the established natural grade of the highest point of the lot;~~

~~—2. If the natural grade is lower than the established elevation of the street directly in front of the proposed structure, the grade elevation is established from the highest point of the curb or if a curb is not present six inches (6") above the existing asphalt of the road;~~

~~—3. The midpoint of the structure is established by measuring from the lowest roof eave to the highest portion of the roofline, then calculating the average of the two (2) points; and~~

~~—4. Decorative elements of the structure, including a clock tower, weather vane, steeple, or uninhabitable penthouse structure for the housing of an elevator shaft, is not counted in the overall height of a structure. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

18.78C.090.050: LANDSCAPING AND STREET TREE REQUIREMENTS:

All landscaping shall conform to the requirements found in chapter 18.90 of this title and the master landscape plan for the PD-3HR.

Street trees shall be required, where appropriate, between the sidewalk and the curb of every street, excluding areas where irrigation is not allowed under the environmental covenants imposed by the Department of Environmental Quality. Said trees shall be a minimum size of no less than two inch (2") caliper and one tree shall be placed at least

every ~~thirty~~twenty feet (~~320~~20') and no closer than is recommended by a landscape architect for each specific species of street tree. Tree species shall be the same as required in the adopted street tree list for Mapleton City or as otherwise approved by the city.

All parking lots designed for six (6) or more parking spaces shall provide landscaping in accordance with the provisions of this section. Parking lots less than six (6) parking spaces shall not be required to provide landscaping other than yard area landscaping and landscaped buffer requirements as specified in other sections of this chapter.

~~A total of twenty five percent (25%) of the paved surface area of the parking area will be shaded at tree maturity when the sun is directly overhead.~~

Landscaped areas shall be improved in conformance with the following requirements:

A. Interior parking lot landscaping shall be improved in conformance with the following:

1. Interior parking lot landscaping areas shall be dispersed throughout the parking lot. Landscaped islands shall be required at the end of the parking rows, and at the midpoint of parking rows which exceed ten (10) parking stalls, or every ten (10) stalls if parking rows exceed twenty (20) stalls.

2. Interior parking lot landscaping areas shall be a minimum of one hundred twenty (120) square feet in area and shall be a minimum of five feet (5') in width, as measured from back of curb to back of curb.

B. The plants used to improve the landscape areas defined above shall conform to the following:

1. Primary plant materials used in the interior parking lots shall be deciduous shade tree species in conformance with applicable provisions of section 18.90.070 of this title. Ornamental trees, shrubbery, hedges, and other plants may be used to supplement the shade tree plantings in perimeter planting areas, but shall not be the only plants used in such landscaping.

2. One shade tree shall be provided for every one hundred ~~fifty~~twenty (1~~5~~20) square feet of landscaping area.

3. A minimum of fifty percent (50%) of every interior parking lot landscaping area shall be planted with ground cover at a density that will achieve complete cover within two (2) years.

C. Six inch by six inch (6" x 6") minimum poured concrete curb controls shall be constructed around all required landscaping within the interior of parking lots for the protection of the landscaping. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)

18.78C.100: COMMERCIAL/RETAIL/MIXED USE:

The planned development-3 Harmony Ridge district (PD-3HR) incorporates a commercial/retail/mixed use land use element within the overall development with the

associated requirements as contained herein. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011).
Projects within this area shall comply with the zoning requirements applicable to the General Commercial (GC-1) zone (section 18.64) and the Commercial Design Standards (section 18.92).

~~18.78C.100.010: INTENT:~~

~~The intent of the commercial/retail/mixed use zone within the PD-3HR district is to provide a zone primarily for the accommodation of commercial, retail and mixed uses to serve the residential areas. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.020: PERMITTED USES:~~

~~The following principal uses are permitted in the commercial/retail/mixed use zone within the PD-3HR district. Any use of land contrary to those uses specifically allowed herein, shall be considered "prohibited" in the commercial/retail/mixed use zone.~~

~~Antiques (indoor display only) sales.~~

~~Apparel and accessories—retail sales.~~

~~Art studio, sales and galleries.~~

~~Athletic clubs, bodybuilding studios, spas, aerobic centers.~~

~~Auto washing, detailing, and polishing.~~

~~Bakery.~~

~~Banks and credit unions (excluding check cashing, "payday" loans and title loan services).~~

~~Beauty supplies.~~

~~Books, stationery, art, and hobby supplies sales.~~

~~Bookstore.~~

~~Camera and photograph supply stores.~~

~~Clothing and apparel—retail sales (excludes manufacturing).~~

~~Commercial printing (only related to retail sales of printed products).~~

~~Computer goods and services.~~

~~Dancing schools, martial arts studio.~~

~~Delicatessen and sandwiches.~~

~~Doctors' offices and dental offices.~~

~~Drug and proprietary stores.~~

Drugstores.

Educational services.

Employment services.

Fitness centers.

Florists.

Frames and art supplies.

Furniture, home furnishings, and equipment retail sales.

Garden supplies.

Government and quasi-governmental offices.

Grocery stores and convenience food stores.

Hair salon and cosmetics (including barbershop).

Hardware sales including plumbing and garden supplies.

Health food stores.

Hobbies and games.

Hotels and motels.

Ice cream parlor.

Insurance sales office.

Jewelry sales and repair.

Paint, glass, and wallpaper retail sales.

Personal services -- includes laundry, dry cleaning, photography, beauty and barber services, clothing repair, shoe repair, etc.

Picture frames, mirrors, etc.

Professional offices (general).

Professional offices (miscellaneous uses, including tax preparation, CPA and legal services, insurance sales, and similar professional uses).

Real estate office.

Residential uses when located above the first floor.

Restaurants.

Restaurants (drive-through).

~~Shoe store and shoe repair.~~

~~Small appliance center.~~

~~Specialty shops.~~

~~Sporting goods.~~

~~Sporting goods, bicycles, and toys sales.~~

~~Sundries (newspapers, candy, soda and gifts).~~

~~Travel agencies.~~

~~Video rental (excludes "sexually oriented businesses" as defined in section 5.06.040 of this code).~~

~~Video rental shops (excludes adult video).~~

~~Watch, clock, jewelry repair, etc.~~

~~Wedding reception center. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.030: MIXED USE:~~

~~Mixed use structures are subject to provisions of this section:~~

~~—A. A mixed use commercial and single-family residential structure shall be permitted subject to the following required conditions:~~

~~—1. Single family residential dwelling units shall be located directly above the commercial use on the second or third story of the building. No basement units shall be permitted. No residential units shall be permitted above or below another residential dwelling unit.~~

~~—2. All residential dwelling units must meet all applicable requirements of the international residential building code as adopted by Mapleton City. Each dwelling unit will be of sufficient size to provide for a salubrious environment for the enjoyment of the residents who will occupy it. Each dwelling unit shall have a kitchen suitable for cooking and preparing meals, a bathroom with shower and bathing facilities, a living room and a bedroom. Studio apartments are permitted so long as they provide space for the amenities as described in this subsection.~~

~~—3. In addition to the required parking for the commercial use, there shall be no less than two (2) parking spaces per residential dwelling unit provided. Shared parking, which may reduce the overall parking requirement, may be utilized based on a parking study performed and certified by a qualified and licensed traffic engineer and as approved by the city. The traffic study shall take into account proposed and future allowable uses, residential densities, hours of operation, accessibility and circulation requirements.~~

~~—4. The maximum density is outlined under section 18.78C.010 of this chapter. The site and parking requirements will be the limiting factor to the overall number of residential dwelling units. However, the planning commission, based on concern for health, safety and welfare, may limit the total number of proposed residential dwelling units.~~

~~—B. Design standards for mixed use structures:~~

~~—1. The structure shall not have the appearance of an apartment building, meaning that residential entrances and entryways shall not be visible on the front facade of the building.~~

~~—2. The combined height of commercial and residential structures shall not exceed the height requirement established in this chapter.~~

~~—3. Mixed use structures shall appear as if they were a well designed commercial/retail structure. Building signage shall be limited to only the entrance or entrances of the commercial portion(s) of the building.~~

~~—4. Flat or parapet roofs shall be prohibited. Furthermore, any mechanical equipment on the roof shall be appropriately screened by the same exterior building materials used on the facade of the structure and shall be used for the screening of the mechanical equipment.~~

~~—5. Section 17.12.090 of this code shall not apply to buildings or structures within this land use area. Amended requirements are as follows:~~

~~—a. Building materials shall be approved by the Mapleton City planning commission.~~

~~—b. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.~~

~~—c. Carports shall be allowed, but shall not be permitted in front of the building. Other appropriate locations shall be approved by the Mapleton City planning commission. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.040: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:~~

~~—A. Setbacks: The following setback specifications are required:~~

~~—1. A minimum ten foot (10') landscaped front yard setback is required.~~

~~—2. A ten foot (10') landscaped side or rear setback is required for all lot lines along the exterior boundary of Harmony Ridge or between different land use classifications. A five foot (5') landscaped rear and side yard setback is required for all other side and rear lot lines.~~

~~—B. Buildings: The following standards apply to all structures within the commercial/retail/mixed use:~~

~~—1. Except as provided under subsection B2 of this section, the building height for the main structure may not exceed thirty feet (30') to the midpoint of the structure.~~

~~—2. If the entire main structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty five feet (45') measured to the highest point of the roof.~~

~~—3. For measurement purposes:~~

~~—a. The height of a structure is measured from the top of the established natural grade of the highest point of the lot;~~

~~—b. If the natural grade is lower than the established elevation of the street directly in front of the proposed structure, the grade elevation is established from the highest point of the curb or if a curb is not present six inches (6") above the existing asphalt of the road;~~

~~—c. The midpoint of the structure is established by measuring from the lowest roof eave to the highest portion of the roofline, then calculating the average of the two (2) points; and~~

~~—d. Decorative elements of the structure, including a clock tower, weather vane, steeple, or uninhabitable penthouse structure for the housing of an elevator shaft, is not counted in the overall height of a structure.~~

~~—C. Screening And Landscaping Requirements:~~

~~—1. All required setback areas shall be landscaped and shall conform to chapter 18.90 of this title. Furthermore, the landscaping will contain fifteen (15) trees per acre, or a fraction thereof, and be of at least two inch (2") caliper, measured three feet (3') from the ground. All evergreen trees shall be at least six feet (6') in height.~~

~~—2. All fencing and screening treatments shall be designed as an integral part of the overall site architecture and landscaping and approved by the Mapleton City planning commission. Allowable fencing and screening material includes wrought iron, masonry, or materials matching those of the main building. Black vinyl coated fencing may be used for areas not requiring screening and as specifically approved by the Mapleton City planning commission.~~

~~—3. Waste receptacles, storage tanks, or other similar items are not permitted in the front setback, and shall be screened from public view with allowable fencing and materials as approved by the Mapleton City planning commission.~~

~~—D. Parking: Parking will be required to be in compliance with section 18.84.270 of this title. No vehicle parking will be allowed in any required setback area. Shared parking, which may reduce the overall parking requirement, may be utilized based on a parking study performed and certified by a qualified and licensed traffic engineer and as approved by the city. The traffic study shall take into account proposed and future allowable uses, residential densities, hours of operation, accessibility and circulation requirements.~~

~~—E. Driveway Access: No private accesses will be allowed onto Highway 89 or U.S. 6.~~

~~—F. Frontage: No minimum frontage on a public street is required as long as adequate and permanent access, parking and circulation is provided from a public street. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.050: PROJECT PLAN APPROVALS:~~

~~Project plan approval will be required to be in compliance with section 18.64.060, "Project Plan Approvals", of this title. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.060: ARCHITECTURAL REQUIREMENTS:~~

~~Section 17.12.090 of this code shall not apply to buildings or structures within this land use area. Amended requirements are as follows:~~

~~—A. Building materials shall be approved by the Mapleton City planning commission.~~

~~—B. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.~~

~~—C. Carports shall be allowed, but shall not be permitted in front of the building. Other appropriate locations shall be approved by the Mapleton City planning commission. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.100.070: OUTSIDE STORAGE PROHIBITED:~~

~~The outside storage of any equipment, vehicles or product, is strictly prohibited. Any vacant land or parcel of property within the commercial/retail/mixed use zone of the PD-3HR district shall also be prohibited from storage of vehicles, commercial vehicles, building materials, weeds, junk and other debris. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110: FLEX SPACE:~~

~~The planned development 3 Harmony Ridge district (PD-3HR) incorporates a flex space land use element within the overall development with the associated requirements as contained herein. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.010: INTENT:~~

~~The intent of the flex space zone within the PD-3HR district is to provide a zone that transitions from the heavier land uses associated with the commercial/light industrial to the residential uses. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

18.78C.110.020: PERMITTED USES:

The following principal uses are permitted in the flex space zone within the PD-3HR district. Any use of land contrary to those uses specifically allowed herein, shall be considered "prohibited" in the flex space zone.

Antiques (indoor display only) sales.

Apparel and accessories – retail sales.

Art studio, sales and galleries.

Athletic clubs, bodybuilding studios, spas, aerobic centers.

Auto washing, detailing, and polishing.

Bakery.

Banks and credit unions (excluding check cashing, "payday" loans and title loan services).

Beauty supplies.

Books, stationery, art, and hobby supplies sales.

Bookstore.

Camera and photograph supply stores.

Clothing and apparel – retail sales (excludes manufacturing).

Commercial printing (only related to retail sales of printed products).

Computer goods and services.

Dancing schools, martial arts studio.

Delicatessen and sandwiches.

Doctors' offices and dental offices.

Drug and proprietary stores.

Drugstores.

Educational services.

Employment services.

Fitness centers.

Florists.

Frames and art supplies.

Furniture, home furnishings, and equipment retail sales.

Garden supplies.

Government and quasi-governmental offices.

Grocery stores and convenience food stores.

Hair salon and cosmetics (including barbershop).

Hardware sales including plumbing and garden supplies.

Health food stores.

Hobbies and games.

Hotels and motels.

Ice cream parlor.

Insurance sales office.

Jewelry sales and repair.

Paint, glass, and wallpaper retail sales.

Personal services – includes laundry, dry cleaning, photography, beauty and barber services, clothing repair, shoe repair, etc.

Picture frames, mirrors, etc.

Professional offices (general).

Professional offices (miscellaneous uses, including tax preparation, CPA and legal services, insurance sales, and similar professional uses).

Real estate office.

Residential uses when located above the first floor.

Restaurants.

Restaurants (drive-through).

Shoe store and shoe repair.

Small appliance center.

Specialty shops.

Sporting goods.

Sporting goods, bicycles, and toys sales.

Sundries (newspapers, candy, soda and gifts).

Travel agencies.

~~Video rental (excludes "sexually oriented businesses" as defined in section 5.06.040 of this code).~~

~~Video rental shops (excludes adult video).~~

~~Watch, clock, jewelry repair, etc.~~

~~Wedding reception center. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.030: MIXED COMMERCIAL AND RESIDENTIAL USES:~~

~~Mixed use structures are subject to provisions of this section:~~

~~—A. A mixed use commercial and single family residential structure shall be permitted subject to the following required conditions:~~

~~—1. Single family residential dwelling units shall be located directly above the commercial use on the second or third story of the building. No basement units shall be permitted. No residential units shall be permitted above or below another residential dwelling unit.~~

~~—2. All residential dwelling units must meet all applicable requirements of the international residential building code as adopted by Mapleton City. Each dwelling unit will be of sufficient size to provide for a salubrious environment for the enjoyment of the residents who will occupy it. Each dwelling unit shall have a kitchen suitable for cooking and preparing meals, a bathroom with shower and bathing facilities, a living room and a bedroom. Studio apartments are permitted so long as they provide space for the amenities as described in this subsection.~~

~~—3. In addition to the required parking for the commercial use, there shall be no less than two (2) parking spaces per residential dwelling unit provided. Shared parking, which may reduce the overall parking requirement, may be utilized based on a parking study performed and certified by a qualified and licensed traffic engineer and as approved by the city. The traffic study shall take into account proposed and future allowable uses, residential densities, hours of operation, accessibility and circulation requirements.~~

~~—4. The maximum density is outlined under section 18.78C.010 of this chapter. The site and parking requirements will be the limiting factor to the overall number of residential dwelling units. However, the planning commission, based on concern for health, safety and welfare, may limit the total number of proposed residential dwelling units.~~

~~—B. Design standards for mixed use structures:~~

~~—1. The structure shall not have the appearance of an apartment building, meaning that residential entrances and entryways shall not be visible on the front facade of the building.~~

~~—2. The combined height of commercial and residential structure shall not exceed the height requirement established in this chapter.~~

~~—3. Mixed use structures shall appear as if they were a well designed commercial/retail structure. Building signage shall be limited to only the entrance or entrances of the commercial portion(s) of the building.~~

~~—4. Flat or parapet roofs shall be prohibited. Furthermore, any mechanical equipment on the roof shall be appropriately screened by the same exterior building materials used on the facade of the structure and shall be used for the screening of the mechanical equipment.~~

~~—5. Section 17.12.090 of this code shall not apply to buildings or structures within this land use area. Amended requirements are as follows:~~

~~—a. Building materials shall be approved by the Mapleton City planning commission.~~

~~—b. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.~~

~~—c. Carports shall be allowed, but shall not be permitted in front of the building. Other appropriate locations shall be approved by the Mapleton City planning commission. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.040: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:~~

~~—A. Setbacks: The following setback specifications are required:~~

~~—1. A minimum ten foot (10') landscaped front yard setback is required.~~

~~—2. A ten foot (10') landscaped side or rear setback is required for all lot lines along the exterior boundary of Harmony Ridge or between different land use classifications.~~

~~—B. Buildings: The following standards apply to all structures within the flex space:~~

~~—1. Except as provided under subsection B2 of this section, the building height for the main structure may not exceed thirty feet (30') to the midpoint of the structure.~~

~~—2. If the entire main structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty five feet (45') measured to the highest point of the roof.~~

~~—3. For measurement purposes:~~

~~—a. The height of a structure is measured from the top of the established natural grade of the highest point of the lot;~~

~~—b. If the natural grade is lower than the established elevation of the street directly in front of the proposed structure, the grade elevation is established from the highest point of the curb or if a curb is not present six inches (6") above the existing asphalt of the road;~~

~~—c. The midpoint of the structure is established by measuring from the lowest roof eave to the highest portion of the roofline, then calculating the average of the two (2) points; and~~

~~—d. Decorative elements of the structure, including a clock tower, weather vane, steeple, or uninhabitable penthouse structure for the housing of an elevator shaft, is not counted in the overall height of a structure.~~

~~—C. Screening And Landscaping Requirements:~~

~~—1. All required setback areas shall be landscaped, and shall conform to chapter 18.90 of this title. Furthermore, the landscaping will contain fifteen (15) trees per acre, or a fraction thereof, and be of at least two inch (2") caliper, measured three feet (3') from the ground. All evergreen trees shall be at least six feet (6') in height.~~

~~—2. Fencing and screening treatments shall be designed as an integral part of the overall site architecture and landscaping and approved by the Mapleton City planning commission. Allowable fencing and screening material includes wrought iron, masonry, or materials matching those of the main building. Black vinyl coated fencing may be used for areas not requiring screening and as approved by the Mapleton City planning commission.~~

~~—3. Waste receptacles, storage tanks, or other similar items are not permitted in the front setback, and shall be screened from public view with allowable fencing and materials as approved by the Mapleton City planning commission.~~

~~—D. Parking: Parking will be required to be in compliance with section 18.84.270 of this title. No vehicle parking will be allowed in any required setback area. Shared parking, which may reduce the overall parking requirement, may be utilized based on a parking study performed and certified by a qualified and licensed traffic engineer and as approved by the city. The traffic study shall take into account proposed and future allowable uses, residential densities, hours of operation, accessibility and circulation requirements.~~

~~—E. Driveway Access: No private accesses will be allowed onto U.S. 6.~~

~~—F. Frontage: No minimum frontage on a public street is required as long as adequate and permanent access, parking and circulation is provided from a public street. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.050: PROJECT PLAN APPROVALS:~~

~~Project plan approval will be required to be in compliance with section 18.64.060, "Project Plan Approvals", of this title. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.060: ARCHITECTURAL REQUIREMENTS:~~

~~Section 17.12.090 of this code shall not apply to buildings or structures within this land use area. Amended requirements are as follows:~~

~~—A. Building materials shall be approved by the Mapleton City planning commission.~~

~~—B. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.~~

~~—C. Carports shall be allowed, but shall not be permitted in front of the building. Other appropriate locations shall be approved by the Mapleton City planning commission.~~

~~As the flex space zone is intended to be a transitional area from commercial/retail uses to residential neighborhoods, exterior materials are to match the established commercial design standards of Harmony Ridge. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.110.070: OUTSIDE STORAGE PROHIBITED:~~

~~The outside storage of any equipment, vehicles or product, is strictly prohibited unless specifically approved by the Mapleton City planning commission. Such approval will also include conditions for appropriate screening methods and materials. Any vacant land or parcel of property within the flex space zone of the PD-3HR district shall also be prohibited from storage of vehicles, commercial vehicles, building materials, weeds, junk and other debris. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120: COMMERCIAL/LIGHT INDUSTRIAL:~~

~~The planned development-3 Harmony Ridge district (PD-3HR) incorporates a commercial/light industrial land use element within the overall development with the associated requirements as contained herein. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120.010: INTENT:~~

~~The intent of the commercial/light industrial zone within the PD-3HR district is to provide employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water or noise pollution will not be allowed. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120.020: PERMITTED USES:~~

~~The following principal uses are permitted in the commercial/light industrial zone within the PD-3HR district. Any use of land contrary to those uses specifically allowed herein, shall be considered "prohibited" in the commercial/light industrial zone.~~

~~Accounting, auditing, bookkeeping services.~~

~~Advertising services.~~

~~Aircraft and accessories sales, service, and manufacturing.~~

~~Apparel and other finished products made from fabrics, leathers, etc.~~

~~Art studios, including the sculptures, ironwork, pottery, etc.~~

~~Audio-visual production.~~

~~Automotive repair, including brakes, mufflers, tire repair and replacement, body shops, etc.~~

~~Bakery products.~~

~~Bottling and canning soft drinks and carbonated waters.~~

~~Building materials, hardware, farm equipment, and supplies sales.~~

~~Commercial testing laboratories and services.~~

~~Confectionery and related products.~~

~~Consumer and mercantile credit reporting services; adjustment and collection services.~~

~~Converted paper and paperboard products manufacturing.~~

~~Cut stone and stone products production.~~

~~Cutlery, hand tools, and general hardware manufacturing.~~

~~Data processing services.~~

~~Drugs (manufacturing).~~

~~Duplicating, mailing and stenographic services.~~

~~Educational services.~~

~~Electrical appliance repair.~~

~~Engineering and planning services.~~

~~Farm and construction vehicles sales and manufacturing.~~

~~Finance, insurance, and real estate services.~~

~~Flat glass product manufacturing.~~

~~Gas and electric utility company office.~~

~~Glass and glassware production (pressed or blown).~~

~~Governmental and postal services.~~

~~Gymnasiums, athletic clubs, bodybuilding studios.~~

~~Hotels and motels.~~

~~Insurance carriers, agents, brokers, and services.~~

~~Legal services.~~

~~Light manufacturing of furniture and fixtures.~~

~~Mail order houses.~~

~~Microfilming services.~~

~~Miscellaneous machinery sales, service, repair, and manufacturing.~~

~~Office machine sales, repair, and manufacturing (small).~~

~~Parks.~~

~~Perfumes, cosmetics, and other toiletries preparations.~~

~~Physician's medical and dental offices and laboratory services in single offices or medical centers.~~

~~Pottery and related products production.~~

~~Printing, publishing, and allied industries.~~

~~Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks.~~

~~Recreation and community centers.~~

~~Research services.~~

~~Security and commodity brokers, dealers, exchange, and services.~~

~~Sewage pumping stations.~~

~~Textile mill products.~~

~~Warehousing with office spaces. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120.030: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:~~

~~—A. Setbacks: The following setback specifications are required:~~

~~—1. A minimum ten foot (10') landscaped front yard setback is required.~~

~~—2. A ten foot (10') landscaped side or rear setback is required for all lot lines along the exterior boundary of Harmony Ridge or between different land use classifications.~~

~~—B. Buildings: The following standards apply to all structures within the commercial/light industrial:~~

~~—1. Except as provided under subsection B2 of this section, the building height for the main structure may not exceed thirty feet (30') to the midpoint of the structure.~~

~~—2. If the entire main structure is equipped with an automatic fire sprinkler system, a main structure may be a maximum height of forty five feet (45') measured to the highest point of the roof.~~

~~—3. For measurement purposes:~~

~~—a. The height of a structure is measured from the top of the established natural grade of the highest point of the lot;~~

~~—b. If the natural grade is lower than the established elevation of the street directly in front of the proposed structure, the grade elevation is established from the highest point of the curb or if a curb is not present six inches (6") above the existing asphalt of the road;~~

~~—c. The midpoint of the structure is established by measuring from the lowest roof eave to the highest portion of the roofline, then calculating the average of the two (2) points; and~~

~~—d. Decorative elements of the structure, including a clock tower, weather vane, steeple, or uninhabitable penthouse structure for the housing of an elevator shaft, is not counted in the overall height of a structure.~~

~~—C. Screening And Landscaping Requirements:~~

~~—1. All required setback areas shall be landscaped and shall conform to chapter 18.90 of this title. Furthermore, the landscaping will contain fifteen (15) trees per acre, or a fraction thereof, and be of at least two inch (2") caliper, measured three feet (3') from the ground. All evergreen trees shall be at least six feet (6') in height.~~

~~—2. All fencing and screening treatments shall be designed as an integral part of the overall site architecture and landscaping and approved by the Mapleton City planning commission. Allowable fencing and screening material includes wrought iron, masonry, or materials matching those of the main building. Black vinyl coated fencing may be used for areas not requiring screening and as specifically approved by the Mapleton City planning commission.~~

~~—3. Waste receptacles, storage tanks, or other similar items are not permitted in the front setback, and shall be screened from public view with allowable fencing and materials as approved by the Mapleton City planning commission.~~

~~—D. Parking: Parking will be required to be in compliance with section 18.84.270 of this title. No vehicle parking will be allowed in any required setback area. Shared parking, which may reduce the overall parking requirement, may be utilized based on a parking study performed and certified by a qualified and licensed traffic engineer and as approved by the city. The traffic study shall take into account proposed and future allowable uses, residential densities, hours of operation, accessibility and circulation requirements.~~

~~—E. Driveway Access: No private accesses will be allowed onto Highway 89 or U.S. 6.~~

~~—F. Frontage: No minimum frontage on a public street is required as long as adequate and permanent access, parking and circulation is provided from a public street.~~

~~—G. Exemptions: Hard surfaced areas used as operational yard areas for trucks, trailers and other incidental vehicles, other than passenger automobiles and light trucks, and which are not parking lots for employees, clients and customers, shall be exempt from~~

~~parking lot interior landscaping requirements. Setback landscaping requirements shall apply.~~

~~—H. Approval: Where the proposed land use is one which requires the approval of other local, state, federal or other regulatory agencies, evidence of such approval or compliance shall be submitted as part of the application process and documentation. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120.040: PROJECT PLAN APPROVALS:~~

~~Project plan approval will be required to be in compliance with section 18.64.060, "Project Plan Approvals", of this title. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

~~18.78C.120.050: OUTSIDE STORAGE AND MANUFACTURING REQUIREMENTS:~~

~~The outside storage of any equipment, vehicles or product is not permitted unless adequately screened from public view and adjacent parcels by an approved fencing materials and landscaping and as approved by the Mapleton City planning commission. The outside manufacturing of products is not permitted unless adequately screened from public view and adjacent parcels by an approved fencing materials and landscaping and as approved by the Mapleton City planning commission. (Ord. 2011-07, 4-19-2011, eff. 6-5-2011)~~

Planning Commission Staff Report

Item:

5

REQUEST

Consideration of amendments to Mapleton City Code Section 18.84.410 regarding requirements for accessory apartments.

Date:

3/23/2023

BACKGROUND & DESCRIPTION

Mapleton City is required to maintain a Moderate Income Housing Element of the General Plan. As part of the plan the City is required to adopt specific strategies to address housing and to report on the progress of those strategies to the state on an annual basis. The City's adopted strategies include continuing to reduce regulations related to accessory apartments, to eliminate impact fees for accessory apartments and to reduce impact fees for moderate income housing projects.

Applicant:

Mapleton City

Location:

N/A

Prepared By:

Sean Conroy, Community Development Director

Based on recent changes to state housing laws as well as the guidance in the City's Moderate Income Housing Element, staff is proposing the following code and fee schedule amendments:

Public Hearing:

Yes

- Eliminate the requirement that attached accessory apartments have to be interaccessible with the main dwelling unit with a door or hallway connection.
- Elimination of impact fees for accessory apartments and or project that are deed restricted for moderate income households.
- No longer prohibit accessory apartments in the SDP-2 zone (Sunrise Ranch).

Zone:

All

Attachments

1. Draft ordinance.

EVALUATION

The proposed changes will ensure that the City is in compliance with state housing laws and with the adopted implementation plan from the Moderate Income Housing Element.

One item staff would also like to discuss with the Commission is the current condition that if a detached accessory apartment is proposed, that the building be located behind the main residence. The purpose for this requirement is to limit the prominence of the accessory apartment. In some instances where a home is setback much further on the lot than is typical, this condition can be somewhat restrictive. Staff would like the Commission to provide guidance on whether it feels this requirement is still needed.

RECOMMENDATION

Recommend approval of the proposed amendments to the City Council and provide guidance on whether detached accessory apartments could be located in front of the main dwelling.

Attachment "1"

(Changes Shown in Strikeout and Underline)

18.84.410: OWNER OCCUPIED ACCESSORY APARTMENTS

A. Purpose and Intent: This ordinance is intended to implement Utah Code Section 10-9a-511 and the goals and policies of the Mapleton City Moderate Income Housing Element of the General Plan, which encourage providing opportunities for a variety of housing options at all income levels including accessory apartments.

B. Exemptions: The provisions of this section do not apply if only family members, as defined under section [18.08.010](#) of this title, are residing at the residence.

C. Owner occupied: Either the primary dwelling unit or the accessory apartment shall be occupied by a full-time resident property owner as shown on the Utah County tax assessment rolls. No more than one accessory apartment is permitted per lot.

D. Internal accessory apartments (dwelling units), as defined in Utah Code Section 10-9a-511.5, are allowed in all residential zones except for the SDP-1, ~~SDP-2~~ and R-2-B zones, with the following limitations:

1. Lot size: The lot shall be a legal lot of record of six thousand (6,000) square feet in size or larger.

2. Appearance:

- a) The creation of an internal accessory dwelling unit shall not be designed in a manner that changes the appearance of the primary building as a single-family dwelling.

- b) An entrance or exit to or from the apartment shall be on either the side or rear of the dwelling.

- ~~c) All owner-occupied accessory apartments attached to a single-family dwelling shall include an internal connection (i.e. hallway or doorway) between the single-family dwelling and the accessory apartment. The required internal connection may be a hallway or doorway but may not be through a garage, bedroom, or underground tunnel.~~

E. Detached Buildings: An accessory apartment may be permitted in a detached building with the following limitations:

1. The property must be at least forty-three thousand five hundred and sixty square feet in size or larger.

2. The maximum interior floor area of the accessory apartment shall not exceed forty percent (40%) of the square footage of primary dwelling or the following, whichever is less:

a. One thousand (1,000) square feet for lots between forty-three thousand five hundred and sixty 43,560 square feet and eighty-seven thousand one hundred and nineteen (87,119) square feet.

b. Twelve hundred (1,200) square feet for lots of eighty-seven thousand one hundred and twenty (87,120) square feet or larger.

3. The detached structure shall be located behind the primary dwelling on the property.

F. Parking: Parking shall be provided in accordance with the following standards:

1. A single-family dwelling with an owner-occupied accessory apartment shall provide at least one (1) off-street parking stall designated for use by the accessory apartment in addition to the required off street parking required for the single-family dwelling.

2. The designated parking stall may not be located within a garage unless at least two (2) other parking stalls within a garage are available for the primary dwelling unit. The designated parking stall also may not be located directly behind a required parking stall for the primary dwelling unit.

3. Not more than one of the designated parking stalls may be located within:

(a) The front yard setback; or

(b) Side yard setback that is adjacent to a street.

4. A parking stall designated for use by the accessory apartment under this section shall be paved with asphalt or concrete, or be a hard surface material that will not generate dust or allow mud to be tracked onto City streets.

G. Application: Prior to construction or occupancy of an accessory apartment, a property owner shall submit an application with the information required on the official "accessory apartment permit" application maintained by the Community Development Department.

H. Application and impact fees: ~~Each application will pay the applicable fees identified below. The Community Development Director may allow for the impact fees to be paid through monthly payments for up to three years.~~

~~1-~~At the time of application, the applicant shall pay the accessory apartment administrative fee as adopted in the official fee schedule of the Community Development Department.

~~2. For detached accessory apartments, the applicant shall pay the multi-family impact fees that are in effect at the time of the application for culinary water, sanitary sewer, parks and recreation and public safety.~~

~~3. For attached accessory apartments, the applicant shall pay fifty percent (50%) of the multi-family impact fees that are in effect at the time of the application for culinary water, sanitary sewer, parks and recreation and public safety.~~