

with Appendix "Z." The lighting plan shall be designed to:

- a. discourage crime;
- b. enhance the safety of the pedestrians and guests of the PD-32 development; and
- c. enhance the appearance and design of the project.

7. **Parking.** Parking shall be provided at the rate of 0.7 parking stalls per apartment unit. All parking areas shall comply with Article 22-15 of the Orem City Code. All parking spaces, parking areas and driveways shall be paved with asphalt and/or concrete and shall be designed to allow for proper drainage.

8. **Off-site Improvements.** Off-site curb, gutter, sidewalk, and/or other improvements may be required by the City if development on the site contributes to a need for such off-site facilities and the improvements required are roughly proportional to the amount of the off-site impact caused by development in the PD-32 zone

9. **Storage Areas and Solid Waste Receptacles.** All outside storage areas and solid waste receptacles which are not located within a building shall be enclosed on three sides with the same materials as used on the exterior of the main structures within the development and shall have sight-obscuring gates.

10. **Masonry Wall.** A seven foot (7') high masonry wall is required along all property lines that adjoin a residential zone. However, the height of the masonry wall shall be reduced to three feet in clear vision areas as shown on the concept plan.

11. **Accesses.** Access to the PD-32 zone shall be provided as shown in the concept plan.

12. **Site Maintenance.** The site shall be maintained free from trash, weeds, garbage, paper and other refuse.

(Ord. No. O-2013-0003, Enacted 1/22/2013)

I. Unified Ownership. The entire development in the PD-32 zone shall be under the same ownership. Individual dwelling units may not be developed or converted to condominiums and may not be sold separately from the rest of the development.

J. Removal of Existing Structures. All existing residential structures and out buildings shall be removed prior to obtaining building permits for new construction.

(Ord. No. O-2013-0003, Enacted 1/22/2013)

22-11-46. PD-33 zone (Transit Oriented Development – 800 South Geneva Road)

A. Purpose. The purpose of the PD-33 zone is to allow development of a transit oriented development.
(Ord. No. O-2013-0002, Enacted 1/22/2013)

B. Concept Plan. Property in the PD-33 zone shall be developed in conformance with the concept plan included as Appendix "AA" of the Orem City Code, which is incorporated herein by reference and made a part hereof. The owner/developer shall have flexibility as to the size and location of buildings subject to the following standards:

1. Buildings shall be located in the outer or exterior portions of Areas A and B with parking located generally in the interior of said areas. An example of building layouts that comply with this principle is shown in the concept plan. The purpose of this requirement is to have buildings located out toward the streets and/or outer portions of the zone and to minimize the number of parking areas that are adjacent to and/or visible from streets.

2. The building(s) in Area A shall be located in the southeast portion of Area A in order to locate the residential units in such building(s) as close as possible to the intermodal center.

3. Any proposed site plan that fails to comply with the above two standards shall not be entitled to approval.

(Ord. No. O-2013-0002, Enacted 1/22/2013)

C. Permitted Uses. The uses listed below shall be permitted uses within the PD-33 zone:

Area A

Standard Land

Use Code

Category

1112

Condominiums

1120

Apartments

Area B

Standard Land

Use Code

Category

1112

Condominiums

1120

Apartments

1510

Hotels and Motels

Standard Land

Use Code

Category

5810

Restaurants

5811

Fast Food

5530

Gasoline Service Station with or without Store

6823

Professional & Vocational Schools

6530

Professional Office

(Ord. No. O-2013-0002, Enacted 1/22/2013)

D. Prohibited uses. Any use not specifically listed in subparagraph (C) above shall be prohibited.
(Ord. No. O-2013-0002, Enacted 1/22/2013)

E. Final Plat. A final plat that conforms to all development standards and requirements of Chapter 17 must be approved and recorded by the City prior to any development in the PD-33 zone.
(Ord. No. O-2013-0002, Enacted 1/22/2013)

F. Site Plan. All development standards and site plan requirements of Section 22-14-20 shall apply to any development in the PD-33 zone. An existing lot within the PD-33 zone may be developed with the R12 zone development standards if the lot was in existence on November 1, 2012, and has not been subdivided subsequent to that date.
(Ord. No. O-2013-0002, Enacted 1/22/2013)

G. Development Standards and Requirements. The following development standards and requirements shall apply to all development in the PD-33 zone:

1. **Height.** The height of any structures in the PD-33 zone shall not exceed seventy-two feet (72'), not including parapets, architectural features or roof features. The minimum height of any primary structure containing residential units, hotels, motels, vocational schools, or professional office space shall be forty feet (40'). No portion of any building shall be located closer to a residentially zoned lot than a distance equal to the height of that portion of the building.

2. **Setbacks.** The following setbacks shall apply to all structures in the PD-33 zone:

a. All structures shall be set back a minimum of twenty feet (20') from the property line adjacent to Geneva Road and 1350 West.

b. All structures shall be set back a minimum of twenty feet (20') from the "future improvements" lines shown on the northern and southern areas of the concept plan, except that no setback is required from the vertical wall line shown in the northern portion of Area A in the concept plan.

c. All structures shall be set back a minimum of twenty feet (20') from the right of way lines of the future roadway that separates Areas A and B as shown in the concept plan.

3. **Utilities.** All structures shall be served by the public sewer system and public water supply. All utilities shall be placed underground. No water or sewer lines shall be placed under covered parking areas.

4. **Lot Size.** The minimum lot size for any development in Area A shall be three (3) acres.

The minimum lot size for any development in Area B shall be one and one-half (1-1/2) acres.

5. **Landscaping.** A landscaping plan shall be submitted to the City for approval as a part of the site plan.

a. A landscape strip at least ten feet (10') in width shall be provided and maintained immediately behind the property line adjacent to 800 South, Geneva Road, 1350 West, 950 South and the future roadway right of way lines separating Areas A and B. Where the concept plan shows a "future improvements" line, the required ten foot landscape strip shall be located behind the "future improvements" line.

b. A sidewalk at least six feet (6') in width shall be installed and maintained around the perimeter of Areas A and B and around each building as generally shown in the concept plan.

c. All other land within the PD-33 zone not covered by buildings, driveways, sidewalks, and parking areas, shall be permanently landscaped with trees, shrubs, lawn, or living ground cover.

d. All landscaping shall be maintained in accordance with good landscaping practice. A permanent underground sprinkling system shall be installed for all landscaped areas.

e. Deciduous trees at least two (2) inches in caliper measured six inches above ground level, and evergreen trees at least five (5) feet in height, are required at a ratio of one deciduous and one evergreen per every three thousand (3,000) square feet of landscaped area. Shrubs at least five (5) gallons in size are required at a ratio of one (1) per dwelling unit. Trees shall be planted and maintained in the perimeter landscaped areas as well as the other landscaped areas as generally shown in the concept plan.

6. **Lighting Plan.** Any development in the PD-33 zone shall include a lighting plan. There shall be no direct glare onto adjacent properties. All parking lots shall be well lit and in accordance with Appendix "AA". The lighting plan shall be designed to:

- a. discourage crime;
- b. enhance the safety of the pedestrians and guests of the PD-33 development; and
- c. enhance the appearance and design of the project.

7. **Soils Report.** A soils report prepared by a soils engineer shall be submitted to provide engineering information to determine special

engineering needs of the site. All development shall comply with the recommendations of the soils report.

8. Parking.

a. Parking for apartments or condominiums shall be provided at the rate of (0.65) parking spaces per bedroom. The parking requirements shall be met for each phase of construction. The term bedroom shall include all areas suitable as a private sleeping area such as a studio, den, etc. No parking shall be allowed to the east of the building(s) in Area A, and there shall be no parking between Geneva Road and the buildings on the west side of Area B.

b. Parking for commercial uses in Area B shall be provided at the rate of one (1) parking stall per 500 square feet of gross floor area. Parking for commercial uses in Area B shall generally be located east of the office structures that are located on Geneva Road.

c. All parking areas shall comply with Article 22-15 of the Orem City Code. All parking spaces, parking areas and driveways shall be paved with asphalt and/or concrete and shall be designed to allow for proper drainage.

9. Off-site Improvements. Off-site curb, gutter, sidewalk, and/or other improvements may be required by the City if development on the site contributes to a need for such off-site facilities and the improvements required are roughly proportional to the amount of the off-site impact caused by development in the PD-33 zone.

10. Storage Areas and Solid Waste Receptacles. All outside storage areas and solid waste receptacles which are not located within a building shall be enclosed on three sides with the same materials as used on the exterior of the main structures within the development and shall have sight-obscuring gates.

11. Storm Water Runoff Plan. A storm water runoff plan designed to accommodate a 25-year storm and a detention system with a maximum allowable discharge rate of sixty gallons per minute, per acre (60 g.p.m./ac) shall be provided for any development in the PD-33 zone.

12. Signs. A maximum of two pole signs shall be allowed in Area B adjacent to Geneva Road. One monument sign shall also be allowed for each building in Area B. Two monument signs shall be allowed in Area A. The pole signs and monument signs shall be subject to the regulations of Chapter 14 of the Orem City Code with the pole signs being regulated under the standards of Sign Zone "C." In

addition to the pole signs and monuments signs described herein, wall signs, window signs, monuments signs, and canopy signs shall be allowed subject to the requirements of Chapter 14 of the Orem City Code. All other signs shall only be allowed as provided in Chapter 14 of the Orem City Code.

13. Accesses. All accesses to Area A shown in the concept plan shall be constructed concurrent with the first phase of development in Area A.

14. Site Maintenance. The site shall be maintained free from trash, weeds, garbage, paper and other refuse.

15. Sidewalks. All sidewalks shown on the concept plan shall be installed by the developer concurrent with the development of each phase. The developer of each phase in the PD-33 zone shall construct a proportionate share of the sidewalk shown in the Area in which the phase is located. For example, a developer of a building in Area B that will likely constitute 25% of the developable square footage in the Area shall install at least 25% of the sidewalk shown in the concept plan, including the sidewalk areas located adjacent to and around the building. The developer of the first phase in Area A shall be required to install all of the off-site sidewalk shown in the northern part of Area A in the concept plan. All sidewalks shall be at least six feet (6') in width.

16. Density. Residential development in the PD-33 zone shall be developed at a minimum density of twenty (20) units per gross acre. Each development phase that contains residential uses shall comply with the minimum residential density requirement. Development phases that include only commercial uses shall not be included in the gross acreage for purposes of determining compliance with the minimum residential requirement. For development phases that contain both residential and commercial uses, the residential component shall meet the minimum residential density requirement relative to the percentage of that phase that is devoted to residential use. For example, if seventy percent (70%) of a mixed use development is devoted to residential uses, that phase shall have at least fourteen (14) residential units per acre.

17. Architectural Style. Development in the PD-33 zone shall incorporate a unique and aesthetically pleasing architectural and design theme that conforms to the style and quality shown in Appendix "AA". The design of development in the PD-33 zone shall incorporate diversity of detail and materials among individual buildings while maintaining a unique overall design theme for the entire development. All development, including

national chain stores, restaurants and parking structures shall follow the overall architectural style and/or theme of the development. The Planning Commission shall deny approval for any site plan that fails to conform to the architecture and design requirements of this Section 22-11-44 and Appendix "AA" to ensure the aesthetic quality of the development and to ensure compliance with the purposes and requirements of this ordinance. The architectural style selected shall conform to the following general design guidelines outlined below:

a. The architecture and design of all buildings shall conform to the architectural style and quality illustrated in the concept plan.

b. The sides of all buildings shall demonstrate a variety in color, façade depth, relief, rhythm and roof line height with changes occurring at least every sixty six (66) linear feet. Façade depth shall change with a minimum of two (2) foot offset at least every sixty six (66) linear feet on all sides of the buildings. All buildings shall be constructed with an acceptable mix of building materials and architectural features.

c. Balconies up to six feet (6') in depth but not less than three feet (3') are required on at least fifty (50%) of all residential units per building.

d. Windows shall be required on the sides of all commercial and residential units adjacent to a street or plaza. Window designs throughout the project shall be varied to help create a diversity of architecture. Awnings shall be incorporated into the development.

e. The design and style of all development shall conform in all other respects to the general purpose and spirit of the PD-33 zone.

f. Neither flat, three-tab cut asphalt shingles nor rolled roofing shall be allowed on any roof that has a slope of four feet of rise to twelve feet of run (4/12) or greater.

18. Building Materials. All buildings shall be completed on all sides with acceptable finishing materials. The following materials are acceptable: brick, stone, cultured stone, fluted block, colored textured block, glass, stucco and wood. Other finishing materials may be used if approved by the Planning Commission, however, sheet metal, corrugated metal, PVC and vinyl siding shall be prohibited except for trim, soffits, fascia, mansards and similar architectural features. In determining whether or not a particular finishing material is

acceptable, the Planning Commission shall consider the following factors:

a. The visibility of the site from public streets and neighboring residential uses.

b. The degree to which the proposed finishing materials are compatible with the appearance of neighboring residential uses.

c. The location of the proposed finishing materials on the building.

d. The degree to which a particular finishing material may be shielded by landscaping or some other feature.

e. The degree to which the proposed finishing materials are durable and have low maintenance characteristics.

f. The extent to which a proposed finishing material is compatible with the style and quality of buildings shown in the concept plan.

19. Recreational Vehicles (RV) Storage. The storage of Recreational Vehicles (RV's) shall not be permitted within the PD-33 zone.

(Ord. No. O-2013-0002, Enacted 1/22/2013)

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APPENDIX "AA"

Sample Architectural Design Styles

