

LINDON CITY CODE

Chapter 17.76 PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD OVERLAY)
ZONE

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Section 17.76.010 Purpose

- A. The Planned Residential Development Overlay Zone promotes the following purposes:
 - 1. Create diverse and quality housing options in Lindon City.
 - 2. Effectively develop unique commercial lots and parcels that do not naturally accommodate traditional commercial development patterns.
- B. The purposes of the PRD Overlay are accomplished by:
 - 1. Allowing densities higher than a typical residential development;
 - 2. Establishing standards for landscaping, building and site design, public safety, parking, aesthetics, traffic circulation, fencing, lighting, and other similar site improvements; and
 - 3. Requiring standards that enable PRDs to fit into the surrounding development.

Section 17.76.020 Applicability

- 1. The PRD Overlay Zone may be applied to any lot or parcel in the General Commercial (CG) Zone after application and approval of a zone map amendment by the City Council after recommendation from the Planning Commission.
- 2. An application to apply the PRD Overlay Zone shall include a concept site plan, building elevations, and renderings showing the proposed project for the subject site. Any concept plan presented to the Planning Commission and City Council for approval shall first be reviewed by the Development Review Committee to ensure the proposal is technically feasible. When the City Council approves a zone map amendment applying the PRD Overlay Zone, the amendment shall be accompanied by an approved concept site plan, including elevations and renderings, for each site included in the amendment. If a subsequently submitted site plan application proposes significant changes to the approved concept plan, the Planning Commission may deny the site plan application for noncompliance with the Lindon City Code. Significant changes include, but are not limited to, changes in density, parking ratios, landscaped open space, building height, mass, or location.

Section 17.76.030 Permitted Uses, Building Types, & Densities

- 1. Permitted Uses. In addition to uses permitted or conditionally permitted in the underlying zone, a Planned Residential Development (PRD) is a conditionally permitted use in the PRD Overlay Zone and is not permitted in any other zone.
- 2. PRDs may include twin homes, condominiums, and townhouses.
- 3. Accessory apartments are not permitted in the PRD Overlay Zone.

Section 17.76.040 Site Plan & Final Plat

1. Site Plan.

- a. Anyone desiring to develop a Planned Residential Development (PRD) in the PRD Overlay Zone shall first submit a Land Use Application for site plan approval. The applicant shall provide all requirements of the site plan to the City before the City considers the application submitted and before action is taken. The application for a site plan shall include all necessary fees and documentation required by this Chapter.
- b. The Development Review Committee shall review the site plan and give its recommendations to the Planning Commission.
- c. The Planning Commission is the land use authority for all PRD site plans.

2. Final Plat.

- a. The site plan must be approved by the Planning Commission before the final plat can be approved.
- b. The developer shall submit a Land Use Application for final plat approval of all or part of the PRD together with all required fees. The final plat shall be prepared by the developer's surveyor and engineer.
- c. The Development Review Committee shall review the final plat and give their recommendations to the Planning Director.
- d. The Planning Director is the final approving authority for final plats and shall approve the application request if it meets the requirements of the approved site plan and all applicable City ordinances.
- e. Failure to submit a final plat within two (2) years of the date of approval of the site plan shall terminate all proceedings and render approval of the site plan null and void. The final plat shall expire and be void one (1) year after approval by the City, unless the Office of the Utah County Recorder has recorded the plat.

Section 17.76.050 Form and Contents of the Site Plan and Amended Site Plan

The applicant shall submit the site plan for a PRD to the Planning Department according to site plan submittal requirements outlined in the Lindon City Land Development Policies, Standard Specifications and Drawings Manual (Development Manual). At that time the applicant shall pay a fee in an amount established by Resolution of the City Council. No development, construction, revisions, or additions shall take place on the site until the Planning Commission has approved the site plan, the site plan is considered finalized by the City Engineer, and the developer has obtained the appropriate permits. Applicants for amended site plans for PRDs shall follow the same procedures, pay the same fees, and be bound by the same development standards and requirements as applicants for site plans for PRDs. The Planning Director or designee has the authority to make minor amendments to the site plan where such amendments are in compliance with the ordinance and the site plan is not materially altered.

Section 17.76.060 Site Plan Review and Approval for PRDs

1. The procedure for site plan approval shall be as follows:

- a. Development Review Committee. The Planning Department shall forward the proposed site plan to the Development Review Committee for initial review. The Development Review Committee shall review the site plan while considering whether it complies with the Lindon General Plan and all City ordinances, resolutions, and policies. The site plan shall comply with the Lindon General Plan and all City ordinances, resolutions, and policies before the Planning Commission can review the application.

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- b. Planning Commission. The Planning Commission shall review the site plan and be the land use authority for all site plans for PRDs. The Planning Commission shall consider whether the proposed site plan complies with City ordinances, resolutions, policies, Lindon City Commercial Design Guidelines, and the General Plan when reviewing a site plan for a PRD.
2. The applicant shall not amend or change any approved site plan without first following the procedure for approval of site plans.
3. The Planning Commission may impose conditions on the site plan to mitigate dangerous hazards where there is substantiated evidence that a real safety hazard exists.

Section 17.76.070 Final Plat & Improvement Drawings

1. The form and contents of the final plat and improvement drawings (where applicable) shall contain all of the requirements of the Lindon City Development Manual. The final plat shall also contain the following information:
 - a. A designation of common areas, limited common areas, and private ownership areas.
 - b. For condominiums, three dimensional drawings of buildings and building elevations. In the case where the PRD is a condominium project, the developer shall submit a written statement by an attorney who is licensed to practice in Utah. This written statement shall be the attorney's opinion that the condominium declaration, the subdivision plat and the other supporting documentation comply in all respects with the Utah Condominium Ownership Act (UCA Sec. 57-8-1, et seq.) as well as all applicable federal, state and local laws and ordinances and that when the office of the Utah County Recorder has recorded the condominium declaration and final plat, the proposed project will be a validly existing and lawful condominium project in all respects.
 - c. Plat restrictions, lot restrictions, and other information required by the Planning Commission or City Council.
2. PRD site plans may be built in phases as long as each phase of a PRD complies with all of the requirements of this ordinance. A phase of a PRD may not be less than twenty thousand (20,000) square feet.
3. The Planning Director shall approve the final plat of the PRD provided he/she finds that:
 - a. The applicant has redrawn the site plan to incorporate all the requirements as approved by the Planning Commission and has submitted the corrected site plan with the final plat.
 - b. The applicant has incorporated all of the improvements and conditions of the approved site plan into the final plat.
 - c. The City Engineer has marked the construction drawings of the PRD as finalized.
4. The City shall record the final plat after it obtains all of the required signatures and after it receives all of the required bonds, fees, and documents.

Section 17.76.080 Building Permits

The City shall not issue a building permit for any project until the final plat has been recorded by the City.

Section 17.76.090 Completion of Improvements

The developer must complete all of the improvements required by the approved site plan for the final plat in accordance with the requirements outlined in Lindon City Code 17.38 Bonds for Completion of Improvements to Real Property.

Section 17.76.100 Completion and Maintenance of Site

Every PRD shall conform to the approved site plan. The applicant or any other person or entity shall not add any structures or make any improvements or changes to a PRD that did not appear on the approved site plan. The applicant and subsequent owners and applicable associations shall maintain all improvements shown on the site plan in a neat and attractive manner. Failure to complete or maintain a PRD in accordance with this Chapter and with the approved site plan is a violation of the terms of this Chapter. The City may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, employer or otherwise, for failure to complete or maintain a PRD in accordance with this Chapter and with the approved site plan.

Section 17.76.110 Development Standards and Requirements

The City requires the following development standards for all PRDs.

1. Compliance with Lindon City Code. A proposed PRD shall comply with the requirements of this Chapter and with all applicable Lindon City Code provisions and with conditions imposed by the Land Use Authority.
2. Density. A PRD may be developed at a maximum density of ten (10) dwelling units per gross acre.
3. Height. No lot or parcel of land in a PRD approved pursuant to the PRD Overlay Zone shall have a building or structure used for dwelling which exceeds a maximum average height of thirty-five (35) feet, measuring the four (4) corners of the structure from finished grade to the highest point of the roof structure. The Planning Director and Chief Building Official shall be responsible for designating and identifying the four corners of a structure. No dwelling shall be erected to a height less than one (1) story above grade.
4. Minimum Area. The minimum area required for any PRD shall be twenty thousand (20,000) square feet.
5. Maximum Area. The maximum allowable size for any PRD shall be one (1) acre with no more than ten (10) units.
6. Setbacks. The following setbacks for primary structures shall apply in the PRD zone:
 - a. Front Setback: 30 feet
 - b. Rear Setback: 30 feet
 - c. Side Setbacks: 10 feet
 - d. All primary structures within the PRD Overlay zone shall be set back at least ten (10) feet from any other primary structure.
7. Utilities. Compliance with the Development Manual and applicable Lindon City Code provisions regarding utility connections to residential units is required. The public sewer system and the public water supply shall serve all dwellings. All utilities shall be underground. The developer shall individually meter natural gas and electricity for each individual dwelling. No water or sewer lines shall be located under covered parking areas.
8. Fences.
 - a. Perimeter Fences. The Planning Commission may require a perimeter fence, and may specify the height and construction materials used for the fence, around the development if the Commission finds that the fencing is necessary to mitigate reasonably anticipated detrimental impacts the development may create. Fencing may also be required to buffer the surrounding residential neighborhoods from the PRD and to buffer the PRD from surrounding commercial and manufacturing uses. Any fence erected around or within the development shall comply with Lindon City Code section 17.04.310, involving fencing standards. Any perimeter fencing shall have a consistent design throughout the project and shall consist of the same construction materials.

- b. Patio/Limited Common Area Fences. A patio or limited common area adjacent to the rear of a dwelling unit may be enclosed with a six-foot (6') high maximum fence.
9. Landscaping.
- a. All land within a PRD not covered by buildings, driveways, sidewalks, structures, and patios shall be designated as common area and shall be permanently landscaped with trees, shrubs, lawn, or ground cover and maintained in accordance with good landscaping practice. All required setback areas adjacent to public streets shall be landscaped. All landscaping shall have a permanent underground sprinkling system.
 - b. At least forty percent (40%) of the net acreage (area of the development less public and private streets) of the entire development shall remain permanently landscaped.
10. Lighting Plan. All PRDs shall include a lighting plan. The lighting plan shall be designed to:
- a. discourage crime;
 - b. enhance the safety of the residents and guests of the PRD;
 - c. prevent glare onto adjacent properties; and enhance the appearance and design of the project.

All PRD homeowners' associations and apartment owners are required to control and meter all outside lighting shown on the lighting plan except for front and back door lighting. The lighting plan shall designate which lighting shall be commonly metered to the association or owner.

11. Parking. There shall be a minimum of two (2) parking spaces provided for each dwelling, one of which shall be covered. Required off-street parking spaces shall not be permitted within the front yard or street-side yard setbacks. There shall also be a minimum of one half (½) parking space for each dwelling for guest parking within the development. Guest parking shall be located on the same lot or parcel of the dwellings served. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). Developers shall pave with asphalt and/or concrete all parking spaces, parking areas, and driveways and provide proper drainage. Drainage shall not be channeled or caused to flow across pedestrian walk ways. The architecture of all covered parking structures shall be the same as the architecture of the main structures within the PRD.
- a. Direct access to each parking space shall be from a private driveway and not from a public street unless otherwise granted by the Planning Commission based on the following guidelines:
 - i. Topography or other development constraints on the project area are such that a private drive is impractical to serve the project.
 - ii. Traffic volumes, safety, and visibility on the public roadway will not create a dangerous situation for direct parking stall access.
 - iii. No more than six (6) units shall directly access any public roadway.

12. Irrigation Systems.
- a. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within one hundred feet (100') of a proposed subdivision, complete plans for relocation or covering or other safety precautions shall be submitted with an application for preliminary approval of a plat.

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- b. All pressure irrigation systems in or within one hundred feet (100') of a proposed subdivision shall be identified and otherwise color-coded as to pipe and valve color to meet state standards and regulations.
13. Storage Areas and Solid Waste Receptacles. All outside storage areas and all solid waste receptacles which are not located within a building, shall be enclosed on at least three sides with the same materials as used on the exterior of the main structures within the PRD. Central waste receptacles shall only be permitted within a trash enclosure which meets standards found in the Development Manual. Trash enclosures shall be located in the side or rear of the dwelling units and must be accessible for garbage trucks. All individual garbage containers shall have the ability to be serviced from a public street.
14. Exterior Finishing Materials. The dwellings in a PRD shall comply with the Lindon City Commercial Design Guidelines. The Planning Commission shall have the authority to determine compliance with the Design Guidelines.
15. Roof Pitch. All structures shall have a minimum roof pitch of five (5) rise to twelve (12) run.
16. Homeowner's Association. The applicant shall establish a home owners association for every PRD containing common or limited common property, with more than one owner for the purpose of maintaining the PRD. The homeowner's association, the individual property owners, and tenants shall maintain the PRD in accordance with the approved site plan.
17. Existing Homes. No PRD shall include an existing single-family dwelling. If a single-family dwelling exists on the property where a PRD is proposed, the applicant shall plat separately a lot containing the home. The plat shall comply with the requirements of the Lindon City Development Manual.