

## ARTICLE A. PLANNED COMMERCIAL DEVELOPMENT PROJECTS

### 10-6A-1: LEGISLATIVE INTENT:

The intent of these provisions shall be to:

1. Facilitate the development of commercial and related buildings and activities in the SC-1 zone in a harmonious, integrated, safe and convenient environment and in a manner consistent with the intent of the General Plan and Section 10-4E of this code; and
2. Establish requirements pertaining to the design, approval, construction and maintenance as are considered essential to the accomplishment of the intent of the SC-1 zone.

The City of Cedar Hills values the tranquil environment that currently exists within the community and would like to preserve the small town atmosphere that exists. Design and planning of and operation within the commercial district shall be primarily for the benefits of the residents of the City of Cedar Hills and shall be conducive to community gathering. Restrictions may be placed on development within the community to protect the residents from noise, light, air, traffic and other forms of pollution while fostering a viable, walkable commercial zone. Considerations shall include density, diversity and design.

#### A. Quality of Life Values

The City of Cedar Hills recognizes the value of having a neighborhood commercial shopping center in close proximity to existing housing to reduce vehicle trips and travel time. Additionally, development within the zone is intended to mix retail, professional office, residential and public facilities and to promote pedestrian access and active transportation. Active transportation refers to any form of human-powered transportation – walking, cycling, using a wheelchair, in-line skating or skateboarding. There are many ways to engage in active transportation, whether it is walking to the bus stop, or cycling to school/work.

#### B. Vision Statement

The SC-1 zone will develop as an integrated, architecturally harmonious mixed-use development. Particular emphasis shall be placed on creating a pedestrian-friendly atmosphere where residents will desire to shop and gather. Design elements including architecture, landscaping, signs, and lighting shall create a commercial district that is of higher quality and value than the typical suburban “strip” mall. Land development shall minimize adverse impacts to adjacent single-family housing.

#### C. Goals

The goals of the SC-1 zone are:

- (1) to create a commercial city center,
- (2) to create a place conducive to community gathering,
- (3) to provide a place for convenient, community services,
- (4) to provide for mixed land uses, and
- (5) to expand the city’s sales tax base.

### 10-6A-2: DISTRICTS:

The SC-1 zone is divided into districts that are intended to differentiate between three levels of land-use intensity, where intensity is characterized by average daily automobile trips and building size, height, and density. The most intense land uses are planned along the frontage of 4800 West where there exists the greatest separation from residential uses and where there is the most significant commercial potential. The least intense

land uses are intended to be located to the east, adjacent to the elementary school and the neighboring residential area.

The districts in the SC-1 zone are shown on the map below. These consist of Retail (shown in red), Mixed-Use (shown in blue) and Office (shown in yellow). The green area is not a part of the SC-1 zone and is zoned Public Facilities.



#### A. Retail

The Retail district is intended to be a retail commercial center for the City. The main focus of the Retail district is to provide an area for those sales tax generating commercial entities that benefit from the frontage of a major collector (i.e. 4800 West and Cedar Hills Drive). Aside from public facilities, this district shall only include uses that predominantly generate on-site sales. The Retail district is intended to accommodate the most intense land uses of the SC-1 zone.

#### B. Mixed-Use

The Mixed Use district is intended to have a mix of retail, office, and residential uses. It shall generally have lower intensity uses than the Retail district. Lower intensity is defined as uses that generate fewer automobile trips and buildings that have smaller size and scale.

The boundary between the Retail district and the Mixed-Use district south of Cedar Hills drive is defined as:  
Beginning at a point which is N 89

□ 49' 37" E 66

corner of Section 6, Township 5 South, Range 2 East, Salt Lake Base and Meridian, said point also being the northwest corner of Lot 6, Apple Blossom Park Plat A Subdivision, thence due north approximately 610 feet to the south right-of-way limit of Cedar Hills Drive.

C. Office

The Office district is intended to provide services that require office space. It shall generally have the least intense land uses and provide a buffer to existing or future single-family residential areas through landscaping, setbacks, building size and scale, and land uses. In addition, any retail uses in this area shall help create a transition from the more intense uses in the other areas to the surrounding residential neighborhoods. The general appearance of buildings within this district shall use rooflines and slopes and window coverage and sizes that are more residential in appearance than commercial in appearance.

**10-6A-3: PERMITTED AND CONDITIONAL USES:**

All uses shall be consistent with the character and purpose of the district within which they are located. No building, structure or land shall be used and no building or structure shall be hereafter erected, except as allowed in the districts as shown in the SC-1 Land Use Table below. Uses listed in the Cedar Hills Land Use Code Numbers document that are not listed in the SC-1 Land Use Table are prohibited.

The SC-1 Land Use Table lists permitted, conditional, and exceptional uses. The numbers in the use column and the description of the use are listed in the Cedar Hills Land Use Code Numbers document. The most specific match for a given number shall be used. If a use is not specifically designated, or if the cell for a use and district is blank, that use is prohibited in that district. “P” means the use is Permitted, “C” means the use is Conditional, and “E” means the use is Exceptional, meaning not permitted except for existing approved uses or those that have been approved prior to the year 2016.

Regardless of the entries in the SC-1 Land Use Table, all uses for land within 100 feet of residential uses in adjoining zones shall be conditional.

Conditional uses listed in the Retail district in the SC-1 Land Use Table shall only be permitted if they predominantly generate on-site sales, unless approved by the city council after a recommendation by the planning commission. Public facilities are excepted from this requirement.

For the process and standards used in the granting of conditional uses see Chapter 10-5-37 of this code.

**SC-1 Land Use Table**

Use	Description	Retail	Mixed-Use	Office
1121	Two family dwelling (duplex), detached.		C	
1122	Two family dwelling (duplex), attached to one or more duplexes		C	
1123	Two family dwelling (duplex), attached to a commercial use		C	
1131	Multiple family dwelling containing three or four family residences, detached		C	
1133	Multiple family dwelling containing three or four family residences, attached to a commercial use		C	
1292	Disabled assisted living facility		C	C
1293	Senior housing or congregate care		C	C
1294	Senior assisted living		C	E

5230	Paint, glass, and wallpaper	C	C	
5240	Electrical supplies and lighting stores	P	P	
5251	Hardware stores	P	P	
5310 – 5312	Shopping centers, department stores, and discount department stores	P	P	
5330	Variety stores (dollar stores)		P	
5391 – 5392	Dry goods and general stores (yarn shops, linen shops, boutiques, craft stores, fabric stores)	P	P	
5400	Food (groceries, meat and fish, fruits and vegetables, candy and confectionery, dairy products, bakeries)	P	P	
5520	Tires, batteries and accessories	C		
5530	Gasoline service stations	C		
5600	Apparel and accessories (clothing, shoes, tailoring, cosmetics, leather goods)	P		
5700	Furniture, home furnishings, and equipment (furniture, household appliances, musical instruments, office equipment)	P	P	
5810	Restaurants (food consumed on premises)	P	P	
5813	Drive-through and fast food restaurants	C		
5910	Drug stores and pharmacies	P	P	
5930	Antiques and secondhand merchandise	P	P	
5940	Books, stationery, art and hobby stores	P	P	
5950	Sporting goods, bicycles and toys	P	P	
5969	Farm and garden supplies	C	C	
5970	Jewelry	P	P	
5991	Florists	P	P	P
5992 – 5999	Miscellaneous retail (newspapers, cameras, gifts, optical, paper products, pet supplies)	P	P	
6111	Banking Services	E		
6121	Savings and loans associations	E		
6122	Credit unions	E		
6130 – 6190	Security brokers, insurance agents, real estate services		P	P
6221	Portrait photography		P	P
6230	Beauty and barber services	P	P	P
6250	Apparel repair, alteration and cleaning pickup services, shoe repair services	C	P	
6297	Gymnasiums, athletic clubs, body-building studios, spas, health clubs, aerobic centers, etc.		C	
6416 –	Auto washing	C		

6417				
6511	Physicians' offices and services		P	P
6512	Dental offices and services		P	P
6520	Legal services		P	P
6530	Engineering, architectural, and planning services		P	P
6540	Research services		P	P
6550	Data processing services		P	P
6590	Professional services		P	P
7110	Cultural activities (libraries, museums, art galleries)	C	P	C
7212	Motion picture theaters (indoors)	C		
7392	Miniature golf	C		
7413	Tennis courts		C	
7414	Ice skating	C	C	
7417	Bowling alleys	C	C	
7424	Recreation and community centers	C	C	
7430	Swimming pools	C	C	
7611	Developed park land, general recreation	C	C	
7621	Developed park land, leisure and ornamental	C	C	
8110 – 8130, 8180	Agriculture	E	E	
8221	Veterinarian services		C	

**10-6A-4: Site Requirements:**

It is intended that these requirements and standards will promote consistent, quality development within the SC-1 zone.

**A. Area**

1. **Site Area:** Each proposed development shall contain an initial site size of ten (10) contiguous acres, which shall be considered as the minimum amount necessary to constitute a logical design area; provided, however, that in the instance of lots of record containing less than ten (10) acres, the minimum initial site size shall be the entire parcel.
2. **Additions:** Subsequent additions to the site area containing less than the amount set forth under item 1 of this section may be permitted, upon a determination that the area to be added constitutes a logical extension of the initial site plan.
3. **Phased Construction:** A proposed development may be constructed in phases upon approval by the city council and upon a finding that the proposed phase is consistent with the overall plan for the project, constitutes a significant portion of the total project, and is consistent with other requirements specified in this code.

**B. Landscaping**

The following requirements shall be followed for landscaping within the SC-1 zone.

All planter areas shall be edged with a concrete mow strip and landscaped. All planter shapes and walks shall be curvilinear. Landscape boulders may be used on site, but must be over 2 feet in size. Each building shall have flowering crab (malus species) trees planted near the building. Trees may be placed on any or all sides of the building. The minimum number of these trees required for each building shall be determined by adding up the length of all building facades (lineal feet), dividing by 40 and rounding up. All landscaped shall be appropriately maintained throughout the year.

Other plants near buildings can be selected by a licensed landscape architect for compatibility to microclimate (north, south, east, west building faces). Shrubs shall be selected for color in all seasons, including winter. Trees near buildings are encouraged to have spring and/or fall color. Evergreen trees are encouraged where practical for positive aesthetic effects in winter.

To ensure consistency throughout the zone, all plants used within the zone shall be found within the following plant list:

Evergreen Trees		
Abies concolor	White Fir	8' ht. minimum
Abies lasiocarpa	Alpine Fir	8' ht. minimum
Picea engelmannii	Engelmann Spruce	8' ht. minimum
Picea pungens	Colorado Green Spruce	8' ht. minimum
Deciduous Trees		
Acer platanoides	Norway Maple	2-1/2" cal. minimum
Fraxinus pennsylvanica	Patmore Ash	2-1/2" cal. minimum
Koelreuteria paniculata	Golden Rain Tree	2" cal. minimum
Prunus blireana	Blireana Plum	2" cal. minimum
Acer palmatum Bloodgood	Bloodgood Japanese Maple	6-8' ht. minimum
Prunus subhirtella	Weeping Flowering Cherry	2" cal. minimum
Shrubs		
Euonymus alatus compacta	Burning Bush	5 gal. minimum
Potentilla fruticosa	Shrubby Cinquefoil	5 gal. minimum
Prunus glandulosa	Dwarf Flowering Almond	5 gal. minimum
Mahonia Aquifolium	Compact Oregon Grape	5 gal. minimum
Prunus laurocerasus 'Otto Luyken'	English Laurel Otto Luyken	18-24" minimum
Cornus sericea 'Kelsey'	Kelsey Dwarf Dogwood	5 gal. minimum
Buxus koreana wintergreen	Wintergreen Boxwood	5 gal. minimum
Berberis t.a. nana	Crimson Pygmy Barberry	5 gal. minimum

The following requirements shall apply:

1. No less than 30% of any individual site shall be landscaped. Individually developed sites must provide the required 30% landscaping within that individual site. Larger planned developments must provide the required 30% landscaping for the entire site but shall not be required to provide 30%

landscaping on individual pads or parcels within the planned development. So that all of the building(s) within the proposed development may be seen within a park-like setting by the community, the required 30% landscaping shall be visible and accessible to the public way and shall not be concealed by walls, fences, building layout, etc.

2. Planted areas such as yard space, planter boxes, flower beds, shrubbery beds and other traditional landscaped features shall qualify towards the landscaped requirement. Sidewalks shall not count towards the requirement.
3. Proposed fountains, plazas, or splash-pads shall be included in the site design. The city council, with a recommendation from the planning commission, may approve a 5% reduction in landscaping area requirements for these features when designed as a publicly accessible gathering area. Public art features are encouraged.
4. Landscaping shall also be used as a screen, where other means are less appropriate, to shield Cedar Hills Drive and 4600 West from large areas of parking.
5. Landscaped areas shall not be residual in nature but shall create a cohesive network from site to site and throughout the project. Specifically, landscaped areas shall help create a park-like atmosphere with linked pedestrian corridors designed to promote pedestrian activity.
6. Landscaping materials and details shall contribute to the perpetuation of the established architectural theme.
7. As part of the site plan approval process, landscape plans shall be required. Such plans shall be prepared by a professional landscape architect licensed in the State of Utah. Landscape plans shall provide for landscape treatments that are consistent with the architectural theme. All landscape plans are subject to the approval of the city council, following a recommendation by the planning commission.
8. Storm-drainage shall be retained on-site through landscaping or other approved facilities.
9. Xeriscape plans are permitted and shall be prepared by a qualified landscape architect, and shall not constitute more than one-third (1/3) of the total landscaped area.

### C. Streetscapes

Cedar Hills Drive is the main thoroughfare for the community. As such, special attention and consideration shall be given to creating an attractive, distinct entrance to the City of Cedar Hills. To encourage continuity throughout the site and to provide appropriate ties to the surrounding residential areas, 4600 and 4800 West shall receive the same treatments as Cedar Hills Drive. Landscaped areas adjacent to public streets shall conform to the landscaping requirements listed in 10-6A-4B.

1. Sidewalks shall be separated from Cedar Hills Drive 4600 West and 4800 West so as to encourage pedestrian activity and other active transportation. Separations shall include landscaped berms, shrubbery or other elements that convey a sense of protection from the vehicular travel lanes. Streetscapes shall be varied between grass and planter areas and be appropriately maintained year-round.
2. Sufficient planter strips shall be provided so as to allow for the planting of trees as outlined in the plant list.
3. The landscaped areas adjacent to Cedar Hills Drive and 4600 West shall serve, in part, to screen adjacent parking areas from the view of passing motorists. Trees, berms and shrubbery shall be incorporated to provide the above-described screening.

At street intersections, a clear view of intersecting streets shall be maintained. Clear view of intersecting streets shall be measured as follows: extend lines along each street curb to a point of intersection and measure back 60 feet along each curb. Draw a line between those two points. This triangular area is the area that must have clear

view of intersecting streets.

Trees closest to intersections shall be Capitol Flowering Pear with no less than 3 at each intersection. Trees on East-West streets between walks and curbs or within 10 feet of street curbs shall be Burr Oak (*Quercus macrocarpa*) with all branches pruned to 5 feet from ground. Trees on North-South streets shall be London Plane Trees (*Platanus acerifolia*) with all branches pruned to 5 feet from ground.

The number of trees along all streets shall be at least 1 tree for every 30 feet of street frontage. Trees shall be 2-1/2" caliper minimum. Additional trees are encouraged. These additional trees shall be selected from the table below.

Berming shall be required along streets to screen parking areas and travel lanes. Berms shall not exceed 3:1 in steepness. Curvilinear walks are encouraged where practical. Any planter areas shall have a curvilinear concrete curb between plants and lawn. All planters shall be mulched 3 inches deep and maintained with shredded fir bark. Plants for planters shall be selected from the table below.

Evergreen Trees		
<i>Abies concolor</i>	White Fir	8' ht. minimum
<i>Abies lasiocarpa</i>	Alpine Fir	8' ht. minimum
<i>Picea engelmannii</i>	Engelmann Spruce	8' ht. minimum
<i>Picea pungens</i>	Colorado Green Spruce	8' ht. minimum
Deciduous Trees		
<i>Acer platanoides</i>	Norway Maple	2-1/2" cal. minimum
<i>Fraxinus pennsylvanica</i>	Patmore Ash	2-1/2" cal. minimum
Shrubs		
<i>Euonymus alatus compacta</i>	Burning Bush	5 gal. minimum
<i>Juniperus tamariscifolia</i>	Tam Juniper	5 gal. minimum
<i>Prunus cistena</i>	Cistena Plum	5 gal. minimum
<i>Pinus mugo 'Mughus'</i>	Dwarf Mugo Pine	18-24" minimum

#### D. Street Lighting

Street-lighting should be designed to create an attractive, crime-free environment and to protect surrounding residents from light pollution. Where practical, lighting in new developments shall match lighting used in existing developments.

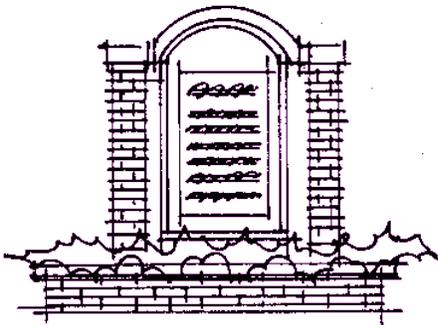
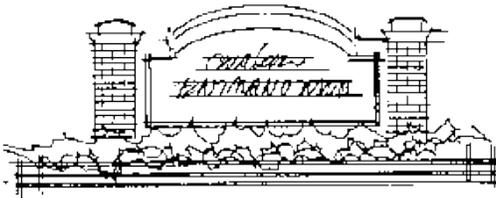
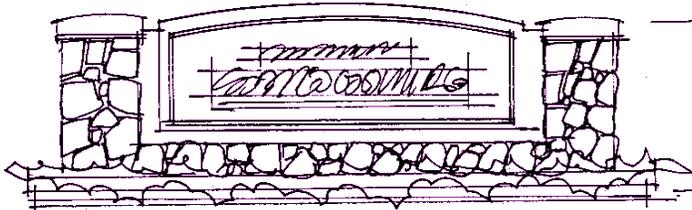
1. Lighting plans shall be prepared for each individual site. Adequate lighting shall be provided to encourage pedestrian activity and to eliminate shadowed areas that may contribute to poor visibility and the creation of dark areas.
2. Wall mounted lighting shall not be located higher than 20 feet on any structure.
3. Pole mounted lighting along 4800 West and Cedar Hills Drive shall not exceed 30 feet in height.
4. Pole mounted lighting for the interior of the commercial development shall not exceed 20 feet in height. Pole mounted lighting within any residential areas shall not exceed 15 feet in height.
5. Directional lighting fixtures shall be used in all areas of this development. Shields, covers, or other mechanisms shall be incorporated into fixture design so as to prevent light pollution. Lighting

levels shall diminish to zero (0) footcandles at the development's property lines.

6. Cobra-head and shoe box light fixtures are prohibited.

#### E. Signs

Signs standards are intended to ensure aesthetic quality and a cohesive architectural theme. The below listed standards shall be followed by all developments. Such incorporation must be consistent and harmonious with the established architectural theme. Signs shall be limited to monument signs and wall-mounted signs. The following illustrations demonstrate the intent of this ordinance. Signs shall be consistent with this intent.



1. Wall-mounted signs shall consist of blade signs, pendant signs and signs located on awnings.
2. Earth tones shall be the predominate colors used on signs.
3. Monument signs shall not exceed 48 square feet and shall be multi-tenant signs. Monument signs on the same side of an uninterrupted street shall not be located closer than 200 feet to one another.
4. Monument signs shall not exceed six feet above the top back of curb.
5. Wall-mounted signs shall be limited to 10 percent of the wall area on which the sign is mounted or 75 square feet, whichever is less.

6. Signs on canopies, awnings or similar architectural features may be permitted upon Site Plan review if it can be shown that it will not detract from the architectural theme.
7. Blade signs shall be consistent with the architectural theme of the overall development.
8. Pendant signs shall be consistent with the architectural theme of the overall development.
9. Signs on awnings shall only be located on the valence of the awning. Awnings must be consistent with the architectural theme of the overall development and shall only be located above doors and windows. Awnings must be kept in good repair at all times.
10. Backlit signs are permitted. Functional awnings shall not be considered backlit signs. Backlit awnings are not permitted.
11. Roof signs shall not be permitted.
12. Statuary signs bearing the likeness of any product or logo shall not be permitted.
13. Wind signs shall not be permitted.
14. Temporary signs shall not be permitted.
15. Placing handbills upon, painting or otherwise marking any trees, sidewalks, walls, poles or other surfaces is prohibited.
16. Spotlights projecting into the sky are not permitted.
17. Vehicles and trailers shall not be used as signs.
18. Flashing, moving or audible signs are not permitted.
19. Neon lights are not permitted
20. Pole signs are not permitted.
21. Off-premise signs are not permitted.

#### F. Walkability and Active Transportation

The site layout shall foster walkability and active transportation throughout all portions of the site.

1. Commercial space shall immediately front streets and parking areas shall be located on the interior or in the underground of the property, unless a recommendation by the planning commission to deviate from this requirement is approved by the city council.
2. Site layout shall incorporate pedestrian paths throughout the development, enabling safe and convenient access to and between each use.
3. Pedestrian paths shall be provided through parking areas. These paths shall be separated from vehicular traffic by the incorporation of landscaping, other grade separations and through the use of pavers, cobblestone or stamped concrete.
4. Developments shall include bicycle racks located adjacent to buildings.
5. Developments shall provide connectivity to other uses in the same district and adjoining districts by way of a concrete paved trail or path and open space.

#### G. Parking

The following apply to parking areas within the SC-1 zone.

1. Parking areas shall be situated so as to be screened from Cedar Hills Drive, 4600 West and 4800 West. Appropriate screening would include buildings, landscaped berms, shrubbery and groups of trees.

Fencing is not considered an appropriate screen.

2. Landscaping shall be dispersed throughout the parking areas. These landscaped areas will be of sufficient size so as to accommodate landscaped berms, and trees.
3. Parking spaces shall be 9' wide and 18' deep if they front onto a landscaped area. Parking spaces that do not front onto a landscaped area shall be 9' wide and 20' deep.
4. For retail uses, a minimum of four (4) parking spaces shall be provided for each 1,000 square feet of gross floor area.
5. For restaurants or other eating establishments, a minimum of one (1) parking space shall be provided for every three (3) seats and a minimum of one (1) additional space shall be provided for each employee at the highest shift.
6. For office uses, a minimum of six (6) parking spaces shall be provided for each 1,000 square feet of floor area.
7. For residential units with two (2) bedrooms or fewer, 2 spaces per unit. For residential units with more than two (2) bedrooms, 1 stall per bedroom (maximum 4). For senior housing or congregate care housing, 2 spaces per unit. For assisted living, 1 stall per 2 units. In all cases, there shall be additional spaces for visitor parking computed as 1 per 4 units. No RV parking is allowed. No overnight customer parking is allowed for commercial uses.
8. Shared parking for commercial uses is encouraged. When it can be found that adjacent uses, or uses in close proximity to one another, have substantially different peak hours of operation, the minimum number of parking spaces required for the said uses may be reduced. It is intended that shared parking will increase the attractiveness of the area by eliminating excess parking without creating a parking deficiency.
9. Drive aisles shall be twenty-four (24) feet wide unless they provide only one-way access or access to angular parking. If the drive aisle provides access to angular parking or is restricted to one-way travel, it may be twenty (20) feet wide.
10. A separation shall be provided between parking spaces and occupied structures. This separation must include no less than a 4' sidewalk and in most situations shall include a larger sidewalk and landscaping.
11. All parking islands shall be planted with at least one Skyline Honeylocust tree (*Gleditsia triacanthos* 'Skyline') per 400 square feet of planter, with a minimum of one per planter. A tree ring of fir bark (3" depth) shall be formed with at least a 2-foot radius around the tree. Trees shall be 3" caliper minimum, having all branches pruned within 7 feet of the ground. Islands shall be bermed slightly and planted with Kentucky Bluegrass (*Poa pratensis*) sod.
12. Reciprocal access shall be guaranteed from site to site. Stub locations and cross access easements may be required to ensure the establishment of perpetual reciprocal access.

#### H. Deliveries

Loading areas, including, but not limited to, loading spaces, loading docks and service or maintenance areas shall be screened from public view. In addition, loading areas that abut a residential zone shall reduce noise associated with such use by providing a sound wall and/or berm with screen plantings around the loading areas or at the property line abutting the residential zone. Loading and delivery times shall be restricted to the hours between 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends, unless different hours are recommended by the planning commission and approved by the city council.

#### I. Outside Storage and Sales

Outdoor storage or sales shall only be permitted in enclosed outdoor areas such as a garden center. Exceptions

may be made by obtaining a separate conditional use permit. The application for a permit shall be made in the form of a written request that specifies the sales area size, location, type of merchandise, and requested duration for the permit. The City Council shall be the Land Use Authority for this permit. The City Council shall be able to set parameters limiting the size, location, duration and appearance of the outdoor sales area. The conditional use permit shall otherwise be subject to section 10-5-37 of this code.

A business that utilizes grocery carts shall provide permanent cart storage within a building. The business operator shall use customary business practices to collect carts from parking lots, cart corrals, and other outdoor locations periodically. The business operator shall use reasonable efforts to ensure that carts do not leave the property.

#### J. Maintenance

As part of the Site Plan review process, applicants shall provide a legal agreement describing how the site shall be maintained and enforced by the city.

### **10-6A-5: Building Requirements:**

The following shall apply to all buildings within the SC-1 zone.

#### A. Architecture

Architecture, building materials, color schemes and building location all play critical roles in setting a tone for any development. These same elements are of the utmost importance in creating a sense of place. As a mixed-use commercial area, attention to scale is of particular importance and will be considered throughout the design process. The following illustration demonstrates the intent of this ordinance. Buildings shall be consistent with this intent.



Buildings in the SC-1 zone shall use the American Colonial style. The American Colonial motif is a symmetrical design (AB A, AB CB A, etc.) style. High-pitched tile or slate roofs, either side gabled or hipped, overhang the front facade and are often capped with a cupola. A central door, often a French door, is sided by large windows on the sides. Buildings may use the classic temple front, or contain pillars, pilasters and the Palladian window. Exterior construction is normally of brick in traditional colors like red and brown, and makes use of substantial exterior moldings. Wrought iron or copper accents are also used. It is expected that this theme will create intimacy and interest by limiting the use of those architectural elements that only cater to the widespread domination of the automobile. That is to say, architectural designs should be kept in such a scale so as to maintain a human, rather than automobile, orientation. The inclusion of street level windows, wide walks and appropriate signs are a few of the elements that must be considered in maintaining consistency with this theme. The appropriate selection of materials and colors are also essential in maintaining consistency with this theme.

and in meeting the goals of this requirement.

It is required that the established architectural theme will be used consistently throughout the entire zone. Designers will use this theme when developing plans for all types of structures that may be found within this development.

1. Earth tones shall dominate the color schemes of individual buildings and all color schemes shall be developed so as to conform to the established architectural theme. Additionally, color schemes shall be consistent with those found in the surrounding areas.
2. Structures shall be situated so as to screen parking areas and to aid in the creation of a park-like atmosphere.
3. Entrances to structures shall orient to parks, plazas or pedestrian-friendly pathways.
4. Structures shall be situated so as to provide appealing vistas at the terminus of drive aisles, pathways or other open areas.
5. Structures shall be massed so as to conform to the established architectural theme and to maintain a human scale.
6. Building facades shall be varied and shall not consist of vast expanses of blank walls.
7. Wherever found, overhead doors shall be positioned so as to not be visible from 4600 West, 4800 West or Cedar Hills Drive.
8. Building materials shall be limited to those materials traditionally associated with the established architectural theme. Structures constructed largely of glass or other reflective materials are not acceptable for this area.

#### B. Building Height and Size

One or two story buildings are permitted. Buildings may be erected to a maximum height of thirty-five (35) feet. Height is measured from average finished grade to the top of cornice or parapet for flat roofs, and the midpoint of rake for sloped roofs.

The building size shall be reviewed by the planning commission and city council and potentially approved based on such items as building placement, aesthetics, noise control, lighting design, traffic control, etc. to give the feel consistent with the overall commercial development, as well as the community as a whole. Building size shall be limited by the total building area, meaning the sum of the gross floor area of all floors. In the Mixed-Use and Office districts building size shall be limited to no more than 25,000 total square feet. In the Retail district building size shall be limited to no more than 50,000 square feet.

Developments composed of strip malls are prohibited. Smaller, individual buildings that tend to break up parking areas and create visual interest are required. Long and monotonous walls and roof planes are prohibited. Building mass and scale shall be minimized by manipulating the building form using offsets and recesses and variations in height.

#### C. Building Setbacks

All buildings shall be set back a minimum of thirty (30) feet from any residential uses. The following standards shall apply:

1. There shall be provided a landscaped side yard of at least fifteen (15) feet in width along such property line, containing trees or groupings of trees spaced no more than twenty-five (25) feet apart.
2. A precast concrete or decorative masonry wall, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone.

3. All lighting is to be arranged so that there will be no glare visible to the occupants of residential uses.
4. Uses will be strictly prohibited next to adjoining residential zones that involve open storage of merchandise or equipment, trade or industry that is noxious or offensive by reason of the emission of odor, smoke, gas, vibration or noise.
5. No loading docks, delivery pick up areas, etc., may be located within fifty (50) feet of residential uses. These areas must be screened from the public's view with an eight (8) foot masonry wall.
6. No trash container shall be located closer than twenty-five (25) feet to a residential zone, and must be located to the rear of the main building.

### **10-6A-6 RESIDENTIAL USE REQUIREMENTS:**

#### **A. All Residential Uses**

Residential use is permitted in the SC-1 zone only as set forth herein. These requirements pertain to uses 1121—1123 (two family dwellings), 1131 and 1133 (multiple family dwellings), 1292 (disabled assisted living), 1293 (senior housing or congregate care), and 1294 (senior assisted living) listed in the SC-1 Land Use Table in Section 10-6A-3 of this code.

The purpose of residential development in the SC-1 zone is to provide for mixed-use, which combines residential and commercial uses in order to provide housing opportunities in close proximity to retail, office, civic and related uses. Mixed-use development promotes a pedestrian friendly environment, and more compact development. Mixed-use development projects shall follow the following process, and meet the following requirements:

1. All development projects seeking approval for residential use must be new construction, and must submit a detailed site plan pursuant to section 10-6-3 of this code showing the entire development project, and showing the added requirements of this section.
2. The entire ground floor of any building in the project shall only have commercial uses (land use codes 5000 through 6999 listed in the SC-1 Land Use Table, Section 10-6A-3), except as provided within this section.
3. Residential use shall be located above the ground floor commercial use, except as provided within this section. Allowed residential density shall be 8 units per acre, with no more than 4 units per building. For this requirement, attached structures are considered part of the same building. No more than 50 total units may be built within the Mixed-Use district.
4. The requirement that all residential use be situated above a commercial ground floor may be altered to allow residential use on the ground floor only if all of the following conditions are met:
  - a) The residential building is located in the southern half of the Mixed-Use district;
  - b) A minimum of fifty percent (50%) of the ground floor area within the project shall be for commercial uses (land use codes 5000 through 6999 listed in the SC-1 Land Use Table, Section 10-6A-3);
  - c) If the project is completed in multiple phases, each phase shall independently meet the fifty percent (50%) requirement, provided, however, that residential use may exceed fifty percent (50%) of any phase if, taken as a whole and including the proposed phase, the project meets the fifty percent (50%) requirement; and
  - d) This alteration is approved by the city council following a recommendation from the planning commission.

5. The minimum height of ground level commercial use shall be twelve feet (12') floor to ceiling.
6. Parking lots, garages, and carports shall be located in the interior of a project and not adjacent to a public street, except that access driveways with parking spaces on one or both sides, with a maximum width of seventy feet (70'), are permitted. For buildings fronting a public street, all parking shall be located to the rear or side of buildings, or may be located below grade (underneath building). Buildings located in the interior of the project may have the parking area on any side of the building, as per the approved site plan. Underground parking will be permitted provided that such parking is accessible from the side or rear of the development and not from the primary street. All projects must comply with the parking requirements for commercial and residential uses specified in section 10-6A-4G of this code.
7. Residential developments shall provide a minimum of thirty percent (30%) of the net developable site area for open space. At least seventy five percent (75%) of that open space must be usable, contiguous open space, available for recreational uses not located within required buffer areas. Open space may include parks, walkways, natural areas, and landscaped areas. Open space may not include leftover space between buildings, or narrow space under ten feet (10') in width that is immediately adjacent to buildings, where the space is between the building and parking areas, drive aisles or inner development roads. Open space shall be visible from streets and sidewalks.
8. CC&Rs: The applicant (developer) of any residential development in the SC-1 zone shall, prior to the recording of the plat, submit to city staff a declaration of covenants, conditions, and restrictions (CC&Rs) relating to the project, which are to be reviewed by the planning commission and given final approval by the city council, and shall be recorded to run with the land. Said CC&Rs shall include management policies, which shall set forth the quality of maintenance that will be performed, and who is responsible for said maintenance within the development. As a minimum, the said document shall include the following:
  - a) The care and maintenance of all common or limited common areas, facilities, and private streets shall be ensured by the developer by establishing a private homeowners' association.
  - b) A professional property management company is to be hired by the HOA to govern the responsibility for all maintenance. Maintenance of the common/limited common areas, facilities, and private streets shall be managed by an established property management company where there is adequate expertise and experience in property management, to assure that said maintenance is sustained and accomplished efficiently, and at a high standard of quality. Contact information and a copy of the governing contract for the current property management company shall be submitted to be on file with the office of the city clerk.
9. HOA Failure: In case of failure or neglect to comply with any and all of the conditions and regulations established herein, and as specifically made applicable to a development, such failure or neglect to comply with the requirements and to maintain the buildings, amenities and premises in accordance with the conditions or approval thereafter, shall also be deemed to be a violation of this article. In the event the common areas and amenities are not properly maintained, or the HOA is dissolved, the property management company is to remain in place to govern the development, and enforce the CC&Rs. The property management company is also to continue to follow all city ordinances, in addition to those regulations specifically assigned to the development in question. Responsibility for payment to the property management company shall lie jointly and severally with the property owners.
10. Provisions Not Listed: For those provisions and regulations not listed, specified or otherwise covered here, refer to provisions applying to the underlying district.

#### B. Senior Housing or Congregate Care

The following requirements, in addition to those listed in Section 10-6A-6A of this code, apply to use 1293, senior housing or congregate care facilities.

1. Onsite services shall be provided directly by the management of the senior housing or congregate care facilities or under contract with qualified third party vendors. These services shall include an onsite restaurant/cafeteria that provides three meals per day, seven days a week; home health care services from qualified professionals, including help with medications, bathing, dressing, and other resident needs; physical therapy; other routine health care services; fitness classes; regular social activities; and a shuttle to nearby destinations.
2. Each residential unit shall be occupied by at least one resident that is 55 years of age or older, and there shall be no residents younger than 25.

### C. Assisted Living

The following requirements, in addition to those listed in Section 10-6A-6A of this code, apply to use 1294, disabled assisted living and senior assisted living facilities.

1. The facility shall conform to all applicable standards and requirements of the Utah State Department of Human Services and the owner/operator has obtained all licenses required by the state to operate such a facility.
2. The facility shall conform to all state and local building, safety, health, and zoning requirements applicable to similar structures.
3. The facility shall be occupied only by individuals qualified by age or disability to live in the facility and paid, professional staff members. Occupancy by any staff member shall only be allowed if such occupancy is primarily for the purpose of serving the elderly persons and not primarily a benefit of employment to the staff member.
4. The facility is operated for the primary purpose of providing a living arrangement for senior or disabled persons in a group home setting.
5. Residency in the facility shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. An assisted living facility shall not include any persons referred by the Utah state department of corrections or any court.

### **10-6A-7 IMPACTS:**

Developments shall blend harmoniously with the surrounding neighborhoods so that the use does not change the intent and characteristics of the adjacent zones and districts. The following standards must be met to mitigate impacts on surrounding neighborhoods.

1. Noise: Developments in the SC-1 zone shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. Any mechanical apparatus (i.e., air conditioner, fans, pumps, etc.) capable of producing noise that is located on the outside of the building must have sound barrier mitigation. Commercial sound levels at the property line during daytime hours shall meet levels L1, L10, and L90 of 68 dBA, 60 dBA, and 52 dBA respectively. Commercial sound levels at the property line during nighttime hours shall meet levels L1, L10, and L90 of 55 dBA, 55 dBA, and 50 dBA respectively.
2. Dust and Odors: Developments shall comply with all air quality standards, state, federal and local, and use shall not create unusual or obnoxious dust or odors beyond the property line.
3. Trash: No trash, used materials or wrecked or abandoned vehicles or equipment shall be stored in an open area. All trash is to be stored within a dumpster and the dumpster is to be enclosed within a solid metal gate, and walls matching the masonry used for the buildings, or must be stored in a fully enclosed building. The dumpster enclosure shall not have frontage on a public street, and is to be

located toward the rear of a development. Outside storage of commercial goods or materials is expressly prohibited. Containers for trash storage of a size, type and quantity approved by the city shall be screened by a sight obscuring fence at least one foot (1') higher than the dumpster and maintained in a location approved by the planning commission in conjunction with approval of a site plan.

4. Safety: The developer shall take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.
5. Traffic:
  - a) Traffic increases due to development shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".
  - b) Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
  - c) The developer may be required to submit a comprehensive traffic impact study (CTIS) prepared by a professional transportation engineer licensed to practice in the state of Utah that analyzes the impact of development of the entire property zoned in any particular district at the time of the first site plan application. The CTIS shall evaluate the vehicle, bicycle, and pedestrian traffic both on site and in the general vicinity of the project. The CTIS shall evaluate trip generations, turning movements to and from the property, street geometrics, and traffic safety on and off the site. The CTIS shall also address relevant items including, but not limited to, the following: surrounding street and intersection levels of service (LOS) before and after the project is completed, any mitigation efforts recommended to minimize project traffic impacts, proposed public and private street widths and alignments, site mobility, access management, potential traffic signal locations, street striping, signs, etc. Each site plan shall reflect and incorporate the recommendations of the CTIS and the individual traffic study and any other requirements that the city may deem necessary based upon the CTIS and/or the individual traffic study.
6. Public Health: Use shall comply with all sanitation and solid waste disposal codes and use shall not create public health concerns.

#### **10-6A-8: IMPROVEMENTS, DOCUMENTS AND OTHER REQUIREMENTS:**

##### **A. Single ownership or control required.**

All portions of a commercial development project shall be in single ownership or in single control in order to provide for effective integrated development. Following final approval of the project plan, the city may approve plans for the subdivision of a portion of the plan, provided that there is adequate assurance of the development of the entire project and provision for the development and maintenance of common elements (i.e., parking and landscaping) through the establishment of cross easements, guarantees and covenants as provided for under section 10-6A-9, "Required Documents", of this article.

##### **B. Improvements**

The following improvements shall be constructed by the developer in each development in accordance with city standards, as directed by the city engineer:

1. Streets, driveways and parking areas shall be graveled and hard surfaced.
2. Curbs, gutters and walkways.
3. Drainage and flood control structures and facilities.

4. On site water and sewer mains.
5. Off site water and sewer mains.
6. Fire hydrants.
7. Permanent survey monuments.
8. Gas, electric, telephone and cable TV (which shall be placed underground).
9. Landscaping in the common area and walkways.
10. Fences, walls and all other common areas, facilities, systems and structures proposed for the development as shown on the final plans.
11. Project lighting and signs.

#### C. Required Documents

Where the development is to be retained by one owner, required documents shall include:

1. Covenants, conditions, restrictions and management policies.
2. Management agreement.

Where the development has two (2) or more owners or where an existing development is being divided among two (2) or more owners, required documents shall include:

1. Articles of incorporation for property owners' association.
2. Corporation bylaws.
3. Covenants, conditions, restrictions and management policies.
4. Management agreement.

#### D. Additional requirements

Additional requirements are set forth in this code, Title 10, Section 6, Large Scale Development.