

**CHAPTER 18.56**  
**SDP SPECIFIC DEVELOPMENT PLAN ZONE**

**18.56.010: PURPOSE AND INTENT:**

The purpose of the SDP specific development plan zone is:

- A. To create unique zone regulations for each allowed geographic area where a specific development plan can be adopted.
- B. To encourage and promote the use of transferable development rights (TDRs) so that the specified areas can be developed to their full potential.
- C. To reduce urban sprawl, encouraging development in areas with adequate infrastructure, provide for moderate income housing opportunities, discourage strip commercial development, reduce infrastructure costs and energy consumption.
- D. To encourage imaginative and efficient utilization of land, to develop a sense of community, and to ensure compatibility with the surrounding or proposed commercial environments. The SDP zone is to allow residential uses adjacent to Mapleton City's commercial areas that traverse Highway 89 (1600 West). The SDP zone shall only apply to the following areas: all areas west of 1600 West from 1600 South, northward along Highway 89 (1600 West) to approximately Maple Street, and all areas from Highway 89 (1600 West) eastward to 1400 West, and from 1000 North, southwards to 1600 South. Both the regulations of this chapter, as well as the regulations contained in each plan district shall apply to a given specific development plan zone area. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.020: CREATION OF ZONE:**

- A. The SDP zone shall be applied to a land area as an independent zone. Property to which an SDP zone has been applied shall be developed only in conformance with an approved specific development plan. The first such zone shall be designated SDP-1, the second SDP-2, the third SDP-3 and so on.
- B. The SDP zone may be applied to any of the existing zones within the specified geographic area as defined above. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.030: SPECIFIC DEVELOPMENT PLAN ZONE MAPS:**

A specific development plan zone shall include the following plan maps:

- A. A boundary map shall be prepared for every specific development plan zone. The boundary map, based on parcel boundaries or other surveyed boundaries, shall be used to delineate areas of the zoning district that lie within the city's boundaries on the official zone map. The zone map shall identify such areas as "SDP", and shall include the name of the specific development area plan area.
- B. A conceptual development plan based on an adopted or proposed specific development plan shall accompany each application for rezoning to an SDP zone. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.040: SPECIFIC DEVELOPMENT PLAN ZONE TEXT:**

Each specific development plan zone ordinance shall include the following provisions

and standards:

A. Name And Purpose Of Zone: This section shall describe the zone in sufficient detail as to clarify the purpose and intent of the SDP zone regulations.

B. Review And Approval Process: A review and approval process consisting of three (3) elements as follows:

1. Approval of a specific development plan, including maps, text, and conceptual development plan for the site in question;
2. Approval of an SDP zone text and map amendment to implement the plan and the rezone of the property;
3. Approval of a detailed development plan, subdivision, performance development, or condominium plat, if applicable.

C. Applications:

1. Applications for an SDP zone text and map amendments shall be processed following the procedures set forth in title 17 of this code, and this title.
2. An application for a project development plan, subdivision, or condominium shall be processed following the procedures set forth in title 17 of this code, and this title.

D. Land Uses: This section shall identify permitted, conditional, and accessory land uses.

E. Land Use Standards: This section shall specify any required land use conditions (i.e., land use mix, density, open space, buffering, etc.), and the review procedure required to review and approve each land use (design review, project plan review, conditional use, etc.). The criteria set forth in section [17.12.090](#) of this code, shall be used in creating land use standards.

F. Lot Standards: This section shall specify requirements for new lots such as lot area, dimensions, and density, as applicable.

G. Building Setbacks: This section shall provide setback standards for front, side and rear yards, as applicable.

H. Design Standards: The design standards set forth in section [17.12.090](#) of this code, shall apply to all specific development plan zones. In addition, each such zone shall include design standards to address building heights, building orientation, common and private open space, natural resource protection, architectural design, and any other provisions unique to the district.

I. Building Height: This section shall establish building height standards as per section [18.56.100](#) of this chapter. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

#### **18.56.050: EXCEPTIONS TO DEVELOPMENT AND DESIGN STANDARDS:**

When a specific development plan is adopted and the subject property has been placed in an SDP zone, the development plan and development standards associated with the zone shall be strictly construed. No variations shall be made from the development plan and standards adopted in the zone unless expressly approved by the city council with recommendation from the planning commission for the purpose of achieving better design. In taking such action the planning commission and city council shall:

- A. Make a finding that the amendment will result in better design; and
- B. Be bound by the standards set forth in the text of the applicable SDP zone which governs the development plan. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.060: PERMITTED USES:**

Accessory buildings, in conjunction with and incidental to the main use of the property, such as a shed or detached garage no larger than forty percent (40%) of the main building size, and no taller than the main structure.

Attached side by side dwelling unit or town home. (No over/under units except duplexes will be allowed.)

Clubhouse and other recreational amenities for the development.

Condominiums subject to subsection 18.56.170C of this chapter.

Cultural or civic activities.

Duplex.

Educational institutions.

Park and recreation areas.

Single-family residential dwelling unit.

Swimming pools and related equipment.

Utility facilities. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.070: CONDITIONAL USES:**

Multiple-family dwelling unit for attached (2 or more) dwelling units, not to exceed four (4) unrelated persons per dwelling unit.

Nursing home or assisted living center.

Places of worship. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.080: DENSITY AND THE USE OF TRANSFERABLE DEVELOPMENT RIGHTS (TDRs):**

The allowed residential density shall be the same density as allowed in the original zone designation. Unless TDRs are used in accordance with subsection A of this section, a concept plan that meets all of the requirements set forth in the zone for a subdivision shall be presented to the planning staff to determine any densities. All lot and road standards shall apply. Transferable development rights (TDRs), as defined in chapter 18.76 of this title, can be used for the purpose of obtaining a higher density for residential dwelling units. The following shall apply to the use of TDRs:

A. A density bonus shall be awarded for the use of TDRs. Regardless of the original zone designation, a total of six (6) dwelling units per acre shall be granted for the use of one TDR. If TDRs are not used, the density of the original zone shall apply, and

1. The use of TDRs for the purpose of obtaining the density bonus shall not be used in conjunction with the density established using the original zone designation. Only the six (6) dwelling units obtained by the use of the TDR shall apply. In no case shall the density

of a site in the SDP zone exceed six (6) dwelling units per acre. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.090: MINIMUM FLOOR AREA:**

All detached dwelling units located on a lot or parcel shall have a minimum main floor area of not less than one thousand (1,000) square feet. Pad site homes, which are not located on a lot shall have a minimum main floor area of eight hundred (800) square feet. Attached units shall have a minimum floor area of no less than nine hundred (900) square feet. The minimum floor area requirements shall not include garages, porches, sunrooms, or similar. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.100: BUILDING HEIGHT:**

In no case shall any building height exceed thirty five feet (35') from the natural grade to the tallest point of the building, excluding steeples. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.110: ACREAGE REQUIREMENT:**

The minimum size requirement for any project applying for the SDP zone shall be no less than fifteen (15) acres. Parcels with less than fifteen (15) acres may be combined with other parcels to meet the minimum acreage requirements. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.120: LOT REQUIREMENTS FOR DWELLING UNITS:**

There shall be no lot requirements for dwelling units. Detached dwelling units may be placed on a recorded building pad as part of the development, as long as all surrounding areas are recorded on the plat as "common open space" that is landscaped and maintained by a recorded homeowners' association. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.130: SETBACK REQUIREMENTS:**

For the purpose of promoting "walkable" communities, setback requirements shall be limited. Each SDP zone text shall outline the setback requirements for the development, however, the SDP text shall not be less restrictive than the following setback standards for the SDP zone:

A. Subdivision Lots:

1. Front yard: Setbacks shall be no less than twenty feet (20') measured from the edge of the street right of way to the foundation of the home.
2. Corner lot side yards: Shall be measured the same as the front yard.
3. Rear yard setbacks: Shall be no less than twenty feet (20') measured from the rear property line to the foundation of the home.
4. Side yard setbacks: Shall be no less than eight feet (8') measured from the property line to the foundation of the home.

B. Pad Sites: Pad sites surrounded by open space areas provided for the purpose of a dwelling unit, shall have the following setback requirements:

1. Front yard - public street: Twenty feet (20') measured from the edge of the street right

of way to the foundation of the home.

2. Corner lots - public street: Twenty feet (20') measured from the edge of the street right of way to the foundation of the home.

3. Side yard to property line: Five feet (5').

4. Rear yard to property line or zone boundary: Twenty feet (20') measured from the edge of the foundation to the property line or zone boundary line.

5. Distance between dwellings: There shall be a minimum setback between dwellings of twenty feet (20') in the rear yard, and sixteen feet (16') for the side yard. In no case shall any dwelling unit be closer than ten feet (10') to another dwelling. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

#### **18.56.140: PARKING REQUIREMENTS:**

All detached single-family residential dwelling units, whether or not on a lot or pad site, shall have an attached or detached two (2) car garage. All residential dwelling units outside the commercial zone other than single-family residential units shall be required to have one covered parking space, either by carport or garage. Each detached dwelling unit shall be required to have a total of four (4) parking spaces. The two (2) car garage shall be considered two (2) parking spaces, and the area directly in front of the garage, which shall be a paved area twenty feet (20') wide by twenty feet (20') long, shall be considered the remaining two (2) parking stalls. All other parking requirements shall be governed by section [18.84.270](#) of this title. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

#### **18.56.150: OPEN SPACE, STREET TREE AND LANDSCAPING REQUIREMENTS:**

All landscaping shall conform to the requirements found in [chapter 17.15](#) of this code. Not less than thirty five percent (35%) of any project in the SDP zone shall be kept and maintained as permanent open space. Said open space areas shall be maintained by a homeowners' association, and fees shall be collected from all related parties, property owners, or residents therein, to assure the maintenance of the open space areas. Open space areas may include the land around the residential areas, landscaped areas within the commercial centers or a separate park area. However, open space areas shall not be included as part of a residential lot. Open space areas shall not include streets (public or private), driveways or parking areas.

A. Street Trees: Street trees shall be required in the park strip area between a sidewalk and the curb and gutter of every street. Said trees shall be of a minimum size of no less than two inch (2") caliper, and one tree shall be placed every thirty feet (30'). Tree species shall be the same as required in the adopted Mapleton City tree list attached as exhibit A to resolution 2002-43.

B. Landscaping Requirements: In addition to the street tree requirements, one 2-inch caliper tree shall be required for every dwelling unit within the SDP project. Said tree shall be placed in front of, or in back of each of the proposed dwelling units, unless the dwelling unit is within a mixed use building, in which case the tree(s) shall be placed in the designated landscape area required for the commercial development. All other landscape requirements shall be governed by section [18.84.290](#) of this title. (Ord. 2003-

21, 10-15-2003, eff. 11-13-2003)

**18.56.160: MINIMUM DESIGN STANDARDS:**

A. Architectural Design: Architectural design standards shall be subject to the requirements found in section [17.12.090](#), "Design Standards For Multi-Family And Specific Development Plan (SDP) Zones", of this code.

B. Attached Dwelling Units: Dwellings may be attached side by side, but in no case shall any separate dwelling be located above another.

C. Pedestrian Linkage: Safe pedestrian linkages between residential and nonresidential uses shall be included on every development site. Sites shall also be designed to accommodate pedestrian linkages to adjoining areas if possible. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.170: GUARANTEES AND COVENANTS:**

A. Adequate guarantees shall be provided for permanent retention and maintenance of all open space areas created within an SDP. No plats will be recorded and no bonds will be released until all required guarantees have been submitted to and approved by the planning commission and city council. Said open space guarantees may include the following:

1. The city may require the developer to furnish and record protective covenants which will guarantee the retention of the open land area, or the city may require the creation of a corporation granting beneficial rights to the open space to all owners or occupants of land within the development.
2. The developer shall be required to develop and provide for the maintenance of all open space, unless part of or all of it is contiguous to and is made a part of an existing park, and the city accepts dedication and approves the annexation of the property to said park.
3. In the case of private reservation, the open space to be reserved shall be protected against building development by conveying to the city as part of the condition of project approval, an open space easement over such open areas, restricting the area against any future building or use.
4. The care and maintenance of the area within such open space reservation shall be ensured by the developer by establishing a private association or corporation responsible for such maintenance which shall levy the cost thereof as an assessment on the property owners within the SDP development. Ownership and tax liability of private open space reservations shall be established in a manner acceptable to the city and made a part of the conditions of the final plan approval.
5. Maintenance of open space reservations shall be managed by person, partnership, or corporate entity in which there is adequate expertise and experience in property management to assure that said maintenance is accomplished efficiently and at a high standard of quality.
6. Minor changes in the location, siting, and height of buildings and structures may be authorized by the planning commission and city council without additional public hearings if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this subsection may cause any of the

following:

- a. A change in the use or character of the development;
- b. An increase in overall coverage of structures;
- c. An increase in the intensity of use;
- d. An increase in the problems of traffic circulation and public utilities;
- e. A reduction in approved open space;
- f. A reduction of off street parking and loading space;
- g. A reduction in required pavement widths.

7. All other changes in use, or rearrangement of lots, blocks, and building tracts, or any changes in the provision of common open spaces and changes other than listed above, must be made by the city council after report of the planning director and recommendation by the planning commission.

B. In order to ensure that the SDP development will be constructed to completion in an acceptable manner, the applicant shall post a performance bond in compliance with city bonding policy.

C. The applicant of any SDP development which is being developed as a condominium project under the provisions of the condominium ownership act of Utah, or subsequent amendments thereto, shall, prior to the conveyance of any unit, submit to the planning commission and city council, a declaration of covenants, conditions, and restrictions relating to the project, which shall become part of the final development plan and shall be recorded to run with the land. Said covenants, conditions, and restrictions shall include management policies which shall set forth the quality of maintenance that will be performed and who is to be responsible for said maintenance within said condominium development. Said document shall, as a minimum, contain the following:

1. The establishment of a private association or corporation responsible for all maintenance, which shall levy the cost thereof as an assessment to each unit owner within the condominium development.
2. The establishment of a management committee, with provisions setting forth the number of persons constituting the committee, the method of selection, and the powers and duties of said committee; and including the person, partnership, or corporation with property management expertise and experience who shall be designated to manage the maintenance of the common areas and facilities in an efficient and quality manner.
3. The method of calling a meeting of the members of the corporation or association with the members thereof that will constitute a quorum authorized to transact business.
4. The method for maintenance, repair, and replacement of common areas and facilities, and distribution of costs thereof.
5. The method for maintenance of all private driveways, alleys, and private utilities and acknowledgment that such maintenance is the responsibility of the homeowners' corporation or association.
6. The manner of collection from unit owners for their share of common expenses, and

the method of assessment.

7. Provisions as to percentage of votes by unit owners which shall be necessary to determine whether to rebuild, repair, restore, or sell property in the event of damage or destruction of all or part of the project.

8. The method and procedure by which the declaration may be amended: The declaration required herein, any amendment, and any instrument affecting the property or any unit therein shall be approved by the planning commission and city council, and recorded with the county recorder. Neither the declaration nor any amendment thereto shall be valid until approved and recorded. Said declaration and amendments thereto shall be maintained as part of the project plan for the performance development.

D. In case of failure or neglect to comply with any and all of the conditions and regulations herein established, and as specifically made applicable to a performance development, the planning director shall not issue a certificate of zoning compliance therefor. Such failure or neglect shall be cause for termination of the approval of the project. Such failure or neglect to comply with the requirements and to maintain the buildings and premises in accordance with the conditions or approval thereafter shall also be deemed to be a violation of this chapter. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.180: DEVELOPMENT AGREEMENT REQUIRED:**

Prior to the rezone hearing before the city council for the SDP zone, the applicant shall provide a detailed development agreement that details the entire project, the total amount of units or lots, the amounts of open spaces and landscaped areas, and any other amenities that the applicant is willing to proffer as part of the development. Said development agreement will also incorporate any changes made by the planning commission. Accompanying the final development agreement shall be the correct legal description of the property, a planning commission approved copy of the preliminary plan or plat, as well as any proposed architectural elevations of homes or buildings. At the request of the city council, other language may be required in the development agreement to assure the city that the plans will match the final product built. Said agreement shall be recorded with the Utah County recorder's office, and will be attached to the title of the property to inform future or prospective property buyers of the requirements of developing the property under the SDP zone designation. Any renegotiation of the development agreement may only occur when the applicant or owner of the property petitions the city to amend the SDP plan for the property as per the requirements of this title. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)

**18.56.190: FINAL APPROVALS, PHASING AND BONDING:**

Once a proposed project has received the zone change and concept plan approval, each phase of the project shall be required to obtain final plat approval. No parcel of property within an approved SDP project shall be developed, and no building permits shall be issued until the final plat is approved for each phase. Plats without recorded lots, but containing pad sites, shall be required to submit a condominium plat as required by this code. Each submittal for final plat shall also include the following submittals for approval by the city council upon recommendation from the planning commission:

A. Submittals: Submittal of a final plat for each phase in accordance with chapter 17.04

of this code, as well as associated application fees.

B. Architectural Review: Architectural elevations for all dwellings, homes or buildings associated with each phase to include the following minimum information:

1. Proposed building materials for all exteriors, including roofing materials.
2. Proposed colors and a proposed overall color scheme for the phases.
3. Phases containing ten (10) or less lots or pad site homes shall be required to submit no less than three (3) uniquely different exterior home designs. Phases containing more than ten (10) lots or pad site homes shall be required to submit no less than five (5) uniquely different exterior home designs. In no case shall an alike home be located next to or across the street from another like exterior home. Attached units with three (3) or more dwelling units shall be exempt from this requirement upon approval by the city council.

C. Phasing: If the project is done in phases, no remnant parcels shall be created. Any land not proposed for development shall be designated and platted as open space. Furthermore, each phase adjacent to any dedicated open space areas, including parks, walking paths or otherwise, as shown on the approved concept plan shall be included with the proposed phase. Upon approval by the city council, a portion of the required open space may be dedicated with each phase. The city council, at their discretion, may require the dedication of open space equal to thirty five percent (35%) of the total land area in each phase to ensure the proper dedication of the required open space in case of default.

1. Each phase of the project shall only proceed by application after the minimum of forty percent (40%) of building permits are issued within the prior phase.

D. Bonding: A performance guarantee bond pursuant to the requirements in chapter 17.20 of this code shall also be submitted with each phase. Bonding shall include all required development improvements, street trees, and all landscaping for any required parks and open spaces as shown or required in each phase. (Ord. 2003-21, 10-15-2003, eff. 11-13-2003)