

14419353 B: 11591 P: 3521 Total Pages: 158  
08/06/2025 03:23 PM By: dsalazar Fees: \$140.00  
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**AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT**  
**FOR**  
**THE SOUTH HILLS MASTER PLANNED COMMUNITY**

November 13, 2024

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**AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT  
FOR  
THE SOUTH HILLS MASTER PLANNED COMMUNITY**

THIS AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT is made and entered as of the 13<sup>th</sup> day of November 2024 by and between Herriman City, a political subdivision of the State of Utah; Wasatch South Hills Development Co., LLC, a Utah limited liability company, Wasatch Commercial Developers, LLC, a Utah limited liability company, and Staker & Parson Companies, a domestic business corporation.

**RECITALS**

- A. The capitalized terms used in these Recitals are defined in Section 1.2 below.
- B. Owner owns the Owner's Property.
- C. Special Owner owns the Special Owner's Property.
- D. Owner's Property and Special Owner's Property are collectively referred to as the Total Property.
- E. Master Developer is under a contract with Owner to develop the Owner's Property.
- F. The City and Owner have entered into the Prior Agreements governing the development of the Owner's Property.
- G. Certain portions of property that were owned by Owner was included in the Prior Agreements have been developed and sold to individual lot owners or bulk buyers of lots or prior subdivisions.
- H. Other aspects of the Prior Agreement have been either performed, modified, or rendered irrelevant based on the occurrence of various actions and events.
- I. Owner, Special Owner, Master Developer, and the City desire that Total Property be developed in a unified and consistent fashion pursuant to the Community Plan that is adopted and incorporated into this ARMDA.
- J. Development of the Total Property will include the Intended Uses as defined in this ARMDA.
- K. Development of the Project as a master-planned community pursuant to this ARMDA is acknowledged by the parties to be consistent with LUDMA and to operate for the benefit of the City, Owner, Special Owner, Master Developer, and the general public.
- L. The City Council has reviewed this ARMDA and determined that it is consistent with the LUDMA.

M. The Parties acknowledge that development of the Total Property pursuant to this ARMDA will result in significant planning and economic benefits to the City and its residents by, among other things, requiring orderly development of the Total Property as a master-planned community and increasing property tax and other revenues to the City based on improvements to be constructed on the Property.

N. Development of the Total Property pursuant to this ARMDA will also result in significant benefits to Owner, Special Owner, and Master Developer by providing assurances to Owner, Special Owner, and Master Developer that they will have the ability to develop the Property in accordance with this ARMDA.

O. Owner, Special Owner, Master Developer, and the City have cooperated in the preparation of this ARMDA.

P. The Parties desire to enter into this ARMDA to specify the rights and responsibilities of Owner, Special Owner, and Master Developer to develop the Total Property as parts of the Project as expressed in this ARMDA, and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this ARMDA.

Q. The Parties understand and intend that this ARMDA is a “development agreement” within the meaning of, and entered into pursuant to the terms of, Utah Code §§ 10-9a-102 and 532 (2024).

R. This ARMDA and all of its associated “legislative,” “broad, competing policy-considerations,” and “generally applicable” decisions regarding the development of the Project, as those terms are discussed in *Baker v Carlson*, 2018 UT 59, were considered by the Planning Commission on October 2, 2024, pursuant to Utah Code § Section 10-9a-532(2)(iii) (2024), in making a recommendation to the City Council.

S. The City believes that this ARMDA and the Zoning of the Property constitute the completion of the “legislative,” “broad, competing policy-considerations,” and “generally applicable” decisions by the City Council regarding the development of the Project as those terms are discussed in *Baker v Carlson*, 2018 UT 59.

T. The City intends that the implementation of those “legislative,” “broad, competing policy-considerations,” and “generally applicable” decisions through the provisions and processes of this ARMDA relating to “fixed criteria” are “administrative” in nature.

U. This City’s entry into this ARMDA is authorized by the adoption of Resolution No. R38-2024 on November 13, 2024.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby conclusively acknowledged, the City, Owner, Special Owner, and Master Developer hereby agree to the following:

## TERMS

### 1. **Incorporation of Recitals and Exhibits/Definitions.**

- 1.1. **Incorporation.** The foregoing Recitals and Exhibits A1–K are hereby incorporated into this ARMDA.
- 1.2. **Definitions.** As used in this ARMDA, the words and phrases specified below shall have the following meanings:
  - 1.2.1. ***Administrative Modifications*** means those modifications to this ARMDA that can be approved by the Administrator pursuant to Section 14.
  - 1.2.2. ***Administrator*** means the person designated by the City as the Administrator of this ARMDA.
  - 1.2.3. ***Applicant*** means a person or entity submitting a Development Application.
  - 1.2.4. ***Architectural Review Committee (or “ARC”)*** means the Architectural Review Committee created by the Homeowners Association (or “HOA”).
  - 1.2.5. ***Amended and Restated Master Development Agreement (or “ARMDA”)*** means the South Hills Amended and Restated Master Development Agreement, including all of its Exhibits.
  - 1.2.6. ***Buildout*** means the completion of all development within all of the Project in accordance with the approved plans.
  - 1.2.7. ***City*** means Herriman City, a political subdivision of the State of Utah.
  - 1.2.8. ***City Consultants*** means those outside consultants employed by the City in various specialized disciplines, such as traffic, hydrology, or drainage, for reviewing certain aspects of the development of the Project.
  - 1.2.9. ***City’s Future Laws*** means the ordinances, policies, standards, procedures, and processing fee schedules of the City which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project, and which may or may not be applicable to the Development Application depending upon the provisions of this ARMDA.
  - 1.2.10. ***City’s Vested Laws*** means the ordinances, policies, standards, and procedures of the City in effect as of the date of the execution of this ARMDA, a digital copy of which is attached as Exhibit “K.”
  - 1.2.11. ***Commercial Technical Guidelines*** means a detailed listing of those engineering and other technical requirements for the development of the Public Infrastructure and the Private Improvements that may be different from those otherwise applicable under the City’s Vested Laws as specified in Exhibit “H.”

- 1.2.12. **Commercial Site** means a portion of the Project being developed for commercial, mixed use, retail, office, industrial, or any other use that is not exclusively residential.
- 1.2.13. **Commercial Site Plan** means a Development Application for developing a Commercial Site that does not require a Subdivision.
- 1.2.14. **Community Plan** means the plan for the layout, look, and feel of the Project, a copy of which is attached as Exhibit “E.”
- 1.2.15. **Council** means the elected City Council of the City.
- 1.2.16. **Default** means a material breach of this ARMDA as provided in Section 11.
- 1.2.17. **Denial/Denied** means a formal denial issued by the final decision-making body of the City for a particular type of Development Application, but does not include review comments or “redlines” by City staff.
- 1.2.18. **Development** means the development of any improvement, whether public or private, on the Project pursuant to an approved Development Application, including, but not limited to, any Public Infrastructure, Private Improvement, Subdivision, Commercial Site, or any of the Intended Uses.
- 1.2.19. **Development Application** means an application to the City for development of a portion of the Project, including a Subdivision, Commercial Site Plan, or any other permit, certificate, or other authorization from the City required for development of the Project.
- 1.2.20. **Development Report** means a report containing the information specified in Section 3.11 submitted to the City by Master Developer for a Development by Master Developer or for the sale of any Parcel to a Subdeveloper or the submittal of a Development Application by a Subdeveloper pursuant to an assignment from Master Developer.
- 1.2.21. **Dispute** means any disagreement between the Parties regarding the administration or implementation of the ARMDA, including but not limited to Denial or a Default.
- 1.2.22. **Dispute Resolution Process** means the processes for resolving any Dispute as specified in Section 12.
- 1.2.23. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code § 10-9a-603 (2024) or any successor provision approved by the City, effectuating a Subdivision of any portion of the Project.

- 1.2.24. **Homeowner Association (or “HOA”)** means an association formed pursuant to Utah law to perform the functions of an association of property owners.
- 1.2.25. **Intended Uses** means those uses allowed to be developed on the Property pursuant to the LUMP, Community Plan, and Zoning Map.
- 1.2.26. **Land Use Master Plan (“LUMP”)** means the general layout of the types and areas of development of the Project as illustrated in Exhibit “D.”
- 1.2.27. **Land Use Development and Management Act (or “LUDMA”)** means the Utah Land Use, Development, and Management Act, which is the primary state law governing land use and zoning decisions made by cities and counties in Utah Code § 10-9a-101, *et seq.* (2024). LUDMA outlines mandatory requirements that local governments must follow when regulating land use.
- 1.2.28. **Master Developer** means Wasatch Commercial Developers, LLC, a Utah limited liability company, and its assignees or transferees as permitted by this ARMDA.
- 1.2.29. **Maximum Residential Dwelling Units (“Maximum RDUs”)** means the development on the Total Property of one thousand four hundred forty-one (1,441) Residential Dwelling Units.
- 1.2.30. **Mixed Use** means a type of Development containing both Residential Dwelling Units and other uses, such as commercial or office uses, on the same or adjacent portions of the Project that share common features such as parking. Mixed Use includes both “vertical” (where the uses share part or all of the same building structure) and “horizontal” (where the uses are in different buildings but that share common features such as parking).
- 1.2.31. **Notice** means any notice to or from any party to this ARMDA that is either required or permitted to be given to another party.
- 1.2.32. **Open Space** means that definition as found in the City’s Vested Laws as may be modified in the Community Plan.
- 1.2.33. **Owner** means Wasatch South Hills Development Co., LLC, which owns the Owner’s Property.
- 1.2.34. **Owner’s Property** means approximately 370.649 acres as illustrated in Exhibit “D” and legally described in Exhibit “A1 & A3”.
- 1.2.35. **Outsourcing** means the process of the City contracting with City Consultants or paying overtime to City employees to provide technical support in the review and approval of the various aspects of a Development Application, as is more fully set out in this ARMDA. Outsourcing shall be at the sole discretion of the City.
- 1.2.36. **Outsourced Work** means any work performed pursuant to Outsourcing.



- 1.2.37. **Parcel** means a portion of the Property that is created by the Master Developer to be sold to a Subdeveloper that is not an individually developable lot and that has not been created as a Subdivision as specified in Section 3.9.
- 1.2.38. **Parks, Trails, and Open Space Plan** means the plan for developing the parks, trails, and open space in the Project as specified in the PTOS Plan, Exhibit "F."
- 1.2.39. **Parties** means all or the relevant group of Owner, Special Owner, Master Developer, and the City.
- 1.2.40. **Party** means either Owner, Special Owner, Master Developer, or the City, individually.
- 1.2.41. **Phase** means the development of a portion of the Project at a point in a logical sequence as determined by Master Developer.
- 1.2.42. **Pod(s)** means those approximate development areas for the various types of Intended Uses shown on the LUMP, Exhibit "D."
- 1.2.43. **Prior Agreements** means the "Master Development Agreement for the South Hills Master Planned Community entered into on April 6, 2009, recorded as Entry # 10666381 in Book # 9706 at pages 6054 - 6243, as amended by the First Amendment on February 8, 2016, recorded as Entry # 12218663 in Book # 10401 at pages 3956 - 3963 and by the Second Amendment on April 18, 2016, recorded as Entry # 12261844 in Book # 10422 at pages 1490 - 1498 and by the Third Amendment Resolution on January 14, 2020, recorded as Entry # 13170296 in Book # 10884 at pages 8803 - 8812 and by the Third Amendment on February 14, 2020, recorded as Entry # 13194101 in Book # 10896 at pages 7123 - 7128 and by the Fourth Amendment on December 23, 2020, recorded as Entry # 13511250 in Book # 11087 at pages 3065 - 3121. and by the Fifth Amendment, which was approved by the City Council on July 10, 2024, and recorded with the City on September 30, 2024
- 1.2.44. **Private Improvements** means those elements of infrastructure needed for the completion of a Development which are not planned to be dedicated to the City.
- 1.2.45. **Project** means the total development to be constructed on the Property pursuant to this ARMDA with the associated public and private facilities, Intended Uses, Maximum RDUs, Phases, and all of the other aspects approved as part of this ARMDA.
- 1.2.46. **Public Infrastructure** means those elements of infrastructure that are planned to be dedicated to the City as a condition of the approval of a Development Application, including, but not limited to, the roads, overall grading plan, and backbone utilities.
- 1.2.47. **Residential Dwelling Unit ("RDU")** means a single unit intended to be occupied for residential living purposes.

- 1.2.48. **Special Owner** means Staker & Parsons Companies, Inc., a corporation which owns the Special Owner's Property.
- 1.2.49. **Special Owner's Property** means approximately 233.109 acres as illustrated in Exhibit "D" and legally described in Exhibits "A2 & A3."
- 1.2.50. **Subdeveloper** means a person or an entity not "related" (as defined by Internal Revenue Service regulations) to Master Developer which purchases a Parcel for development.
- 1.2.51. **Subdivision** means the division of any portion of the Project into developable lots pursuant to LUDMA.
- 1.2.52. **Subdivision Application** means the application to create a Subdivision.
- 1.2.53. **System Improvements** means those components of the Public Infrastructure that are defined as such under the Utah Impact Fees Act.
- 1.2.54. **Technical Guidelines** means a detailed listing of those engineering and other technical requirements for the residential development of the Public Infrastructure and the Private Improvements that may be different from those otherwise applicable under the City's Vested Laws as specified in Exhibit "G."
- 1.2.55. **Total Property** means approximately 603.758 acres of real property owned, including Owner's Property and Special Owner's Property, as illustrated in Exhibit "D" and more fully described in Exhibits "A1, A2, & A3."
- 1.2.56. **Zoning** means the underlying zoning of the Total Properties shown in Exhibit "C."
2. **Effect of ARMDA.** Except as specified herein, this ARMDA shall be the sole development agreement between the parties related to the Project and the Total Property. The Prior Agreements are hereby novated and superseded and shall be of no effect regarding the Total Property. The Prior Agreements shall not be deemed affected by this ARMDA. The City and Owner shall record a Notice with the County Recorder of that novation in the chain of title of the Property.
3. **Development of the Project.**
- 3.1. **Compliance with this ARMDA.** Development of the Project shall be in accordance with the City's Vested Laws, the City's Future Laws (only to the extent that these are applicable as otherwise specified in this ARMDA), and this ARMDA.
- 3.2. **Land Uses within the Project, Configuration.** In accordance with this ARMDA, the Master Developer shall follow the LUMP and the Community Plan. The LUMP reflects the general location and configuration of the Intended Uses and Open Space within the Project. The Community Plan provides the general location, configuration, and development requirements of the various aspects of the Project. Requirements not set forth in the Community Plan are controlled by the ARMDA, including the other exhibits thereto.

- 3.2.1. **Pod 20 Requirements.** The RDUs on Pod 20, as shown in the LUMP map, may be clustered but shall not exceed 48 lots. Pursuant to Utah Code § 10-9a-537 (2024), Pod 20 units may not be developed until the Utah State Department of Veterans and Military Affairs has determined that such development will conform to all regulations of the Department.
- 3.2.2. **Minor Modifications.** The Community Development Director, after conferring with the City Manager, may approve minor modifications to the Master Developer's obligations in this Section that are necessary or advantageous in facilitating more desirable functions and aesthetics of the Property. Any modifications deemed by the Community Development Director to not be "minor" shall require formal amendment of this Agreement.
- 3.3. **Special Provisions Regarding Special Owner's Property.**
- 3.3.1. **Transfer of Ownership.** Special Owner's Property may not be developed pursuant to this ARMDA until Special Owner's Property is owned by Owner or an entity "related" to Owner (as defined by Internal Revenue Service regulations)
- 3.3.2. **Development of RDUs.** The RDUs shown in Exhibit "D" shall not be developed until the ownership is transferred as specified in Section 3.3.1.
- 3.4. **Maximum RDUs.** At Buildout of the Project, Master Developer shall be entitled to have developed the Maximum RDUs as specified in and pursuant to this ARMDA, subject to the restrictions of RDUs on Special Owner's Property as specified in subsection 3.3.2. accessory dwelling units (ADUs) as provided by Utah State law, casitas, external accessory dwelling units, buildings ancillary to a primary residential use, churches, schools, municipal or other institutional/governmental, and other similar non-residential uses shall not be counted as a Residential Dwelling Unit for purposes of the Maximum RDUs. The development of other Intended Uses as provided in this ARMDA shall not reduce the number of Maximum RDUs.
- 3.4.1. **Configuration of Maximum RDUs.** The general configuration of the Maximum RDUs is identified in the Community Plan. The Community Plan reflects the general location and configuration of PTOS, as well as residential, commercial, and industrial uses within the Project.
- 3.4.1.1. **Movement of RDUs Between or Among Pods.** The Community Plan illustrates the currently intended distribution of units between the various Pods. Master Developer and Owner may move RDUs between or among Pods so long as the movement is between uses of the same type (e.g., "Medium [residential]") and so long as the resulting "density" of a Pod does not exceed 3 for "Low" and 8 for "Medium" or exceed the underlying zoning, whichever is less.

- 3.5. **Sound Control and Mitigation Requirements.** The Master Developer shall implement appropriate sound control and mitigation measures for Pods 12, 13, and 20 to address potential noise impacts on neighboring properties and sensitive uses. These measures shall include but are not limited to conducting a noise impact study, prepared by a qualified professional, to identify anticipated noise levels and potential impacts during construction and operational phases; installing sound barriers, acoustic treatments, and/or vegetation buffers to mitigate noise emissions; designing and constructing buildings or facilities to incorporate soundproofing materials and methods consistent with industry best practices and applicable building codes; and regularly monitoring noise levels during construction and operations to ensure compliance with local noise ordinances and the findings of the noise impact study. The Master Developer shall submit plans for sound control and mitigation to the City for review and approval prior to commencing construction in the designated areas. The Master Developer shall cause a notice, as shown in Exhibit J, to be recorded against each property in Pods 12, 13, and 20.
- 3.6. **Landscaping.** All development within the Project shall meet the City's required landscaping standards, as set forth in applicable codes and regulations. Should the Developer be unable to complete the required landscaping prior to receiving a certificate of occupancy, the Developer may, at the City's discretion, provide a landscaping bond ("Landscaping Bond") in a form and amount acceptable to the City. The Landscaping Bond shall cover the full cost of the landscaping installation, including any necessary irrigation, plant materials, and maintenance to ensure successful establishment and compliance with what the City's landscaping standards were at the time of application submittal. The Landscaping Bond will be released upon completion of the landscaping to the satisfaction of the City. Failure to complete the required landscaping within a six-month timeframe may result in forfeiture of the Landscaping Bond, which the City may then use to complete the required landscaping.
- 3.7. **Phasing.** The Master Developer shall complete construction of at least fifty percent (50%) of the designated commercial pads (the "Commercial Pads") before reaching eighty percent (80%) completion of the residential units (the "Residential Units") within the Project. For purposes of this clause, "completion" shall mean that each Commercial Pad is constructed to a condition where it is ready for tenant improvements and occupancy.
- 3.7.1. ***Concurrency Management of Future Development.*** Any phasing shall ensure appropriate access, fire protection utilities, and other infrastructure for future phases, and Master Developer shall seek the City's input on such issues prior to submitting a Development Application for such phasing. Once construction has begun on a specific Development or Phase, the relevant Master Developer or Subdeveloper(s) shall have the obligation to complete the public and private road, storm drain, water, and other improvements that are a condition of the approved Development Application for such Development.

### 3.8. Required Process.

- 3.8.1. ***Approval Required Before Development.*** A Development Application shall be submitted for any Development. Except as otherwise provided herein, no improvements shall be constructed within the Project without Master Developer or a Subdeveloper first obtaining approval of the Development Application for such Development from the City. Upon approval by the City of any Development Application, the Development related to such approval may be improved in accordance with the approved Development Application, subject to the terms, conditions, and provisions of the Development Application.
- 3.8.2. ***Building Permits.*** No building permit shall be issued by the City for construction of any Development unless Master Developer or a Subdeveloper has substantially completed the required infrastructure to comply with City requirements for phasing of infrastructure and completion of off-site improvements required by the relevant Development Application. Building permits shall be issued once any work required by the Development Application has gone under warranty. Except as provided in the City's Vested Laws, no buildings, improvements, or other structures shall be constructed within the Project without Master Developer and/or a Subdeveloper first obtaining an appropriate building permit(s), and/or grading and excavation permits, as applicable. Master Developer and/or a Subdeveloper may apply for and obtain a grading permit following approval of a Commercial Site Plan or a preliminary Subdivision plat if Master Developer and/or a Subdeveloper has submitted and received approval of a site grading plan from the City Engineer and all required fees are paid.
- 3.8.3. ***City and Other Governmental Agency Permits.*** Before commencement of construction or Development of any buildings, structures or other work or improvements upon any portion of the Project, Master Developer or a Subdeveloper shall, at its expense, secure, or cause to be secured, any and all permits which may be required by the City or any other governmental entity having jurisdiction over the work. The City shall reasonably cooperate with Master Developer or a Subdeveloper in seeking to secure such permits from other governmental entities.
- 3.8.4. ***Fees.*** Master Developer or a Subdeveloper shall pay to the City the standard fees applicable to any submittal of a Development Application under the City's fee schedule in effect at the time of the application.
- 3.8.5. ***City Cooperation and Approval.*** The City shall cooperate reasonably and in good faith in promptly processing and reviewing all Development Applications in accordance with the procedures identified in this ARMDA. Development Applications shall be approved by the City if such Development Applications comply with the applicable portions of the City's Vested Laws and this ARMDA.

- 3.8.6. ***Independent Technical Analyses for Development Applications.*** If the City needs technical expertise beyond the City's internal resources to determine impacts of a Development Application such as for structures, bridges, water tanks, and other similar matters which are not required by the City's Vested Laws to be certified by such experts as part of a Development Application, the City may engage such experts as City Consultants with the actual and reasonable costs being the responsibility of Applicant. If the City needs any other technical expertise other than as specified above, under extraordinary circumstances specified in writing by the City, the City may engage such experts as City Consultants, with actual and reasonable costs being the responsibility of Applicant.
- 3.8.7. ***Construction Prior to Completion of Infrastructure.*** Master Developer may apply for and obtain Building Permits and/or temporary Certificates of Occupancy for uninhabited model homes, home shows, sales offices, construction offices or similar uses prior to the installation of all Public Infrastructure and Improvements required to be eventually completed so long as such installation is secured consistent with the City's Vested Laws including the requirements for fire protection. No permanent Certificate of Occupancy shall be issued by the City, except in compliance with the City's Code.
- 3.9. ***Parcel Sales.*** The City acknowledges that the precise location and details of the public improvements, lot layout and design, and any other similar item regarding the development of a particular Parcel may not be known at the time of the creation of or sale of a Parcel. Master Developer may obtain approval of a Parcel in any manner allowed by law. If, pursuant to Utah Code § 10-9a-103(66)(c)(v) (2024), there are no individually developable lots in the Parcel, the creation of the Parcel would not be subject to subdivision requirement in the City's Vested Laws including the requirement to complete or provide security for any Public Infrastructure at the time of the creation of the Parcel. The responsibility for completing and providing security for completion of any Public Infrastructure in the Parcel shall be that of the Master Developer or a Subdeveloper upon a subsequent Subdivision of the Parcel that creates individually developable lots.
- 3.10. ***Accounting for RDUs for Developments by Master Developer.*** At the recordation of a final plat or other approved and recorded instrument for any Development developed by Master Developer that includes RDUs, Master Developer shall provide the City a Development Report showing any RDUs used with the Development and the RDUs remaining with Owner and Master Developer and for the entire remaining Project.
- 3.11. ***Development Report.*** With any Development Application, whether filed by Master Developer or a Sub-Developer, Master Developer shall file a Development Report showing:
- 3.11.1. ***Ownership.*** The Ownership of the property subject to the Development Application;
- 3.11.2. ***Units and Uses Proposed to be Developed.*** The portion of the Maximum RDUs and/or other type of Intended Uses intended to be used by the proposed Development;

- 3.11.3. ***Units and Uses Transferred or Remaining.*** The amount of the Maximum RDUs and/or other types of Intended Uses remaining with Owner and Master Developer;
- 3.11.4. ***Parks, Trails, and Open Space.*** The amount, type, location, and timing of any Parks, Trails, and Open Space; and
- 3.11.5. ***Material Effects.*** Any material effects of the sale on the Community Plan.
- 3.12. **Accounting for RDUs and other Intended Uses for Parcels Sold to Subdevelopers.** Any Parcel sold by Owner to a Subdeveloper shall include the transfer of a specified portion of the Maximum RDUs, and for any non-residential Intended Use, shall specify the amount and type of any such other Intended Use sold with the Parcel. At the recordation of the sale of any Parcel, Master Developer shall provide the City a Development Report showing the Ownership of the Parcel(s) sold, the portion of the Maximum RDUs and/or other type of Intended Uses transferred with the Parcel(s), the amount of the Maximum RDUs and/or other type of Intended Uses remaining with Owner and Master Developer and any material effects of the sale on the Community Plan.
  - 3.12.1. ***Return of Unused RDUs.*** When the Owner or Master Developer transfers RDUs for development to a Subdeveloper, and the Subdeveloper has not used all of the transferred RDUs upon City approval of a Development Application for the final portion of a transferred Parcel, the unused portion of the transferred RDUs shall automatically revert to the Owner and Master Developer, and the Owner and Master Developer shall file with the City an amended Development Report that updates the “Maximum RDUs” (transferred and remaining) and “Intended Uses” pursuant to the LUMP, the Community Plan, and Zoning Map.

#### 4. **Zoning and Vested Rights.**

- 4.1. ***Vested Rights Granted by Approval of this ARMDA.*** To the maximum extent permissible under the laws of Utah and the United States and at equity, the City, Owner, and Master Developer intend that this ARMDA grants Owner and Master Developer all rights to develop the Project in fulfillment of this ARMDA, except as specifically provided herein. The Parties intend that the rights granted to Owner and Master Developer under this ARMDA are contractual and also those rights that exist under statute, common law, and at equity. The Parties specifically intend that this ARMDA grants to Master Developer and Owner “vested rights” as that term is construed in Utah’s common law and pursuant to Utah Code Ann. § 10-9a-509 (2024).
- 4.2. **Exceptions.** The restrictions on the applicability of the City’s Future Laws to the Project as specified in Section 4.1 are subject to only the following exceptions:
  - 4.1.1. ***Master Developer Agreement.*** City’s Future Laws that Master Developer agrees in writing to the application thereof to the Project;

- 4.1.2. **State and Federal Compliance.** City's Future Laws that are generally applicable to all properties in the City, and which are required to comply with State and Federal laws and regulations affecting the Project;
- 4.1.3. **Codes.** City's Future Laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, State or County regulations, AAHSTO Standards, the Manual on Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments.
- 4.1.4. **Taxes.** Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons, and entities similarly situated;
- 4.1.5. **Fees.** Changes to the amounts of fees (but not changes to the times provided in the City's Vested Laws for the imposition or collection of such fees) for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;
- 4.1.6. **Compelling, Countervailing Interest.** Laws, rules or regulations that the City's land use authority finds on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code § 10-9a-509(1)(a)(i) (2024).
5. **Term of Agreement.** This ARMDA shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised. The initial term of this ARMDA shall be for a period of fifteen (15) years from the Effective Date hereof. If, as of that date, Owners, or Master Developer are not declared to be in default as set forth herein, and if any such declared default is not being cured, then this ARMDA shall automatically extend for one (1) additional period of five (5) years. If, as of that extended date, Owners, or Master Developer are not declared in default as set forth herein, or if any such declared default is not being cured, then this ARMDA shall automatically extend for one (1) additional period of five (5) years. This ARMDA shall also terminate automatically at Buildout.
6. **Tax Benefits.** The City acknowledges that Master Developer may seek and qualify for certain tax benefits by reason of conveying, dedicating, gifting, granting, or transferring portions of the Property to the City or to a charitable organization for Open Space. Master Developer shall have the sole responsibility to claim and qualify for any tax benefits sought by Master Developer by reason of the foregoing. The City shall reasonably cooperate with Master Developer to the maximum extent allowable under law to allow Master Developer to take advantage of any such tax benefits.



7. **Public Infrastructure.**

- 7.1. **Construction by Master Developer.** Master Developer shall have the right and the obligation to construct or cause to be constructed and installed all Public Infrastructure reasonably and lawfully required as a condition of approval of the Development Application.
- 7.2. **Dedication of Public Improvements.** All of the infrastructure and improvements dedicated to the City pursuant hereto shall be constructed to the City's standard specifications unless otherwise agreed in this ARMDA or otherwise and shall be subject to City requirements for the payment of property taxes, inspections, and approval before acceptance by the City. The City shall accept such dedication after payment of all taxes and fees and inspection and correction of any deficiency or failure to meet City standards.
- 7.3. **Public Infrastructure Financing.** The City will use reasonable efforts to adopt one or more Public Infrastructure Districts to pay for the Public Infrastructure. Master Developer's obligation to construct the Public Infrastructure within the Project shall not be negated or become invalid as a result of insufficient financing through such Public Infrastructure Districts.

8. **Upsizing/Reimbursements to Master Developer.**

- 8.1. **"Upsizing".** The City may, at its discretion, require Master Developer to "upsized" any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project). If upsizing is required by the City, the City is obligated to reimburse the Developer for the incremental or additive costs of such upsizing. For example, if an upsized water pipe increases the costs by 10% but adds 50% more capacity, the City is only responsible for compensating the Developer for the 10% cost increase.
- 8.2. **Dispute Resolution.** Any dispute regarding this section shall be resolved pursuant to the Dispute Resolution Process.

9. **Parks, Trails, and Open Space Plan (or "PTOS Plan").**

- 9.1. **PTOS Plan.** The location of the parks, trails, and open space for the Project shall be as specified in the PTOS Plan, as shown in Exhibit "F." Master Developer is responsible, financially and otherwise, to construct the PTOS Plan. Generally, the parks, trails, and open space will be improved as a part of the construction of the Development Application, of which it is a part by virtue of adjacency. Parks over two (2) acres in size will be dedicated to the City after the improvements are completed. Thereafter, the City shall be responsible for the maintenance, irrigation, operation, and programming of such parks. Parks under two (2) acres in size shall be dedicated to the HOA, which shall be responsible for the maintenance, irrigations, and operation of such parks. The native open space illustrated in the PTOS Plan (Exhibit "F") shall be revegetated when and as required by certain mining agreements between the City, Special Owner, and others. The parties acknowledge that the City is working with Master Developer, Owner, and the owners and master developers of adjacent and nearby properties on a comprehensive plan for parks, trails and open space

in the general vicinity of the Total Property. If and when such a comprehensive plan is finalized the Parties shall negotiate in good faith to amend the PTOS Plan in the ARMDA to comply with that comprehensive plan. Any dispute regarding this section implementing the PTOS Plans shall be subject to the Dispute Resolution Process.

10. **On-Site Processing of Natural Materials.** Master Developer may use the natural materials located on the Property such as sand, gravel, and rock, and may process such natural materials into construction materials such as aggregate, topsoil, concrete, or asphalt for use in the construction of infrastructure, homes or other buildings or improvements located in the Project and for sale to and use on other locations outside the Project. If the proposed excavation for the use of the natural materials as contemplated in this section is consistent with the final uses in the area as illustrated on the Community Plan, then it shall be approved by the Administrator irrespective of whether the proposed grading is in conjunction with a Subdivision or just the grading by itself. Master Developer shall obtain a land disturbance permit from the City prior to extracting or processing the natural materials on the Property. The land disturbance permit shall require a plan to mitigate fugitive dust control as required by the State of Utah and shall establish the maximum grade/depth from which the natural materials may be extracted. Subject to the following sentences, Master Developer agrees not to extract or process materials beyond the final grade for the site from which such natural materials are extracted. Notwithstanding the foregoing, if Master Developer does extract or process beyond the final development grade, Master Developer shall be required to backfill the site and return it to final development grade. The City shall issue a land disturbance permit if the standards of this Section are satisfied. Any dispute regarding this section shall be resolved pursuant to the Dispute Resolution Processes.

11. **Default.**

- 11.1. **Notice.** If Master Developer, Owner, Subdeveloper, or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the party believing that a Default has occurred shall provide Notice of Default to the other party. If the City believes that the Default has been committed by a Subdeveloper, then the City shall also provide a courtesy copy to the Master Developer and Owner.
- 11.2. **Contents of the Notice of Default.** The Notice of Default shall:
- 11.2.1. ***Specific Claim.*** Specify the claimed event of Default;
- 11.2.2. ***Applicable Provisions.*** Identify with particularity the provisions of any applicable law, rule, regulation, or provision of this ARMDA that is claimed to be in Default;
- 11.2.3. ***Materiality.*** Identify why the Default is claimed to be material; and
- 11.2.4. ***Optional Cure.*** If the City chooses, in its discretion, it may propose a method and time for curing the Default, which shall be reasonable in light of the severity and safety of the claimed event, and allow best efforts from the Master Developer to comply.

- 11.2.5. ***Dispute Resolution.*** Upon the issuance of a Notice of Default the parties shall engage in the Dispute Resolution Processes.
- 11.3. **Remedies.** If the parties are not able to resolve the Default through the Dispute Resolution Processes, then the parties may have the following remedies:
- 11.3.1. ***Law and Equity.*** All rights and remedies available in equity, including, but not limited to, injunctive relief and/or specific performance.
- 11.3.2. ***Security.*** The right to draw on any security posted or provided in connection with the Project related to the remediation of the particular Default.
- 11.3.3. ***Future Approvals.*** The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Master Developer, or in the case of a default by a Subdeveloper, development of those Parcels owned by the Subdeveloper until the Default has been cured.
- 11.4. **Emergency Defaults.** Anything in this ARMDA notwithstanding, if the City Council finds on the record that a default materially impairs a compelling, countervailing interest of the City and that any delays in imposing such a default would also impair a compelling, countervailing interest of the City then the City may impose the remedies of Section 11.3.3 without the requirements of Sections 11.2.5. The City shall give Notice to the Developer and/or any applicable Subdeveloper of any public meeting at which an emergency default is to be considered, and the Developer and/or any applicable Subdeveloper shall be allowed to address the City Council at that meeting regarding the claimed emergency Default.
12. **Dispute Resolution Process.** Unless otherwise provided in the ARMDA, any Dispute shall be resolved as follows.
- 12.1. **Meet and Confer regarding Development Application Denials.** The City and Applicant shall meet within fifteen (15) business days of any Dispute to resolve the issues specified in the Dispute.
- 12.2. **Mediation of Disputes.**
- 12.2.1. ***Issues Subject to Mediation.*** Disputes that are not resolved by Meet and Confer as provided in Section 12.1 shall be mediated.
- 12.2.2. ***Mediation Process.*** If the City and Applicant are unable to resolve a Dispute that is subject to mediation, the parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the legal or factual issue of the Dispute. If the Parties are unable to agree on a single acceptable mediator, they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Applicant shall pay the fees of the chosen mediator.

The chosen mediator shall, within fifteen (15) business days, review the positions of the parties regarding the Dispute and promptly attempt to mediate the Dispute between the parties. If the parties are unable to reach an agreement, the mediator shall notify the parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the parties.

- 12.3. **District Court.** If the Dispute is not subject to arbitration, then, after exhausting the Meet and Confer and Mediation processes above, the Parties may seek relief in the Third District Court.
13. **Notices.** All notices required or permitted under this Amended Development Agreement shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To Master Developer: Wasatch South Hills Development, LLC  
Attn: Mr. Craig Martin  
299 S Main Street, Ste: 2345  
Salt Lake City, Utah 84111  
[craig.martin@wasatchcommercial.com](mailto:craig.martin@wasatchcommercial.com)

To Owner: Wasatch Commercial Developers, LLC  
Attn: Mr. Craig Martin  
299 S Main Street, Ste: 2345  
Salt Lake City, Utah 84111

To Special Owner: Staker & Parsons Companies, Inc.  
Attn: Kelly Morgan  
15589 S Minuteman Drive  
Draper, Utah 84020  
[kelly.morgan@stakerparson.com](mailto:kelly.morgan@stakerparson.com)

To City: Herriman City  
Attn: City Manager  
5355 W Herriman Main Street  
Herriman, Utah 84096  
[ncherpeski@herriman.gov](mailto:ncherpeski@herriman.gov)

- 13.1. **Effectiveness of Notice.** Except as otherwise provided in this ARMDA, each Notice shall be effective and shall be deemed delivered on the earlier of:

13.1.1. **Hand Delivery.** The day it is delivered, personally or by courier service.

13.1.2. **Electronic Delivery.** Its actual receipt if delivered electronically by email, provided that a copy of the email is printed out in physical form and mailed or personally delivered as set forth herein on the same day, and the sending party has an electronic receipt of the delivery of the Notice. If the copy is not sent on the same day, then notice shall be deemed effective on the date that the mailing or personal delivery occurs.

- 13.1.3. **Mailing.** Three days after the Notice is postmarked for mailing, postage prepaid, by First Class or Certified United States Mail and actually deposited in or delivered to the United States Mail. Any party may change its address for Notice under this ARMDA by giving written Notice to the other party in accordance with the provisions of this Section.

14. **Administrative Modifications.**

- 14.1. **Allowable Administrative Applications:** The following modifications to this ARMDA may be considered and approved by the Administrator.
- 14.1.1. **Infrastructure.** Modification of the location and/or sizing of the infrastructure for the Project that does not materially change the functionality of the infrastructure.
- 14.1.2. **Minor Amendment.** Any other modifications deemed to be minor modifications by the Administrator.
- 14.2. **Application to Administrator.** Applications for Administrative Modifications shall be filed with the Administrator.
- 14.3. **Administrator's Review of Administrative Modification.** The Administrator shall consider and decide upon the Administrative Modification within a reasonable time, not to exceed forty-five (45) days from the date of submission of a complete application for an Administrative Modification. If the Administrator approves the Administrative Modification, the Administrator shall record notice of such approval against the applicable portion of the Property in the official City records.
- 14.3.1. **Referral as Amendment.** The Administrator may determine that any proposed Administrative Modification should be processed as an Amendment pursuant to Section 15.
- 14.4. **Appeal of Administrator's Denial of Administrative Modification.** If the Administrator denies any proposed Administrative Modification, the Applicant may process the proposed Administrative Modification as a Modification Application.
15. **Amendment.** This ARMDA may not be modified except by an instrument in writing signed by the parties.
- 15.1. **Who May Submit Modification Applications.** Only the City and Master Developer, with the consent of the Owner or an assignee that succeeds to all of the rights and obligations of the Owner and Master Developer under this ARMDA (and not including a Subdeveloper), may submit a Modification Application.
- 15.2. **Modification Application Contents.** Modification Applications shall:
- 15.2.1. **Identification of Property.** Identify the property or properties affected by the Modification Application.

- 15.2.2. **Description of Effect.** Describe the effect of the Modification Application on the affected portions of the Project.
- 15.2.3. **Identification of Non-City Agencies.** Identify any Non-City agencies potentially having jurisdiction over the Modification Application.
- 15.2.4. **Map.** Provide a map of any affected property and all property within three hundred feet (300') showing the present or Intended Uses of all such properties.
- 15.3. **Fee.** Modification Applications shall be accompanied by a fee in an amount reasonably estimated by the City to cover the costs of processing the Modification Application.
- 15.4. **Site Specific Amendments.** Nothing in this ARMDA prohibits the City from entering a future agreement, development or otherwise, with any owner or future owner located in the Total Property.
16. **Attorney's Fees.** In addition to any other relief, the prevailing party in any action, whether at law, in equity or by arbitration, to enforce any provision of this ARMDA shall be entitled to its costs of action including a reasonable attorneys' fee. This shall not apply to mediation in accordance with Section 12.2.
17. **Headings.** The captions used in this ARMDA are for convenience only and not intended to be substantive provisions or evidence of intent.
18. **No Third-Party Rights/No Joint Venture.** This ARMDA does not create a joint venture relationship, partnership or agency relationship between the City, Owner, and Master Developer. Further, the Parties do not intend this ARMDA to create any third-party beneficiary rights. The Parties acknowledge that this ARMDA refers to a private development and that the City has no interest in, responsibility for or duty to any third parties concerning any improvements to the Property unless the City has accepted the dedication of such improvements at which time all rights and responsibilities, except for warranty bond requirements under City's Vested Laws and as allowed by State law, for the dedicated public improvement shall be the City's.
19. **Assignability.** The rights and responsibilities of Owner and/or Master Developer under this ARMDA may be assigned in whole or in part by Owner and/or Master Developer with the consent of the City as provided herein.
- 19.1. **Sale of Lots.** Owner and Master Developer's selling or conveying lots in any approved Subdivision or Parcels to builders, users, or Subdevelopers, shall not be deemed to be an "assignment" subject to the above-referenced approval by the City unless specifically designated as such an assignment by Owner and Master Developer.
- 19.2. **Related Entity.** Owner's transfer of all or any part of the Property to any entity "related" to any Owner (as defined by regulations of the Internal Revenue Service), Owner or Master Developer's entry into a joint venture for the development of the

Project or Owner' pledging of part or all of the Project as security for financing shall also not be deemed to be an "assignment" subject to the above-referenced approval by the City unless specifically designated as such an assignment by Owner. Owner and Master Developer shall give the City Notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

- 19.3. **Notice.** Owner and Master Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee.
- 19.4. **Time for Objection.** Unless the City objects in writing within ten (10) business days of notice, the City shall be deemed to have approved of and consented to the assignment.
- 19.5. **Partial Assignment.** If any proposed assignment is for less than all of the Owner or Master Developer's rights and responsibilities, then the assignee shall be responsible for the performance of each of the obligations contained in this ARMDA to which the assignee succeeds. Upon any such approved partial assignment, Owner and/or Master Developer shall be released from any future obligations as to those obligations which are assigned but shall remain responsible for the performance of any obligations that were not assigned.
- 19.6. **Objection for Partial Assignment.** Unless the City objects in writing within ten (10) business days of the partial assignment, the City shall be deemed to have approved of and consented to the partial assignment.
- 19.7. **Assignees Bound by ARMDA.** Any assignee shall consent in writing to be bound by the assigned terms and conditions of this ARMDA as a condition precedent to the effectiveness of the assignment.
20. **Binding Effect.** If Owner sells or conveys Parcels of lands to Subdevelopers or related parties, the lands so sold and conveyed shall bear the same rights, privileges, Intended Uses, configurations, and Density as applicable to such Parcel and be subject to the same limitations and rights of the City when owned by Owner and as set forth in this ARMDA without any required approval, review, or consent by the City except as otherwise provided herein.
21. **No Waiver.** No waiver of any of the terms of this Agreement shall be valid unless in writing and expressly designated as such. Any forbearance or delay on the part of either party in enforcing any of its rights as set forth in this Agreement shall not be construed as a waiver of such right for such occurrence or any other occurrence. Any waiver by either party of any breach of any kind or character whatsoever by the other shall not be construed as a continuing waiver of, or consent to any subsequent breach of this Agreement.

22. **Further Documentation.** This ARMDA is entered into by the Parties with the recognition and anticipation that subsequent agreements implementing and carrying out the provisions of this ARMDA may be necessary. The Parties shall negotiate in good faith with respect to all such future agreements.
23. **Severability.** If any provision of this ARMDA is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this ARMDA shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this ARMDA shall remain in full force and affect.
24. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.
25. **Time is of the Essence.** Time is of the essence to this ARMDA, and every right or responsibility shall be performed within the times specified.
26. **Appointment of Representatives.** To further the commitment of the parties to cooperate in the implementation of this ARMDA, the City, Owner, and Master Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and Owner and Master Developer. The initial representative for the City shall be the City Manager. The initial representative for Master Developer shall be Craig Martin. The Owner's initial representative shall be Leif Smith. The Special Owner' Representative shall be Kelly Morgan. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this ARMDA and the development of the Project.
27. **Rights of Access.** The City Engineer and other representatives of the City shall have a reasonable right of access to the Property, and all areas of development or construction done pursuant to this ARMDA during development and construction, to inspect or observe the work on the improvements and to make such inspections and tests as are allowed or required under the City regulations.
28. **Mutual Drafting.** Each party has participated in negotiating and drafting this ARMDA and therefore no provision of this ARMDA shall be construed for or against either party based on which party drafted any particular portion of this ARMDA.
29. **Applicable Law.** This ARMDA is entered into in Salt Lake County in the State of Utah and shall be construed in accordance with the laws of the State of Utah, irrespective of Utah's choice of law rules.



30. **Venue.** Any action to enforce this ARMDA shall be brought only in the Third District Court for the State of Utah, Utah County.
31. **Entire Agreement.** This ARMDA, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.
32. **Conflicts.** The City's Vested Laws shall apply to each Development Application except as the City's Vested Laws are modified by this ARMDA (including all exhibits thereto).
33. **Recordation and Running with the Land.** This ARMDA shall be recorded in the chain of title for the Property. This ARMDA shall be deemed to run with the land. The data disk of the City's Vested Laws, Exhibit "K," shall not be recorded in the chain of title. A secure copy of Exhibit "K" shall be filed with the City Recorder and each Party shall also have an identical copy.
34. **Authority.** The Parties to this ARMDA each warrant that they have all of the necessary authority to execute this ARMDA. Specifically, on behalf of the City, the signature of the Mayor of the City is affixed to this ARMDA lawfully binding the City pursuant to Ordinance No. \_\_\_\_\_ adopted by the City Council on November \_\_, 2024.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

**WHEN RECORDED, RETURN TO:**

Herriman City  
Attn: City Recorder  
5355 W Herriman Main Street  
Herriman, Utah 84096

**Affecting Parcel No(s):** 33-17-400-014-0000, 33-16-300-036-0000, 33-16-300-037-0000, 33-17-300-005-0000, 33-17-400-011-0000, 33-17-400-012-0000, 33-16-300-030-0000, 33-16-300-031-0000, 33-16-300-033-0000, 33-16-300-038-0000, 33-16-300-032-0000, 33-16-300-039-0000, 33-16-376-002-0000, 33-16-400-018-0000, 33-20-200-010-0000, 33-17-100-030-0000, 33-17-127-003-0000, 33-17-127-004-0000, 33-17-176-013-0000, 33-18-200-028-0000, 33-17-400-023-0000, 33-07-428-011-0000, 33-07-428-012-0000, 33-07-428-013-0000, 33-07-428-014-0000, 33-07-428-015-0000, 33-07-428-016-0000, 33-07-428-017-0000, 33-07-428-018-0000, 33-07-428-019-0000, 33-07-428-020-0000, 33-07-428-021-0000, 33-07-428-022-0000, 33-07-428-023-0000, 33-07-428-024-0000, 33-07-428-025-0000, 33-07-428-026-0000, 33-07-428-027-0000, 33-07-428-028-0000, 33-08-302-001-0000, 33-08-303-001-0000, 33-08-303-002-0000, 33-08-303-003-0000, 33-08-303-004-0000, 33-08-303-005-0000, 33-08-303-006-0000, 33-08-303-007-0000, 33-08-303-008-0000, 33-08-303-009-0000, 33-08-303-010-0000, 33-08-303-011-0000, 33-08-303-012-0000, 33-17-300-006-0000, 33-20-100-004-0000, 33-20-100-003-0000, 33-19-200-002-0000.

## TABLE OF EXHIBITS

Exhibit "A1"	Legal Description of Owner's Property
Exhibit "A2"	Legal Description of Special Owner's Property
Exhibit "A3"	Legal Description of Total Property
Exhibit "B":	General Plan Map
Exhibit "C":	Zoning Map
Exhibit "D":	Land Use Master Plan (or "LUMP")
Exhibit "E"	Community Plan
Exhibit "F"	Parks, Trails, and Open Space (or "PTOS") Plan
Exhibit "G"	Residential Technical Guidelines
Exhibit "H"	Commercial Technical Guidelines
Exhibit "I"	Improvement Turnover Form
Exhibit "J"	Notice of Proximity to Military Base
Exhibit "K"	City's Vested Laws

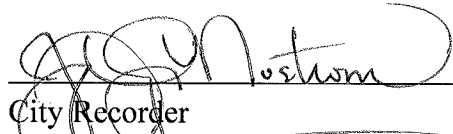
*[signatures on following pages]*

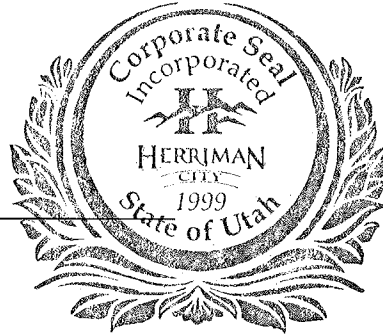
CITY

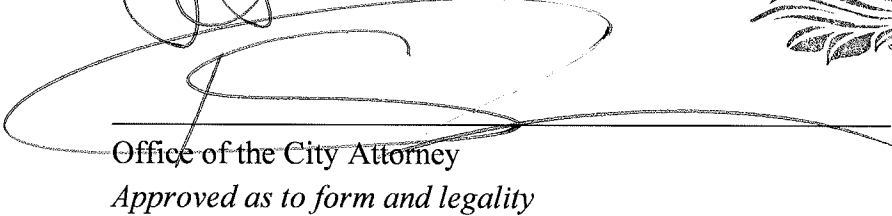
Herriman City

  
\_\_\_\_\_  
Mayor, Lorin Palmer

ATTEST

  
\_\_\_\_\_  
City Recorder

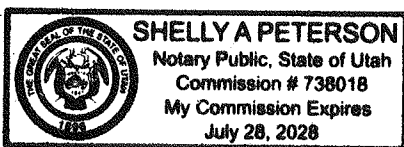


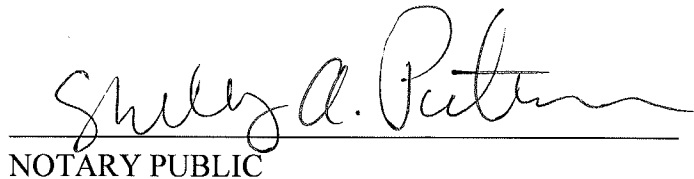
  
\_\_\_\_\_  
Office of the City Attorney  
*Approved as to form and legality*

CITY ACKNOWLEDGEMENT

STATE OF UTAH                     )  
  :SS  
COUNTY OF SALT LAKE    )

On the 29 day of July, 2025, personally appeared  
before me Shelly A. Peterson, who being by me duly sworn, did say that  
he is the **MAYOR OF HERRIMAN CITY**, a political subdivision of the State of Utah, and that  
said instrument was signed in behalf of the City by authority of its City Council and said Mayor  
acknowledged to me that the City executed the same.



  
\_\_\_\_\_  
NOTARY PUBLIC

**MASTER DEVELOPER**

**Wasatch Commercial Developers, LLC**

A Utah limited liability company

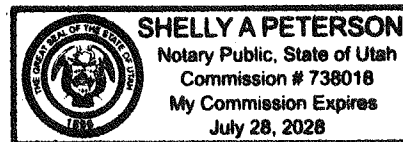
Craig Martin  
Manager, Craig Martin

**MASTER DEVELOPER ACKNOWLEDGMENT**

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )

On the 29 day of July, 2025, personally appeared  
before me Shelly A. Peterson duly sworn, did say that he is the Manager of  
**Wasatch Commercial Developers, LLC**, a Utah limited liability company and that the foregoing  
instrument was duly authorized by the company at a lawful meeting held by authority of its  
operating agreement and signed on behalf of said company.

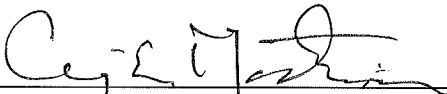
Shelly A. Peterson  
NOTARY PUBLIC



**OWNER**

**Wasatch South Hills Development, LLC**


A Utah limited liability company

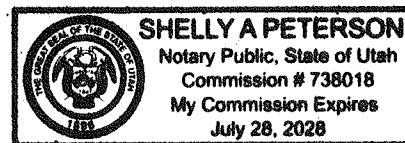
  
\_\_\_\_\_  
Manager, Craig Martin

**OWNER'S ACKNOWLEDGMENT**

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )


On the 29 day of July, 2025, personally appeared  
before me Shelly A. Peterson duly sworn, did say that he is the Manager of  
**Wasatch South Hills Development, LLC**, a Utah limited liability company and that the foregoing  
instrument was duly authorized by the company at a lawful meeting held by authority of its  
operating agreement and signed in behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC



**SPECIAL OWNER**

**STAKER & PARSONS COMPANIES**

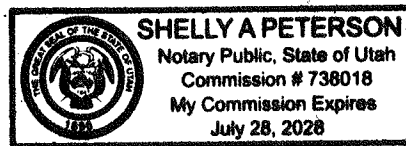
  
\_\_\_\_\_  
Manager, Chris Y. Lincheta

**SPECIAL OWNER'S ACKNOWLEDGMENT**

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )

On the 31 day of July, 2025, personally appeared before me Shelly A. Peterson duly sworn, did say that he is the Manager of **STAKER & PARSONS COMPANIES**, a domestic business corporation and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC



**Exhibit A1**  
**“Legal Description of Owner’s Property”**

**Parcel ID Number:** 33-17-400-014-0000

**Pod(s):** 7

BEG AT THE E 1/4 COR SEC 17, T4S, R1W, SLM S 0°24'16" W 700 FT; N 89°39'44" W 600 FT; S 0°24'16" W 450 FT; S 89°35'44" E 300 FT; N 0°24'16" E 150 FT; S 89°35'44" E 300 FT; S 0°24'16" W 320 FT; W 1320 FT M OR L; N 1380 FT M OR L; E 1320 FT M OR L; S 0°26'31" W 60 FT TO BEG. LESS & EXCEPT BEG AT THE E 1/4 COR SD SEC 17; S 0°38'38" W 700 FT ALG SEC LINE; N 89°21'22" W 17.19 FT; N 61°01'46" W 564.79 FT; N 52°54'50" W 604.55 FT; S 68°06'02" W 82.52 FT; NW'LY ALG 15285 FT RADIUS CURVE TO R 183.42 FT (CHD N 59°29'31" W 183.42 FT); N 14°32'42" W 33.31 FT; N 88°45'14" E 1245.40 FT TO E LINE OF SD SEC 17; S 0°40'43" W 60.02 FT TO BEG. LESS ST. 25.36 AC M OR L.

**Parcel ID Number:** 33-16-300-036-0000

**Pod(s):** 7, 17

BEG AT SW COR OF NW 1/4 OF SW 1/4 SEC 16, T4S, R1W, SLM; E 379.33 FT; N 922.40 FT; N 56°55'59" W 388.33 FT M OR L; S 810.92 FT; W 50 FT; S 320 FT TO BEG. LESS & EXCEPT BEG S 0°17'12" W ALG SEC LINE 189.08 FT & S 89°42'48" E 50 FT FR W 1/4 COR SD SEC 16; S 57°03'14" E 1102.21 FT; S 1°14'44" E 517.57 FT; S 89°45'24" E 324.71 FT; S 0°23'40" E 9.28 FT; S 89°44'57" E 335.85 FT; S 0°16'23" W 433.71 FT; N 57°03'16" W 403.76 FT; N 71°49'57" W 86.25 FT; N 57°03'16" W 234.49 FT; N 41°59'56" W 61.11 FT; N 0°18'52" E 17.18 FT; N 89°44'57" W 15.63 FT; N 41°59'56" W 0.37 FT; N 57°03'16" W 735.43 FT; N 59°55'01" W 353.76 FT; N 0°17'12" E 548.50 FT TO BEG. 3.99 AC M OR L.

**Parcel ID Number:** 33-16-300-037-0000

**Pod(s):** 7, 17

BEG E 379.33 FT FR SW COR OF NW 1/4 OF SW 1/4 SEC 16, T4S, R1W, SLM; N 922.40 FT; S 56°55'59" E 714.51 FT; S 532.55 FT; W 598.78 FT TO BEG. LESS & EXCEPT BEG S 0°17'12" W ALG SEC LINE 189.08 FT & S 89°42'48" E 50 FT FR W 1/4 COR SD SEC 16; S 57°03'14" E 1102.21 FT; S 1°14'44" E 517.57 FT; S 89°45'24" E 324.71 FT; S 0°23'40" E 9.28 FT; S 89°44'57" E 335.85 FT; S 0°16'23" W 433.71 FT; N 57°03'16" W 403.76 FT; N 71°49'57" W 86.25 FT; N 57°03'16" W 234.49 FT; N 41°59'56" W 61.11 FT; N 0°18'52" E 17.18 FT; N 89°44'57" W 15.63 FT; N 41°59'56" W 0.37 FT; N 57°03'16" W 735.43 FT; N 59°55'01" W 353.76 FT; N 0°17'12" E 548.50 FT TO BEG. 2.62 AC M OR L.

**Parcel ID Number:** 33-17-300-005-0000

**Pod(s):** 8A, 9, 10, 11, 22

BEG N 89°28'12" E 1522.77 FT FR SW 1/4 SEC 17, T4S, R1W, SLM, S 00°28'19" E 866.25 FT; S 46°24'40" W 624.94 FT; S 86°21'45" W 629.81; S 00°20'20" W 1270.63 FT M OR L; SW'LY ALG 500 FT RADIUS CURVE TO L 131.36 FT (CEN BEARS N 9°44'51" W THROUGH CENTRAL ANGLE OF 44°07'09") M OR L; SW'LY ALG 200 FT RADIUS CURVE TO R 33.47 FT (CEN BEARS S 19°21'20" E THROUGH CENTRAL ANGLE OF 9°35'15") M OR L; S 89°28'12" W 921.07 FT M OR L TO BEG.



**Parcel ID Number:** 33-17-400-011-0000

**Pod(s):** 8A, 8B, 10, 11,

SW 1/4 OF SE 1/4 SEC 17, T4S, R1W, SLM. LESS & EXCEPT BEG AT SE COR SD SEC 17; S 88°02'32" W ALG SEC LINE 2620.36 FT; S 89°28'20" W ALG SEC LINE 140.22 FT; NE'LY ALG 200 FT RADIUS CURVE TO R 33.47 FT; NE'LY ALG 500 FT RADIUS CURVE TO L 385.01 FT; N 36°07'53" E 286.80 FT; SE'LY ALG 300 FT RADIUS CURVE TO L 164.96 FT; S 85°22'21" E 409.26 FT; SE'LY ALG 500 FT RADIUS CURVE TO R 329.72 FT; S 47°46'30" E 92.37 FT; N 61°43'40" E 1907.23 FT; SE'LY ALG 400 FT RADIUS CURVE TO L 365.98 FT; S 0°35'35" W 796.68 FT; S 89°08'29" E 329.98 FT; S 0°36'08" W 435.09 FT; N 89°23'44" W 991.41 FT; N 0°36'16" E 439.48 FT TO BEG. 31.75 AC M OR L.

**Parcel ID Number:** 33-17-400-012-0000

**Pod(s):** 7, 8A, 8B, 10, 11

SE 1/4 OF SE 1/4 SEC 17, T4S, R1W, SLM. LESS & EXCEPT BEG AT SE COR SD SEC 17; S 88°02'32" W ALG SEC LINE 2620.36 FT; S 89°28'20" W ALG SEC LINE 140.22 FT; NE'LY ALG 200 FT RADIUS CURVE TO R 33.47 FT; NE'LY ALG 500 FT RADIUS CURVE TO L 385.01 FT; N 36°07'53" E 286.80 FT; SE'LY ALG 300 FT RADIUS CURVE TO L 164.96 FT; S 85°22'21" E 409.26 FT; SE'LY ALG 500 FT RADIUS CURVE TO R 329.72 FT; S 47°46'30" E 92.37 FT; N 61°43'40" E 1907.23 FT; SE'LY ALG 400 FT RADIUS CURVE TO L 365.98 FT; S 0°35'35" W 796.68 FT; S 89°08'29" E 329.98 FT; S 0°36'08" W 435.09 FT; N 89°23'44" W 991.41 FT; N 0°36'16" E 439.48 FT TO BEG. 26.62 AC M OR L.

**Parcel ID Number:** 33-16-300-030-0000

**Pod(s):** 7, 16

BEG AT SW COR SEC 16, T4S, R1W, SLM; N 0°24'47" E 1310.84 FT; S 89°23'58" E 330.47 FT; S 0°24'04" W 1310.84 FT; N 89°23'58" W 330.47 FT TO BEG. LESS & EXCEPT BEG AT SW COR SD SEC 16; S 88°02'32" W ALG SEC LINE 2620.36 FT; S 89°28'20" W ALG SEC LINE 140.22 FT; NE'LY ALG 200 FT RADIUS CURVE TO R 33.47 FT; NE'LY ALG 500 FT RADIUS CURVE TO L 385.01 FT; N 36°07'53" E 286.80 FT; SE'LY ALG 300 FT RADIUS CURVE TO L 164.96 FT; S 85°22'21" E 409.26 FT; SE'LY ALG 500 FT RADIUS CURVE TO R 329.72 FT; S 47°46'30" E 92.37 FT; N 61°43'40" E 1907.23 FT; SE'LY ALG 400 FT RADIUS CURVE TO L 365.98 FT; S 0°35'35" W 796.68 FT; S 89°08'29" E 329.98 FT; S 0°36'08" W 435.09 FT; N 89°23'44" W 991.41 FT; N 0°36'16" E 439.48 FT TO BEG. 3.36 AC M OR L.

**Parcel ID Number:** 33-16-300-031-0000

**Pod(s):** 16

BEG S 89°23'58" E 330.47 FT FR SW COR SEC 16, T4S, R1W, SLM; N 0°24'47" E 1310.84 FT; S 89°23'58" E 330.47 FT; S 0°24'04" W 1310.47 FT; N 89°23'58" W 330.47 FT TO BEG. LESS & EXCEPT BEG AT SW COR SD SEC 16; S 88°02'32" W ALG SEC LINE 2620.36 FT; S 89°28'20" W ALG SEC LINE 140.22 FT; NE'LY ALG 200 FT RADIUS CURVE TO R 33.47 FT; NE'LY 500 FT RADIUS CURVE TO L 385.01 FT; N 36°07'53" E 286.80 FT; SE'LY ALG 300 FT RADIUS CURVE TO L 164.96 FT; S 85°22'21" E 409.26 FT; SE'LY ALG 500 FT

RADIUS CURVE TO R 329.72 FT; S 47°46'30" E 92.37 FT; N 61°43'40" E 1907.23 FT; SE'LY ALG 400 FT RADIUS CURVE TO L 365.98 FT; S 0°35'35" W 796.68 FT; S 89°08'29" E 329.98 FT; S 0°36'08" W 435.09 FT; N 89°23'44" W 991.41 FT; N 0°36'16" E 439.48 FT TO BEG. 3.40 AC M OR L.

**Parcel ID Number:** 33-16-300-033-0000

**Pod(s):** 15, 16, 17

BEG S 89°23'58" E 660.94 FT FR SW COR SEC 16, T4S, R1W, SLM; N 0°24'47" E 1310.84 FT; S 89°23'58" E 330.47 FT; S 0°24'04" W 1310.84 FT; N 89°23'58" W 330.47 FT TO BEG. LESS & EXCEPT BEG S 89°23'58" E 991.40 FT (991.41 FT RECORD) ALG SEC LINE & N 0°24'49" E 1315.45 FT (N 0°24'04" E 1310.84 FT RECORD) FR SW COR SD SEC 16; S 0°24'49" W 17.18 FT (S 0°24'04" W RECORD); N 41°53'59" W 23.21 FT; S 89°38'59" E 15.63 FT (S 89°23'58" E RECORD) TO BEG. 9.94 AC M OR L.

**Parcel ID Number:** 33-16-300-038-0000

**Pod(s):** 17

BEG S 89°23'58" E 991.41 FT & N 0°24'47" E 651.91 FT FR SW COR SEC 16, T4S, R1W, SLM; N 0°24'47" E 658.94 FT; S 89°23'58" E 330.47 FT; S 0°24'04" W 658.94 FT; N 89°23'58" W 330.61 FT TO BEG. LESS & EXCEPT BEG S 0°17'12" W ALG SEC LINE 189.08 FT & S 89°42'48" E 50 FT FR W 1/4 COR SD SEC 16; S 57°03'14" E 1102.21 FT; S 1°14'44" E 517.57 FT; S 89°45'24" E 324.71 FT; S 0°23'40" E 9.28 FT; S 89°44'57" E 335.85 FT; S 0°16'23" W 433.71 FT; N 57°03'16" W 403.76 FT; N 71°49'57" W 86.25 FT; N 57°03'16" W 234.49 FT; N 41°59'56" W 61.11 FT; N 0°18'52" E 17.18 FT; N 89°44'57" W 15.63 FT; N 41°59'56" W 0.37 FT; N 57°03'16" W 735.43 FT; N 59°55'01" W 353.76 FT; N 0°17'12" E 548.50 FT TO BEG. 3.96 AC M OR L.

**Parcel ID Number:** 33-16-300-032-0000

**Pod(s):** 15, 17

BEG S 89°23'58" E 991.41 FT FR SW COR SEC 16, T4S, R1W, SLM; N 0°24'47" E 651.91 FT M OR L; S 89°23'58" E 330.61 FT; S 0°24'04" W 651.91 FT M OR L; N 89°23'58" W 330.61 FT M OR L TO BEG. 4.92 AC M OR L.

**Parcel ID Number:** 33-16-300-039-0000

**Pod(s):** 17

BEG AT S 1/4 COR SEC 16, T4S, R1W, SLM; W 1320 FT M OR L; N 1320 FT M OR L; E 330 FT M OR L; S 660 FT M OR L; E 990 FT M OR L; S 660 FT M OR L TO BEG. LESS & EXCEPT BEG S 0°17'12" WALG SEC LINE 189.08 FT & S 89°42'48" E 50 FT FR W 1/4 COR SD SEC 16; S 57°03'14" E 1102.21 FT; S 1°14'44" E 517.57 FT; S 89°45'24" E 324.71 FT; S 0°23'40" E 9.28 FT; S 89°44'57" E 335.85 FT; S 0°16'23" W 433.71 FT; N 57°03'16" W 403.76 FT; N 71°49'57" W 86.25 FT; N 57°03'16" W 234.49 FT; N 41°59'56" W 61.11 FT; N 0°18'52" E 17.18 FT; N 89°44'57" W 15.63 FT; N 41°59'56" W 0.37 FT; N 57°03'16" W 735.43 FT; N 59°55'01" W

353.76 FT; N 0°17'12" E 548.50 FT TO BEG. LESS & EXCEPT BEG E ALG SEC LINE 267.26 FT FR S 1/4 COR SD SEC 16; N 45°42'59" W 30.02 FT; N 50°18'39" W 404.48 FT; N 86°16'51" W 114. ALG 8695 FT RADIUS CURVE TO R 95.79 FT (CHD S 48°33'35" E 95.79 FT); N 89°22'56" W 824.21 FT TO BEG. 19.00 AC M OR L. 6483-3002 8923-0203 9159-5476, 5480, 5483 9593-3088, 3090 9850-576036 FT; N 56°20'52" W 177.55 FT; N 36°17'35" W 174.63 FT; N 56°23'18" W 133.05 FT; N 53°46'14" W 138.40 FT; S 89°50'26" E 664.16 FT TO 1/4 SEC LINE; N 0°55'32" E 109.98 FT; ALG SD 1/4 SEC LINE; S 67°38'11" E 102.52 FT; SE'LY ALG 8695 FT RADIUS CURVE TO R 824.58 FT (CHD S 53°43'26" E 824.27 FT); S 58°39'30" E 51.45 FT; SE'LY ALG 8702 FT RADIUS CURVE TO R 237.41 FT (S 49°53'23" E 237.40 FT); S 37°47'18" E 36.03 FT; SE'LY ALG 8695 FT RADIUS CURVE TO R 95.79 FT (CHD S 48°33'35" E 95.79 FT); N 89°22'56" W 824.21 FT TO BEG.

**Parcel ID Number:** 33-16-376-002-0000

**Pod(s):** 17

BEG S 00°38'38" W 1987.83 FT & E 1652.72 FT FR W 1/4 SEC 16, T4S, R1W, SLM; N 0°37'49" E 225.46 FT; S 56°41'50" E 206 FT; S 54°04'46" E 190.03 FT; S 89°51' W 328.54 FT TO BEG.

**Parcel ID Number:** 33-16-400-018-0000

**Pod(s):** 17

BEG AT S 1/4 COR SEC 16, T4S, R1W, SLM; N 0°55'32" E 219.12 FT M OR L; S 50°18'39" E 314.76 FT M OR L; S 45°42'59" E 30.02 FT; N 89°22'56" W 267.26 FT M OR L TO BEG. 0.68 AC M OR L.

**Parcel ID Number:** 33-20-200-010-0000

**Pod(s):** 7, 10, 11, 12, 13, 14, 15, 16

BEG FR S 1/4 COR SEC 17, T4S, R1W, SLM; S 89°28'20" W 140.22 FT; NE'LY ALG 200 FT RADIUS CURVE TO R, 33.47 FT (CHD N 75°26'18" E); NE'LY ALG 500 FT RADIUS CURVE TO L, 385.01 FT (CHD N 58°11'35" E); N 36°07'53" E 286.80 FT; SE'LY ALG 300 FT RADIUS CURVE TO L, 164.96 FT (CHD S 69°37'16" E); S 85°22'21" E 409.26 FT; SE'LY ALG 500 FT RADIUS CURVE TO R, 329.72 FT (CHD S 66°28'51" E); S 47°46'30" E 92.37 FT; N 61°43'40" E 1907.23 FT; SE'LY ALG 400 FT RADIUS CURVE TO L, 366.57 FT (CHD S 58°53'15" E); S 0°38'31" W 796.71 FT; S 89°08'29" E 661.42 FT; S 0°05'40" E 823.94 FT; N 89°34'37" W 722.94 FT; S 0°11' E 354.66 FT; NW'LY ALG 400 FT RADIUS CURVE TO R, 242.87 FT (CHD N 63°51'22" W); NW'LY ALG 250 FT RADIUS CURVE TO L, 163.62 FT (CHD N 65°12'41" W); N 83°57'41" W 387.98 FT; NW'LY ALG 450 FT RADIUS CURVE TO R, 295.95 FT (CHD N 65°07'14" W); NW'LY ALG 800 FT RADIUS CURVE TO L, 847.79 FT (CHD N 76°38'21" W); S 73°00'06" W 202.74 FT; NW'LY ALG 400 FT RADIUS CURVE TO R, 260.28 FT (CHD N 88°21'26" W); N 69°42'58" W 28.01 FT; NW'LY ALG 800 FT RADIUS CURVE TO L, 365.01 FT (CHD N 82°47'14" W); S 84°08'30" W 155.21 FT; NW'LY ALG 500 FT RADIUS CURVE TO R, 386.72 FT (CHD N 73°42'02" W); N 51°32'34" W 86.70 FT; N 0°40'49" W 433.79 FT TO BEG.

**Parcel ID Number:** 33-17-100-030-0000

**Pod(s):** 5A, 5B

BEG N 947.33 FT FR W 1/4 COR SEC 17, T4S, R1W, SLM; E 1303.46 FT; N 0°22'41" E 1752.41 FT; N 89°40'05" W 1315.04 FT; S 1759.99 FT TO BEG. LESS & EXCEPT BEG S 89°40'20" E ALG SEC LINE 548.26 FT FR NW COR SD SEC 17; S 89°40'20" E 766.82 FT TO NE COR LOT 3 SD SEC 17; S 0°41'08" W ALG E'LY LINE OF SD LOT 3, 593.73 FT; N 50°43'19" W 558.72 FT; N 56°17'48" W 185.29 FT; N 50°43'19" W 223.57 FT TO BEG. LESS & EXCEPT BEG S 0°54'21" E 1399.83 FT FR NE COR OF SEC 18, T4S, R1W, SLM; N 89°05'37" E 85.49 FT; NE'LY ALG 443 FT RADIUS CURVE TO L, 284.97 FT (CHD N 70°39'55" E); NE'LY ALG 557 FT RADIUS CURVE TO R, 648.06 FT (CHD N 85°34'04" E); S 61°06'04" E 385.96 FT; S 0°11'39" E 243.74 FT; S 89°07'29" W 964.55 FT; S 0°52'32" E 662 FT; S 89°07'31" W 329.15 FT; N 0°54'21" W 970.66 FT TO BEG. LESS & EXCEPT BEG S 00°31'33" W 426.25 FT & N 89°28'27" W 1554.71 FT FR N 1/4 COR OF SEC 17, T4S, R1W, SLM; S 37°43'46" W 119.20 FT; SW'LY ALG 223.50 FT RADIUS CURVE TO L, 226.14 FT (CHD S 8°44'34" W); S 69°45'29" W 53 FT; NW'LY ALG 251.50 FT RADIUS CURVE TO R, 130 FT (CHD N 85°45'11" W); S 38°23'28" W 104.19 FT; N 51°36'32" W 920.72 FT; N 0°54'21" W 162.61 FT; N 0°41'11" E 51.50 FT; N 89°27'24" E 548.39 FT; S 51°35'40" E 223.48 FT; S 57°10'10" E 185.29 FT; S 51°35'40" E 246.19 FT TO BEG.

**Parcel ID Number:** 33-17-127-003-0000

**Pod(s):** 5A

BEG S 00°31'33" W 1337.00 & S 89°06'39" W 387.59 FT FR N 1/4 COR SEC 17, T4S, R1W, SLM; S 89°06'39" W 189.57 FT; N 37°47'47" E 127.14 FT; S 48°34'47" E 134.77 FT; S 51°35'51" E 13.48 FT TO BEG.

**Parcel ID Number:** 33-17-127-004-0000

**Pod(s):** 5A, 5B

BEG S 00°31'33" W 617.63 FT & N 89°28'27" W 1308.16 FT FR N 1/4 SEC 17, T4S, R1W, SLM; S 51°35'40" E 119.67 FT; S 59°26'36" E 36.61 FT; S 51°35'40" E 720.16 FT; S 48°34'37" E 150.32 FT; S 37°47'48" W 332.80 FT; S 52°12'13" E 22.40 FT; SE'LY ALG 173.50 FT RADIUS CURVE TO L, 94.02 FT (CHD S 67°43'38" E); SE'LY ALG 226.50 FT RADIUS CURVE TO R, 94.12 FT (CHD S 71°20'48" E); S 59°26'32" E 9.17 FT; SE'LY ALG 20 FT RADIUS CURVE TO L, 5 FT (CHD S 66°36'11" E); SW'LY ALG 455 FT RADIUS CURVE TO R, 518.24 FT (CHD S 78°23'17" W); N 70°16'38" W 64.57 FT; N 61°06'04" W 295.28 FT; N 0°11'39" W 922.50 FT TO BEG.

**Parcel ID Number:** 33-17-176-013-0000

**Pod(s):** 5A

BEG S 89°06'39" W 387.59 FT & S 00°31'33" E 1337.00 FT FR N 1/4 COR SEC 17, T4S, R1W, SLM; S 88°02'14" W 189.57 FT; S 37°47'47" W 205.60 FT; S 53°52'13" E 22.40 FT; SE'LY ALG 173.50 FT RADIUS CURVE TO L, 94.02 FT (CHD S 67°43'38" E); SE'LY ALG 226.50 FT RADIUS CURVE TO R, 94.12 FT (CHD S 71°20'48" E); S 59°26'32" E 9.17 FT; SE'LY ALG 20 FT RADIUS CURVE TO L, 11.94 FT (CHD S 76°32'55" E); NE'LY ALG 362 FT RADIUS CURVE TO R, 30.94 FT (CHD N 35°10'26" E); N 37°36'32" E 230.99 FT; N 50° W 72.50 FT TO BEG.

**Parcel ID Number:** 33-18-200-028-0000

**Pod(s):** 5B

BEG S 0°54'21" E 162.61 FT FR NE COR SEC 18, T4S, R1W, SLM; S 0°54'21" E 243.59 FT; N 51°36'32" W 209.99 FT; N 38°23'28" E 188.51 FT; S 51°36'32" E 55.71 FT TO BEG.

**Parcel ID Number:** 33-17-400-023-0000

**Pod(s):** 23

BEG S 0°31'33" W 2938.80 FT FR N 1/4 COR SC 17, T4S, R1W, SLM; S 73°51'53" E 126.44 FT; NE'LY ALG 226.50 FT RADIUS CURVE TO R, 30.06 FT (CHD N 22°24'09" E); S 63°47'42" E 53 FT; S 55°24'21" E 580 FT; S 41°16' E 53 FT; NE'LY ALG 223.50 FT RADIUS CURVE TO R, 14.96 FT (CHD N 50°39'04" E); N 52°34'07" E 4.90 FT; S 52°55'04" E 745.34 FT; S 0°35'13" W 205.36 FT; S 89°06'40" W 1310.74 FT; N 0°31'33" E 1062.58 FT TO BEG.

**Parcel ID Numbers:** 33-07-428-011-0000, 33-07-428-012-0000, 33-07-428-013-0000, 33-07-428-014-0000, 33-07-428-015-0000, 33-07-428-016-0000, 33-07-428-017-0000, 33-07-428-018-0000, 33-07-428-019-0000, 33-07-428-020-0000, 33-07-428-021-0000, 33-07-428-022-0000, 33-07-428-023-0000, 33-07-428-024-0000, 33-07-428-025-0000, 33-07-428-026-0000, 33-07-428-027-0000, 33-07-428-028-0000, 33-08-302-001-0000

**Pod(s):** 35

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 7 AND THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF REAL VISTA DRIVE, SAID POINT BEING SOUTH 0°28'03" WEST 474.19 FEET ALONG THE SECTION LINE AND SOUTH 89°31'57" EAST 324.32 FEET FROM WEST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING: THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF REAL VISTA DRIVE THE FOLLOWING SEVEN(7) COURSES: (1) SOUTH 38°24'00" WEST 457.19 FEET; (2) 101.78 FEET ALONG THE ARC OF A 1249.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 04°40'08" (LONG CHORD BEARS SOUTH 40°44'04" WEST 101.75 FEET); (3) SOUTH 43°04'08" WEST 131.83 FEET; (4) NORTH 51°59'37" WEST 8.55 FEET; (5) SOUTH 39°58'51" WEST 182.07 FEET; (6) SOUTH 38°24'26" WEST 138.00 FEET; (7) SOUTH 75°51'28" WEST 59.20 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF MOUNTAIN VIEW CORRIDOR; THENCE NORTH 53°35'22" WEST 929.12 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF MOUNTAIN VIEW CORRIDOR TO THE SOUTHEAST CORNER OF THE OFFICIAL PLAT OF SADDLEBROOK BUILDING P CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN, RECORDED AS ENTRY NO. 12847637 IN BOOK 2018 AT PAGE 316 IN THE SALT LAKE COUNTY RECORDER'S OFFICE; THENCE NORTH 38°28'30" EAST 69.66 FEET ALONG THE EASTERLY LINE OF SAID PLAT OF SADDLEBROOK BUILDING P CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN; THENCE BEARING NORTH 38°24'00" EAST ALONG THE EASTERLY LINE

AND EXTENSION THEREOF, SAID PLAT OF SADDLEBROOK BUILDING P CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN; OFFICIAL PLAT OF SADDLEBROOK BUILDING O CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN, RECORDED AS ENTRY NO 12847635 IN BOOK 2018P AT PAGE 315, OFFICIAL PLAT OF SADDLEBROOK BUILDING L-M CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN, RECORDED AS ENTRY NO 12821802 IN BOOK 2018P AT PAGE 264 AND OFFICIAL PLAT OF SADDLEBROOK BUILDING B CONDOMINIUM, AMENDING PART OF LOT C, SOUTH HERRIMAN, RECORDED AS ENTRY NO 12709695 IN BOOK 2018 AT PAGE 53, 642.62 FEET TO THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF AUTUMN SPRING DRIVE; THENCE SOUTH 51°36'00" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF AUTUMN SPRING DRIVE 10.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AUTUMN SPRING DRIVE; THENCE NORTH 38°24'00" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF AUTUMN SPRING DRIVE 392.76 FEET TO A POINT OF A 20.00 RADIUS CURVE; THENCE NORTHEASTERLY 31.42 FEET ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" (LONG CHORD BEARS NORTH 83°24'00" EAST 28.28 FEET) TO THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF SENTINEL RIDGE BOULEVARD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SENTINEL RIDGE BOULEVARD THE FOLLOWING FOUR(4) COURSES: (1) SOUTH 51°36'00" EAST 630.35 FEET; (2) SOUTH 46°50'11" EAST 126.44 FEET; (3) SOUTH 51°36'00" EAST 181.59 FEET; (4) 39.27 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" (LONG CHORD BEARS SOUTH 06°36'00" EAST 35.36 FEET) TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,083,657 SQ FT 24.81 ACRES

**Parcel ID Numbers:** 33-08-303-001-0000, 33-08-303-002-0000, 33-08-303-003-0000, 33-08-303-004-0000, 33-08-303-005-0000, 33-08-303-006-0000, 33-08-303-007-0000, 33-08-303-008-0000, 33-08-303-009-0000, 33-08-303-010-0000, 33-08-303-011-0000, 33-08-303-012-0000

**Pod(s):** 39

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 7 AND THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF REAL VISTA DRIVE, SAID POINT BEING NORTH 0°28'03" EAST 1272.20 FEET ALONG THE SECTION LINE AND NORTH 89°31'57" WEST 197.38 FEET FROM SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF REAL VISTA DRIVE THE FOLLOWING SIX(6) COURSES: (1) NORTH 04°43'02" EAST 61.29 FEET; (2) NORTH 36°05'43" EAST 322.26 FEET; (3) NORTH 51°59'37" WEST 10.04 FEET; (4) NORTH 38°24'26" EAST 30.38 FEET; ( 5) NORTH 40°30'31" EAST 175.69 FEET; (6) NORTH 38°24'00" EAST 493.93 FEET TO A POINT ON A 25.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY 39.27 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT

THROUGH A CENTRAL ANGLE OF 90°00'00" (WHICH LONG CHORD BEARS NORTH 83°24'00 EAST 35.36 FEET) TO THE SOUTHERLY RIGHT-OF-WAY OF ACADEMY PARKWAY; THENCE SOUTH 51°36'00" EAST 899.60 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY OF ACADEMY PARKWAY TO THE NORTHERLY LINE OF VILLAGE AT THE BOULDERS PHASE 1, AMENDING PART OF LOT F, SOUTH HERRIMAN AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY #12708747 IN BOOK 2018 AT PAGE 52; THENCE SOUTH 38°18'58" WEST 1142.94 FEET ALONG SAID NORTHERLY LINE OF VILLAGE AT THE BOULDERS PHASE 1, AMENDING PART OF LOT F, SOUTH HERRIMAN TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF MOUNTAIN VIEW CORRIDOR; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF MOUNTAIN VIEW CORRIDOR THE FOLLOWING THREE (3) COURSES: (1) NORTH 51°35'34" WEST 200.75 FEET; (2) NORTH 45°00'39" WEST 392.59 FEET; (3) NORTH 51°35'34" WEST 285.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,029,471 SQ FT OR 23.63 ACRES.

**Exhibit A2**  
**“Legal Description of Special Owner’s Property”**

**Parcel ID Number:** 33-17-300-006-0000

**Pod(s):** 19, 21, 22

BEG SW 1/4 SEC 17, T4S, R1W, SLM; N 01°40'37" E 2403.73 FT; N 88°45'17" E 2569.51 FT; S 00°31'23" W 1107.23 FT; S 86°21'45" W 629.81 FT; S 46°24'40" W 624.94 FT; S 00°28'19" E 866.25 FT; S 89°28'20" W 1522.77 FT TO BEG.

**Parcel ID Number:** 33-20-100-004-0000

**Pod(s):** 20

BEG AT N 1/4 COR SEC 20, T4S, R1W, SLM; S 89°28'36" W 555.61FT; S 0°40'36" E 392 FT; N 89°28'36" E 555.61 FT; N 0°40'36"W 392 FT TO BEG. 5.0 AC M OR L.

**Parcel ID Number:** 33-20-100-003-0000

**Pod(s):** 20, 21

THE N 1/2 OF THE NW 1/4 SEC 20, T4S, R1W, SLM; LESS & EXCEPT BEG AT N 1/4 COR SD SEC 20; S 89°28'36" W 555.61 FT; S 0°40'36" E 392 FT; N 89°28'36" E 555.61 FT; N 0°40'36" W 392FT TO BEG. 75.0 AC M OR L.

**Parcel ID Number:** 33-19-200-002-0000

**Pod(s):** Open Space

ALL LOT 1, SEC 19, T 4S, R 1W, SLM. 40.32 AC



**Exhibit A3**  
**"Legal Description of Total Property"**

A tract of land located in the S1/2 & NE1/4 of section 17, the S1/2 of section 16, the NE1/4 of section 20, and the NW1/4 of section 21, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah. More particularly described as follows:

Beginning at a point on the on the East Section Line of the Northeast Quarter of said Section 18, said point being North 88°45'22" East 2,564.86 feet and South 00°31'27" West 264.54 feet from the North Quarter Corner of said Section 18, and running thence; South 73°51'45" East 126.38 feet; thence Northerly along the arc of curve to the right a distance of 30.06 feet having a radius of 226.50 feet a central angle of 07°36'18" and chord bearing and distance of North 22°24'09" East 30.04 feet; thence South 63°47'42" East 52.76 feet; thence South 55°24'21" East 580.39 feet; thence South 41°15'51" East 52.85 feet; thence North 50°39'04" East 14.96 feet; thence Northeasterly along the arc of curve to the right a distance of 4.92 feet having a radius of 31.15 feet a central angle of 09°03'22" and chord bearing and distance of North 54°21'02" East 4.92 feet; thence South 52°55'04" East 745.26 feet; thence North 00°35'03" East 1,130.14 feet; thence North 00°36'05" East 60.03 feet; thence North 88°45'17" East 67.04 feet; thence South 14°32'42" East 33.17 feet; thence South 59°29'31" East 183.42 feet; thence North 68°06'02" East 82.52 feet; thence South 52°54'50" East 604.55 feet; thence South 61°01'46" East 565.16 feet; thence North 89°25'24" West 583.11 feet; thence South 00°38'36" West 450.00 feet; thence South 89°21'24" East 300.00 feet; thence North 00°38'36" East 150.00 feet; thence South 89°21'24" East 299.98 feet; thence North 00°38'37" East 9.55 feet; thence South 89°21'23" East 50.00 feet; thence North 00°38'37" East 253.72 feet; thence South 59°33'35" East 353.75 feet; thence South 56°41'50" East 736.27 feet; thence South 41°29'39" East 83.89 feet; thence South 56°41'50" East 234.49 feet; thence South 71°28'31" East 86.25 feet; thence South 56°41'50" East 404.57 feet; thence South 55°24'28" East 404.23 feet; thence South 54°04'46" East 129.28 feet; thence South 56°41'50" East 133.05 feet; thence South 36°36'07" East 174.63 feet; thence South 56°39'24" East 177.55 feet; thence South 86°35'23" East 114.36 feet; thence South 50°37'11" East 404.48 feet; thence South 46°01'31" East 30.34 feet; thence North 89°41'28" West 267.43 feet; thence North 89°08'29" West 1,322.78 feet; thence South 00°05'40" East 823.94 feet; thence North 89°34'37" West 722.94 feet; thence South 00°11'00" East 354.66 feet; thence Northwesterly along the arc of curve to the right a distance of 242.87 feet having a radius of 400.00 feet a central angle of 34°47'21" and chord bearing and distance of North 63°51'22" West 239.16 feet; thence Northwesterly along the arc of curve to the left a distance of 163.62 feet having a radius of 250.00 feet a central angle of 37°29'59" and chord bearing and distance of North 65°12'41" West 160.72 feet; thence North 83°57'41" West 387.98 feet; thence Northwesterly along the arc of curve to the right a distance of 295.95 feet having a radius of 450.00 feet a central angle of 37°40'53" and chord bearing and distance of North 65°07'14" West 290.64 feet; thence Westerly along the arc of curve to the left a distance of 847.79 feet having a radius of 800.00 feet a central angle of 60°43'06" and chord bearing and distance of North 76°38'21" West 808.67 feet; thence South 73°00'06" West 202.74 feet; thence Westerly along the arc of curve to the right a distance of 260.28 feet having a radius of 400.00 feet a central angle of 37°16'56" and chord bearing and distance of North 88°21'26" West 255.71 feet; thence North 69°42'58" West 28.01 feet; thence Westerly along the arc of curve to the left a distance of 365.01 feet having a radius of 800.00 feet a central angle of 26°08'32" and chord bearing and distance of North 82°47'14" West 361.85 feet; thence South 84°08'30" West 155.21 feet; thence

Westerly along the arc of curve to the right a distance of 386.70 feet having a radius of 500.00 feet a central angle of 44°18'45" and chord bearing and distance of North 73°42'07" West 377.13 feet; thence North 51°27'57" West 86.65 feet; thence North 00°42'54" West 433.54 feet; thence South 89°28'41" West 1061.71 feet; thence North 00°28'13" West 866.36 feet; thence North 46°24'46" East 624.94 feet; thence North 86°22'37" East 629.56 feet; thence North 00°31'33" East 1,062.83 feet to the Point of Beginning. Containing 12,624,101 square feet or 289.809 acres, more or less.

ALSO, A tract of land located in the Northwest Quarter of Section 17 and the Northeast Quarter of Section 18, Township 4 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing: S00°54'21"E between the Northeast Corner and the East Quarter Corner of Section 18), located in Herriman City, Salt Lake County, Utah, being more particularly described as follows:

Beginning at a point located along the section line S00°54'21"E 127.33 feet and S89°05'39"W 43.11 feet from the Northeast Corner of Section 18, Township 4 South, Range 1 West, Salt Lake Base and Meridian, and running thence; S51°36'32"E 976.43 feet; thence N38°23'28"E 104.19 feet; thence Easterly along the arc of a non-tangent curve to the left having a radius of 251.50 feet (radius bears: N19°03'19"E) a distance of 130.00 feet through a central angle of 29°37'00" Chord: S85°45'11"E 128.56 feet; thence N69°45'29"E 53.00 feet; thence Northerly along the arc of a non-tangent curve to the right having a radius of 223.50 feet (radius bears: N69°45'29"E) a distance of 226.14 feet through a central angle of 57°58'17" Chord: N08°44'37" E 216.61 feet; thence N37°43'46"E 119.20 feet to the southwesterly right-of-way line of Mountain View Corridor (SR-85); thence along said right-of-way line the following five (5) courses: (1) S51°35'40"E 431.36 feet; thence (2) S59°26'36" E 36.61 feet; thence (3) S51°35'40"E 720.16 feet; thence (4) S48°34'37" E 284.95 feet; thence (5) S51°35'40" E 83.51 feet to that Special Warranty Deed recorded December 30, 2022 as Entry No. 14058200 in Book 11393 at Page 9077 in the Salt Lake County Recorder's Office; thence along said deed S37°37'21" W 201.10 feet; thence along the arc of a curve to the right with a radius of 455.00 feet a distance of 582.85 feet through a central angle of 73°23'43" Chord: S74°19'13"W 543.81 feet; thence N70°16'38" W 64.57 feet; thence N61°06'04"W 295.28 feet; thence N56°20'15"W 72.25 feet; thence N61°06'04" W 317.29 feet; thence along the arc of a curve to the left with a radius of 557.00 feet a distance of 234.57 feet through a central angle of 24°07'45" Chord: N73°09'56"W 232.84 feet; thence N51°22'30"W 943.68 feet; thence N40°21'34" W 19.77 feet to the Section line; thence along said Section Line N00°54'21" W 180.59 feet; thence N51°36'32"W 209.99 feet; thence N38°23'28"E 188.51 feet to the point of beginning. Containing 1,411,344 square feet or 32.40 acres, more or less.

ALSO, A tract of land located in the West Half of Section 17, the Northwest quarter of Section 20, and the Northeast quarter of Section 19, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah. More particularly described as follows:

Beginning at a point on the on the East Section Line of the Northeast Quarter of said Section 18, said point being North 88°45'22" East 2,564.86 feet and South 00°31'27" West 195.79 feet from the North Quarter Corner of said Section 18, and running thence; thence South 00°31'33" West 1,131.58 feet; thence South 86°22'37" West 629.56 feet; thence South 46°24'46" West 624.94 feet; thence South 00°28'13" East 866.36 feet; thence North 89°28'41" East 1,061.71 feet; thence South 00°42'55" East 433.53 feet; thence South 00°40'25" East 875.13 feet; thence South 89°13'28" West 2,605.55 feet; thence North 89°11'32" West 1,314.93 feet; thence North 00°49'05" West 1,323.35

feet; thence South 89°02'46" East 1,306.73 feet; thence North 01°40'42" East 2,253.07 feet; thence North 75°50'10" East 255.51 feet; thence North 59°48'34" East 174.20 feet; thence North 48°17'09" East 61.78 feet; thence North 88°56'28" East 2,129.26 feet to the Point of Beginning. Containing 10,154,221 square feet or 233.109 acres, more or less.

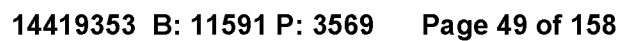
ALSO, A parcel of land located in the East Half of Section 7 and the Southwest Quarter of Section 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the existing westerly right-of-way line of Real Vista Drive, said point being South 0°28'03" West 474.19 feet along the Section Line and South 89°31'57" East 324.32 feet from West Quarter Corner of Section 8, Township 4 south, Range 1 West, Salt Lake Base and Meridian and running: thence along said westerly right-of-way line of Real Vista Drive the following seven(7) courses: (1) South 38°24'00" West 457.19 feet; (2) 101.78 feet along the arc of a 1249.00 foot radius curve to the right through a central angle of 04°40'08" (long chord bears South 40°44'04" West 101.75 feet); (3) South 43°04'08" West 131.83 feet; (4) North 51°59'37" West 8.55 feet; (5) South 39°58'51" West 182.07 feet; (6) South 38°24'26" West 138.00 feet; (7) South 75°51'28" West 59.20 feet to the existing northerly right-of-way line of Mountain View Corridor; thence North 53°35'22" West 929.12 feet along said northerly right-of-way line of Mountain View Corridor to the southeast corner of the official plat of Saddlebrook Building P Condominium, amending part of Lot C, South Herriman, recorded as entry no. 12847637 in book 2018 at page 316 in the Salt Lake County Recorder's Office; thence North 38°28'30" East 69.66 feet along the easterly line of said plat of Saddlebrook Building P Condominium, amending part of Lot C, South Herriman; thence bearing North 38°24'00" East along the easterly line and extension thereof, said plat of Saddlebrook Building P Condominium, amending part of Lot C, South Herriman; official plat of Saddlebrook Building O Condominium, amending part of Lot C, South Herriman, recorded as entry no 12847635 in book 2018p at page 315, official plat of Saddlebrook Building L-M Condominium, amending part of Lot C, South Herriman, recorded as entry no 12821802 in book 2018p at page 264 and official plat of Saddlebrook Building B Condominium, amending part of Lot C, South Herriman, recorded as entry no 12709695 in book 2018 at page 53, 642.62 feet to the existing southerly right-of-way line of Autumn Spring Drive; thence South 51°36'00" East along said southerly right-of-way line of Autumn Spring Drive 10.00 feet to the easterly right-of-way line of Autumn Spring Drive; thence North 38°24'00" East along said easterly right-of-way line of Autumn Spring Drive 392.76 feet to a point of a 20.00 radius curve; thence northeasterly 31.42 feet along the arc of said curve and said right-of-way line to the right through a central angle of 90°00'00" (long chord bears North 83°24'00" East 28.28 feet) to the existing southerly right-of-way line of Sentinel Ridge Boulevard; thence along said southerly right-of-way line of Sentinel Ridge Boulevard the following four(4) courses: (1) South 51°36'00" East 630.35 feet; (2) South 46°50'11" East 126.44 feet; (3) South 51°36'00" East 181.59 feet; (4) 39.27 feet along the arc of a 25.00 foot radius curve to the right through a central angle of 90°00'00" (long chord bears South 06°36'00" East 35.36 feet) to the point of beginning. Containing 1,083,657 square feet or 24.81 acres, more or less.

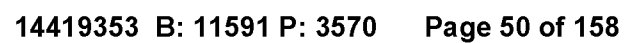
ALSO, A parcel of land located in the East Half of Section 7 and the Southwest Quarter of Section 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Real Vista Drive, said point being North 0°28'03" East 1272.20 feet along the Section Line and North 89°31'57" West 197.38 feet from southwest corner of Section 8, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence along said westerly right-of-way of Real Vista Drive the following six(6) courses: (1) North 04°43'02" East 61.29 feet; (2) North 36°05'43" East 322.26 feet; (3) North 51°59'37" West 10.04 feet; (4) North 38°24'26" East 30.38 feet; ( 5) North 40°30'31" East 175.69 feet; (6) North 38°24'00" East 493.93 feet to a point on a 25.00 foot radius curve; thence northeasterly 39.27 feet along the arc of said curve to the right through a central angle of 90°00'00" (which long chord bears North 83°24'00 East 35.36 feet) to the southerly right-of-way of Academy Parkway; thence South 51°36'00" East 899.60 feet along said southerly right-of-way of Academy Parkway to the northerly line of Village at the Boulders Phase 1, amending part of Lot F, South Herriman as recorded in the office of the Salt Lake County Recorder as entry #12708747 in book 2018 at page 52; thence South 38°18'58" West 1142.94 feet along said northerly line of Village at the Boulders Phase 1, amending part of Lot F, South Herriman to the existing North right-of-way line of Mountain View Corridor; thence along said northerly right-of-way of Mountain View Corridor the following three (3) courses: (1) North 51°35'34" West 200.75 feet; (2) North 45°00'39" West 392.59 feet; (3) North 51°35'34" West 285.00 feet to the to the point of beginning. Containing 1,029,471 square feet or 23.63 acres, more or less.

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# Exhibit E "Community Plan"





[illegible]

**Exhibit G**  
**“Residential Technical Guidelines”**

**SOUTH HILLS**

*A Master Planned Community*

**RESIDENTIAL TECHNICAL GUIDELINES**

November 13, 2024

- **Low Density Residential (LDR)**
- **Medium Density Residential (MDR)**
- **Medium Density Small Lot (MDSL)**
- **High Density Townhome (HDT)**
- **High Density Stacked (HDS)**

## 1.0 EXECUTIVE SUMMARY

### 1.1 Overview

Contained herein are the basic standards for the development of master-planned improvements, pods, lots, structures, landscaping, and other site improvements such as lighting, signage, and monummentation within the South Hills Master Planned Community (the “Project”). Also included within these guidelines are the processes whereby designs are to be prepared, submitted, reviewed, and approved. Assignment of approval authority is laid out and enforcement mechanisms are discussed.

The information in this portion of the South Hills Residential Technical Guidelines (i.e., “Technical Guidelines” or “Guidelines”) is for residential development in the Project. These guidelines establish patterns of design for the appearance, functionality, and theming of the South Hills Development as identified in the approved Land Use Master Plan (LUMP) and other attached exhibits. The intent of these guidelines is to allow for ingenuity and creativity in project design while maintaining continuity of style, theme, and quality.

The standards and guidelines in this document consider the natural environment within the Project itself, the environment surrounding the Project, and the future environments or communities that will be created as the Project is developed. These guidelines also consider and plan for the engineering, land planning, landscape architecture, and building architecture that will occur on a “phase-by-phase” basis in the future. Visual quality, functionality, and safety are all key aspects of these Technical Guidelines. Unique and creative design principles are also discussed in these guidelines, which will enhance the desirability and long-term viability of the communities created within the South Hills development and the surrounding affected areas.

Neighborhoods will be characterized by a variety of lot sizes and configurations. Variations in front, rear, and side yard building setbacks are also encouraged. Uniformity in front facades should be avoided in most pods, depending on the architectural product. Land planning, engineering, landscape architecture, and building architecture should all emphasize and design for the availability of viewsapes, and other natural and man-made amenities.

The Technical Guidelines will steer the decisions made by the South Hills Design Review Committee (SHDRC) when reviewing applications for development or construction.

### 1.2 Land Use Master Plan Designations

The Technical Guidelines shall be applied to the following land use designations and development pods as depicted on the approved Land Use Master Plan (LUMP) Map attached to this agreement:

- A. **Low Density Residential (LDR)** land use designation is for the development of detached single-family dwellings. The maximum gross density for all LDR pods combined is 2.5 dwelling units per acre and shall not exceed the maximum density of each pod depicted on the approved LUMP Map.
- B. **Medium Density Residential (MDR)** land use designation is for the development of detached single-family dwellings. The maximum gross density for all MDR pods combined

is 8 dwelling units per acre and shall not exceed the maximum density of each pod depicted on the approved LUMP Map.

- C. **Medium Density Small Lot (MDSL)** land use designation is for the development of detached single-family dwellings on small “platted lots” or “plotted building pads” within any medium or high-density pod, subject to compliance with provisions outlined in the Technical Guidelines, including Technical Guidelines Section 3 Pod Planning and Engineering. The maximum gross density for the MDSL shall not exceed the maximum density of each pod depicted on the approved LUMP Map.
- D. **High Density Townhome (HDT)** land use designation is primarily for the development of attached single-family or multi-family dwelling units. However, single-family detached dwelling units may also be constructed within pods reserved for HDT development. The maximum gross density for all HDT pods combined is 12 dwelling units per acre and shall not exceed the maximum density of each pod depicted on the approved LUMP Map.
- E. **High Density Stacked (HDS)** land use designation is primarily for the development of “stacked” multi-family dwelling units, which may be constructed as apartments or condominiums. However, single-family detached dwelling units may also be constructed within pods reserved for HDS development. The maximum gross density for all HDS pods combined is 20 2 dwelling units per acre and shall not exceed the maximum density of each pod depicted on the LUMP Map.

<sup>1</sup> Individual pods may exceed the maximum gross density of any land use designation pursuant to ARMDA Section 3 Development of the Project.

## **2.0 DESIGN REVIEW PROCESS**

### **2.1 Overview**

All building permit applications shall be submitted, reviewed, and approved by the SHDRC prior to being submitted to the City according to the process outlined in this section.

### **2.2 Submittals of Individual Lot Improvements/Building Permit Applications**

Electronic plans in a digital format acceptable to the Developer (or three sets of printed plans if necessary) detailing any building improvements or changes to a lot, dwelling, building, structure, or any other improvement requiring a permit normally governed by a City ordinance shall be submitted to the SHDRC for approval. All plans shall be drawn to scale on a sheet size of 24" x 36" (when printed). In addition to meeting the minimum requirements of this document, each application for approval must achieve a minimum score of 10 points or more for upgrades, as detailed on the Scoring Chart Form (see Attachment “A1”). The plan submittal shall include the following information:

- A. South Hills Design Review Committee Review Application
- B. Site Development Plans that include the following (all plans must be prepared by a qualified engineer, licensed to practice in the State of Utah):
  - 1. Lot boundary with dimensions and bearings
  - 2. Certified topographic information (existing grade contours at two-foot intervals)
  - 3. Identification of all existing features on the subject lot.
  - 4. All adjacent parcels, right-of-way, or parcels with identification of the same

5. Dimensioned building pad and other site improvements such as concrete flatwork,
  6. Dimensioned extensions of building (i.e., decks, window wells, stairs, patios, etc.)
  7. Locations of all easements, rights-of-way, and setbacks
  8. Front setback dimensions of adjacent lots
  9. Location and size of any other regulated proposed improvements
  10. Front, side, and rear elevations of any architectural element or improvements
  11. Grading and Drainage
  12. Any retaining features in excess of four (4) feet in height, along with engineer's calculations
  13. Erosion control measures in compliance with State law.
- C. List of all exterior materials and colors, including samples of any unusual or custom materials
  - D. Landscape plans and plant materials (where required)
  - E. Any additional information as required by the SHDRC
  - F. Rendering or picture of structure or modification proposed
  - G. South Hills Scoring Chart Form (see Attachment "A1")

### **2.3 Compliance with Guidelines**

Infrastructure and building construction shall conform to these guidelines. This includes new construction, modifications, or additions to existing infrastructure or structures that may or may not require the issuance of a city permit. Landscaping, grading, and site development work within the boundary of an individual lot is also covered by the requirements of this document.

### **2.4 Changes After Final Review**

There may be occasions when an Applicant desires to make a change that affects the design of the building or the site after construction documents are reviewed and approved. When an Applicant wishes to make a change that deviates from the plans as approved by the SHDRC, including but not limited to floor plan, structural aspects, materials choices, colors, elevations changes, window location and size, porches, garage configuration and size, roof design, plot plan layout, grading, retaining, drainage, or erosion control, the Applicant must submit a written request to the SHDRC along with plans that clearly delineate the proposed change(s). No changes will be allowed unless approved by the SHDRC and the City. The SHDRC reserves the right to charge an additional fee for this review process.

### **2.5 SHDRC Decisions**

The SHDRC shall review all submitted applications and furnish a written decision to the Applicant, setting forth the reasons for its decision, including the nature of any objections it has to the request. The SHDRC shall determine whether an application is complete and in compliance with these Guidelines. Incomplete applications will be returned to the Applicant for re-submittal. In addition, the SHDRC may disapprove any application if the SHDRC, in its discretion, believes the Applicant has not provided sufficient or accurate information or has not complied with the intent of these Technical Guidelines.

All decisions of the SHDRC shall be reported to the Herriman Planning and Building Departments. The approved plans and a written approval letter from the SHDRC shall be returned to the Applicant, and a copy of the plans shall be retained by the SHDRC until construction of the proposed improvements is completed. At that time, the SHDRC may dispose of the retained plans

and submittal package. In addition to the submittals required to obtain a building permit, the Applicant will be required to submit an approved set of plans in PDF format, with a final approval stamp from Herriman City and a written approval letter from the SHDRC to the Herriman Building Department with the building permit application.

## **2.6 No Liability for Approval of Plans**

Any approval of plans, specifications, or proposed construction given by the SHDRC or its designees shall be only for the purpose of permitting construction of the proposed improvements within the South Hills Development as they relate to these Guidelines. Such approval shall not constitute compliance with any applicable City, County, State, or Federal laws or regulations. Such approval shall not constitute an approval or endorsement of the quality of architectural and engineering soundness of the proposed improvements. The SHDRC shall not have any liability in connection with or related to approved plans, specifications, or improvements.

## **2.7 Exceptions**

Notwithstanding any language contained in other Development Agreement documents, exceptions to these Guidelines are to be made where said exception does not result in significant harm to any party involved. Exceptions are to be granted upon a finding that strict conformance to the Technical Guidelines requirements would:

- A. Not create an unreasonable hardship or burden on Developer or Applicant.
- B. Not have a substantially adverse effect on the owners or occupants of neighboring parcels.
- C. Is based on site-specific circumstances and constraints unique to the site or situation.
- D. Constitute a balance of health, safety, and general welfare objectives, and especially the original intent of the Development Guidelines and the overall Development Agreement of which they are a part.
- E. In the case where the exception is technical in nature, a professional trained, licensed, and qualified in the appropriate field of expertise renders a certified opinion to justify the exception.

Exceptions that conform to the above criterion are to be reviewed and processed for permitting by the SHDRC and Herriman City. See Exception Application Form (Attachment "G1").

## **2.8 Final Plat Mylars**

The City shall reasonably endeavor to assure that SHDRC is a signer on every final plat mylar. This is to provide assurance of conformity to these Guidelines. An example of what the SHDRC signature block should look like on the final plat mylars is below:

<b>SOUTH HILLS DESIGN REVIEW COMMITTEE</b>
SOUTH HILLS DESIGN REVIEW COMMITTEE ASSURES THAT THIS PLAT CONFORMS TO SOUTH HILLS RESIDENTIAL TECHNICAL GUIDELINES. APPROVED THIS _____ DAY OF _____ A.D. 20 _____
_____ CHAIRMAN

## **3.0 POD PLANNING AND ENGINEERING**

### **3.1 Streets-Geometric Design**

- A. Accesses to a proposed pod or neighborhood should have connectivity with existing and future street patterns. The location and size of Collector and Arterial Streets shall generally follow the City's Master Transportation Plan. Individual houses or multi-family building units are anticipated to be accessed from public or private local streets; however, a private street standard or shared private driveway may be used.
- B. The use of single-access streets shall be allowed to promote efficient land planning and minimize grading. Single-access street length shall not exceed 1,200 lineal feet.
- C. Gated accesses are to be allowed to any neighborhood or pod so long as adequate emergency response measures are taken relative to the width and height of the entrance and gate opening controls. Private roads may be gated at the option of the Developer. Public roads shall not be gated.
- D. Various street cross sections can be employed within any one given pod. As will be defined on a final plat, some streets can be public, while others may be private. The type of street access provided is dependent on the road classification, the need for pedestrian ways, side treatment considerations, land planning, landscaping requirements, topography, and product type and number.

### **3.2 Sidewalks, Trails, and Pathways**

The South Hills Development will include a wide variety of common area walkways, paths, and trails. The type of construction, size, and detailed location of these trails will be proposed by Developer and approved by the SHDRC, and the location will be approved by the City during the design of each phase of construction. The eventual use and development need will be evaluated when determining the level of facility to be built. Trails should be designed to loop or to take people to destinations. They should not permanently dead end where possible. Sidewalk, trail, and pathway improvements shown on the Parks, Trails, and Open Space plan of the MDA shall be completed or bonded against prior to final plat recordation of each pod. When unique or unforeseen circumstances exist, the City may grant an extension of time for sidewalk, trail, and pathway installation.

### **3.3 Crosswalks**

Use of crosswalks will be incorporated within the Project, at intersections, within parking lots, or other needed pedestrian connections. Crosswalks will be configured as a design feature of the development, i.e., heavy painted lines, pavers, edges, and other methods of emphasizing pedestrian use. Bulb-outs and other pedestrian designs may be used to shorten walking distances across open pavement. Medians may be used in appropriate areas to encourage walking and act as a "refuge" for pedestrians crossing.

### 3.4 Parcel Lot Size

Proposed lots are to meet the following size and configuration standards:

Map Designation	Average Allowable Lot Size	Minimum Lot Frontage	Minimum Cul-de-Sac Frontage (Arc Length at Setback)
LDR	8,500 sf	65'	40'
MDR	4,000 sf	50'	30'
MDSL	N/A	No minimum at property line of a platted lot, but 36' minimum at front setback line of lot	No minimum at property line of a platted lot, but 36' minimum at front setback line of lot
HDT	N/A	0' – See Setback requirements	0' – See Setback requirements
HDS	N/A	0' – See Setback requirements	0' – See Setback requirements

### 3.5 Flag Lots

Notwithstanding the above, flag lots are permitted where topography and layout constraints limit conventional lot frontage configurations. As many as four (4) flag lots are permitted on a private access drive. Flag lots shall be at least 21,780 square feet in size.

### 3.6 Building Same House Plan Multiple Times

A streetscape is enhanced by architectural variety. An Applicant proposing to build the same house more than once must provide the requested information for each house. All variations of elevations for the house must be approved by the SHDRC. Additionally, the Applicant must submit all required site plan information to the SHDRC for review each time the floor plan is to be placed upon an individual lot within the development. The same house plan can only be constructed when the Applicant is in compliance with the applicable rules within these guidelines, which require the following:

The same house plan may be constructed every third house. This applies to both sides of the street. There must be at least (2) houses of differing floor plans between duplicative or the same house plan. To modify a duplicative house plan so that it is not considered to be exactly the same, the Applicant must incorporate at least three of the following architectural design changes:

- A. Altering 50% of the rooflines measured by viewing the front elevation
- B. Significantly changing color schemes
- C. Significantly altering siding textures or materials
- D. Moving or reconfiguring garages
- E. Increasing the number of windows or altering window configurations Increasing or altering covered porches
- F. Any changes are subject to approval by SHDRC and the City

### 3.7 Grading Plans

Development of each pod should be designed to cluster development product, minimize grading for the proposed pod, and reduce the need for cutting, filling, and retaining, as shown on the Land Use Master Plan (LUMP).



Each pod or any other improvement area, such as a park, should be graded for integrated use of roads, trails, yards, open spaces, building spaces, or other improvements. Grading design should also consider aesthetics, safety, and proper drainage. Grading plans may indicate cuts and fills and/or retaining as necessary to accomplish the above, and to provide buildable pads sufficient in number to meet density objectives of the Project. Private lots should not drain onto other private lots unless appropriate swale or pipe conveyance is provided in the grading and drainage plan design. All such cross drainage (from one lot to another) shall take place in an appropriate easement.

Retaining walls may be employed where necessary. Gradual long shallow cut or fill slopes may be used where area is sufficient. Retaining walls should be integrated with landscaping features to provide screening where possible. Appropriate structural and/or geotechnical engineering calculations and drawings are to be provided for each retaining wall scenario in a given pod development.

### **3.8 Storm Drainage**

All drainage facilities and infrastructure required by a Development Application shall be designed in accordance with the City's latest adopted versions of the Standards & Specifications Manual and the Storm Drain Master Plan, per City ordinance, unless a Deviation to the Standard is granted by the City.

If the City grants a Deviation to the Standard, any areas or pods included in the data, reports, and studies associated with that deviation will not require a separate Deviation to the Standard Application. For example, if the Developer receives full approval for a Deviation to the Standard regarding the storm drain improvements plan for the backbone roads, and the submitted data, reports, and studies also cover storm drain plans for Pods 8A, 14, and 15, no additional applications, studies, or reports will be needed for those pods.

The use of neighborhood detention basins are allowed if the drainage cannot be reasonably taken to one of the regional facilities. The use of temporary detention or retention facilities may be approved in the event that regional detention facilities or regional transmission facilities are not completed according to the needs of an individual pod. Adequate assurances are to be given that any temporary storm drainage facilities will be connected to permanent regional storm drainage facilities as development allows. The maintenance of any temporary facilities is the Developer's responsibility.

Infiltration of storm drain water is an effective way to reduce stormwater detention and run-off volumes. The effects of ground infiltration can be included in the sizing of storm drainage detention facilities. Maintenance plans shall be provided showing the means by which infiltration systems can be cleaned to operate at original design infiltration rates. A financial mechanism shall be put in place to assure the City that any mediation of reduced infiltration will be corrected. Groundwater infiltration rate testing, or any other method of properly identifying infiltration rates,

will provide a method for effectively down-sizing a given detention facility. Data gathered for purposes of determining infiltration characteristics of detention basin soils will be submitted, along with all appropriate calculations and/or detail drawings to display the method of introducing storm drain water back into the ground.

### **3.9 Sanitary Sewer**

All units developed in the South Hills development must be provided with a means of connecting to the master-planned sewer collection system for the overall Project (see Sewer Extension Exhibit Attachment “C1”). Septic systems are not allowed.

### **3.10 Culinary Water**

The Culinary Water Master Plan (see Attachment “H1”) is to be generally followed to provide culinary water service to the overall Project. The sequencing of the overall build-out of the system will be determined on a pod-by-pod basis. Adjustments to the Culinary Water Master Plan will need to be made as pods develop to account for density reallocations; water source development issues; property acquisition issues for off-site facilities such as wells, tanks, or waterlines; actual vs. theoretical pressures discovery; etc. Culinary water reservoirs will generally be located as shown in the Culinary Water Master Plan. Access roads will be gated and are intended for service vehicle use only.

Culinary water system infrastructure shall be designed in accordance with design criteria standards outlined in the City’s latest adopted version of the Standards & Specifications Manual.

## **4.0 INDIVIDUAL LOT DEVELOPMENT STANDARDS**

Proposed construction of improvements of individual lots and building sites for Residential houses, multi-family structures, or buildings shall be reviewed and approved according to compliance with the following standards.

### **4.1 Setbacks**

Residential building setbacks within the South Hills Development shall vary according to lot size and land use. Required setbacks are listed in the following chart. Additional setback modifications may be required along certain collector roadways as designated by the SHDRC and Herriman City.

Easements for utilities and drainage may exist along individual lot lines, and thereby control the building limits of that particular lot.

In low and medium density pods, front setback distances must be varied on both sides of streets. Low density pods are to stagger the front setback of all houses by at least five (5) feet from the house on at least one side and preferably on both sides. In medium density pods, the front setback is to stagger at least three (3) feet from the adjoining house on one side and preferably on both sides. All front setback variations are to be reviewed and approved by the SHDRC and Herriman City.

## Primary & Accessory Building Standards<sup>1</sup>

Map Designation	Lot Size	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Side Yard Setback	Minimum Side Yard Setback for Side Loaded Garage	Maximum Accessory Building Size
LDR	8,500 - 17,999 s.f.	28'	28'	8' min / 16' total	20'	N/A	1,200 s.f.
LDR	18,000 s.f.	30'	30'	10' min / 24' total	20'	8' min / 24' Total	1,200 s.f.
LDR	43,560 s.f. (transition)	32'	30'	12' min	20'	N/A	1,200 s.f.
MDR	4,000 - 8,000 s.f.	10' to dwelling; 20' to garage	15'	5' min / 10' total	18'	N/A	1,200 s.f.
MDR	8,001 - 10,000 s.f.	20'	20'	5' min / 12' total	18'	N/A	1,200 s.f.
MDR	10,001 - 12,000 s.f.	25'	25'	6' min / 15' total	20'	N/A	1,200 s.f.
MDR	12,001+ s.f.	28'	28'	8' min / 18' total	20'	6' min / 18' total	1,200 s.f.
MDSL	No min or max lot size, but the min depth of a platted lot is required to be twice the lot width or 80', whichever is less	12' to dwelling; 18' to front-loaded garage; or 12' to side-loaded garage (if provided)	10'	0' min, but the combined side yards between buildings on adjoining lots or pads shall be 10' min	12'	12' min	1,200 s.f.
HDT or HDS fronting on Public Right-of-Way	N/A	15' to dwelling; 20' to garage	15'	10'	10'	N/A	N/A
HDT or HDS fronting on Private Right-of-Way	N/A	8' to garage (measured from TBC)	15'	10'	10'	N/A	N/A
HDT or HDS fronting on Public Open Space	N/A	8'	12'	6'	N/A	N/A	N/A

<sup>1</sup> Setbacks measured from the nearest adjacent public right-of-way or property line unless otherwise specified.

### Additional Primary & Accessory Building Standards (continued)

Map Designation	Building or Site Element	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Corner Side Yard Setback
All Densities	Accessory Building Setback (6' Min From Main Building)	N/A	10'	5'	N/A
All Densities	Front Porch	Less 4' of setback	N/A	N/A	N/A
All Densities	Rear Yard Deck (2' Max Above Grade)	N/A	15'	6'	N/A
All Densities	Rear Yard Deck Adjacent to Open Space (2' Max Above Grade)	N/A	5'	6'	N/A
All Densities	Patios, Decks, & Walks (At Grade)	0' for uncovered walks; 4' for uncovered patios or decks at grade; prohibited if covered	4'	4'	N/A
All Densities	Public Utility Easement	10'	10'	5'	10'

### 4.2 Fencing, Walls, and Retaining

Fencing and walls around residential lots are permitted where they comply with the following general standards.

- A. **Approved Fencing.** All fencing within the South Hills community must be constructed of an approved fencing product, as stated in the CC&Rs.
- B. **Chain Link Fencing.** No chain link fencing shall be permitted except for sport court fencing and small dog runs within individual rear lots. Such fencing shall be screened from public view.
- C. **Stepped Fencing.** All fences on sloping lots must comply with the fence standards while stepping with the grade, with the exception that open three-rail fences may follow the contour of the site. The top rail of stepped fences must be constructed in a level plane. On stepped fences the height shall be measured at a point that is midway between the posts. Fences must step in four or eight-foot lengths as determined between posts.

The following fence standards shall govern specific areas along the development of front, rear, and side yards where the Developer has not installed fencing previously:

- D. **Parks and Open Spaces.** A six (6) foot privacy fence along all areas adjacent to open space or a three-rail fence with 100% finished rear or side yard landscaping is required. Three (3) foot rail fence is allowed in parks and trails to delineate open spaces.
- E. **Front Yard.** Fencing shall not exceed three (3) feet in height in the front yard setback area of the lot. Accent posts or columns that exceed three (3) feet may be used, provided they do not exceed ten (10) percent of the lot frontage width. Front yard fencing, walls, and screening shall be constructed using the approved fencing products and colors. Fences on

driveway entrances and at corner lots shall not intrude on visual clear zones for traffic safety intersections according to City standards.

- F. **Rear and Side Yard.** Approved fencing product and color six (6) feet in height in the rear or side yard setback area of the lot is acceptable. Accent posts or columns that exceed six (6) feet may be used if they do not exceed ten (10) percent of the rear lot boundary distance. The maximum height of any rear yard, non-habitable, or landscape structure (gazebos, playground equipment, etc.) that is not considered an accessory structure may not exceed twelve (12) feet. Side yard fencing on corner lots shall be treated as a front yard fence and must not intrude on visual clear zones for traffic safety at intersections.
- G. **Retaining Walls.** The use of retaining walls is allowed so long as the wall follows general architectural and engineering standards and City ordinances. Retaining walls should be shown on the plot plan for the lot or parcel as well as a note to identify the type of material(s) to be used for the wall. Walls must be located entirely within the boundary of the lot or parcel they are a part of unless appropriate easements are acquired and recorded. The Developer may also use retaining walls to enhance landscaping and provide safe transitions from Open Spaces to developed spaces. Retaining walls are also to be used to provide good land planning and drainage throughout the development.

#### **4.3 Driveways**

Driveways shall be a minimum depth of 16 feet from the back of sidewalk in Low and Medium Density areas and may have a slope of up to a maximum of 15%. Driveways with negative slopes must show how the drainage is routed away from the building and into the drainage system. Shared driveways or private lanes are allowed in HDT areas.

### **5.0 ARCHITECTURAL STANDARDS**

The architectural styles within the South Hills Development will include a variety of themes. The Developer of each pod is encouraged to determine the general style or architectural theme of the buildings in that pod. Different combinations of materials, including, but not limited to: stucco, cement fiber siding, masonry, roofing materials, brick and stone, and wood, are encouraged to be used to complement each other and work together to produce a harmonious style. The SHDRC may reject any design proposal that materially conflicts with the intent or overall philosophy of these Technical Guidelines.

#### **5.1 Style and Character**

The general style and character of each residence shall be appropriate to the size of the lot, the location within the development and the topography. Homes on sloping lots that result in large retaining walls due to the poor integration of the home and topography may be denied by the SHDRC. The incorporation of dormers, porches, wide roof overhangs, iron elements, shutters, accent shingles, and a high percentage of glass and windows are encouraged. The SHDRC may approve additional building styles based on location and merit.

#### **5.2 Minimum Structure Sizes**

The minimum building size for the South Hills development will be regulated based on lot size and land use according to the following chart. Minimum square footage requirements for the primary structure on a lot is based on above-grade livable space. Garage square footage and finished space in accessory buildings are not to be included in the total square footage.

**Minimum Building Size (in Square Feet)**

Map Designation	Type	Minimum Main Floor (sf)	Minimum Finished (sf)	Minimum Garage Size
LDR	Rambler	1,800	1,800	2-Car
LDR	Multi-Story	1,500	2,250	2-Car
MDR	Rambler	1,500	1,500	2-Car
MDR	Multi-Story	1,300	2,000	2-Car
MDSL2	Rambler or Multi-Story	N/A	N/A	N/A
HDT or HDS	Multi Family	650	650	N/A

**5.3 Building Heights**

All land uses and buildings shall conform to the following height regulations:

- A. Building height shall be measured as per City standards.
- B. The maximum building height in the LDR and MDR areas shall be thirty-five feet (35'), except that the front and rear vertical building walls shall not exceed thirty-one feet (31'). On a corner lot, roof gable ends that face onto either the front or corner side yard, but not both, are permitted to the height of thirty-five feet (35').
- C. The maximum building height in HDT and HDS areas shall be forty-five feet (45'), except that the front and rear vertical building walls shall not exceed forty-two feet (42'). On a corner lot, roof gable ends that face onto either the front or corner side yard, but not both, are permitted to a height of forty-five feet (45').
- D. Where buildings are stepped to accommodate the slope of the terrain, each step shall have a horizontal dimension of at least twelve feet (12').

**5.4. Building Height Special Exception**

The SHDRC, as a special exception to these Technical Guidelines and according to the height regulations of the applicable district, may approve a permit to exceed the maximum building height but shall not have the authority to grant additional stories. To grant a Height Special Exception, the SHDRC should find the proposed plan:

- A. Is a design better suited to the site than can be achieved by strict compliance with these regulations, and
- B. Satisfies the following criteria:
  - 1. The topography of the lot presents difficulties for construction when the height limitations are applied,
  - 2. The structure has been designed for the topographic conditions existing on the particular lot, and
  - 3. The impact of additional height on neighboring properties has been identified and reasonably mitigated.

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<sup>2</sup> Medium Density Small Lot has no minimum primary structure or garage size requirements.

- C. In making these considerations, the SHDRC can consider the size of the lot upon which the structure is proposed.
- D. The burden of proof is upon the Applicant to submit sufficient data to persuade the SHDRC that the criteria have been satisfied.
- E. Special exceptions pursuant to this section are subject to approval by Herriman City under the applicable terms included within this agreement.
- F. The SHDRC may deny an application for a height special exception if:
  - 1. The architectural plans submitted are designed for structures on level, or nearly level, ground, and the design is transposed to hillside lots requiring support foundations such that the structure exceeds the height limits of these regulations;
  - 2. The additional height can be reduced by modifying the design of the structure through the use of stepping or terracing or by altering the placement of the structure on the lot;

#### **5.4 Garages and Accessory Buildings in Low and Medium Density Areas**

The following guidelines are for Low Density Residential (LDR), Medium Density Residential (MDR), and Medium Density Small Lots (MDSL) when developed within an MDR pod:

- A. The use of recessed and side-entry garages is encouraged. See Attachment “D1” for examples of encouraged garage configurations.
- B. Garages may be attached or detached from the primary residence.
- C. Front-loaded garage doors may protrude in front of the main building façade where allowed by the lot setback.
- D. Front porches and building entries may protrude in front of the garage where allowed by the lot setback.
- E. Detached garages or sheds are encouraged to be similar in style and color to that of the primary structure. A detached garage must be placed within the rear yard area of the lot and must be clearly shown on the site plan that is submitted for review.
- F. Accessory buildings shall be of a permanent nature and should be of similar construction, materials and color as the primary structure.

#### **5.5 Garages in High Density Areas**

For High Density Townhome (HDT), High Density Stacked (HDS), or Medium Density Small Lot (MDSL) developed within a High Density area, product type will drive garage configuration. Each case will be reviewed by the SHDRC for compliance with the following design principles:

- A. Garage doors should be screened from angled views by landscaping.
- B. Garage doors can be configured in alleyways or courtyards.
- C. Garage doors can be beautified by the use of natural materials, carriage house windows, color variations, lighting, material texture, and material patterns or imprints.
- D. Garage doors can be offset from each other relative to the distance from the street.
- E. Single-bay doors can be used instead of standard double-bay doors.
- F. Garage doors can be placed on the side of the units instead of the front.
- G. Garages can be eliminated by the use of underground parking.
- H. Garages can be eliminated by providing covered parking.

## 5.6 Building Elevations

The exterior of each dwelling should meet or exceed the following minimum standards for building elevations, materials, and finishes. These standards apply to all Low Density Residential and Medium Density Residential lots or areas.

Building elevations in High Density Residential areas should be designed to complement surrounding neighborhoods and conform to the architectural standards listed below where applicable. High Density Residential areas should generally have CCRs and be self-governed by a Homeowners Association.

The Owner or Applicant for SHDRC approval is required to implement these standards.

- A. **Windows.** All windows and doors should be trimmed or set apart from the plane of the facade by accent colors.
- B. **Colors.** The exterior of any building or structure should blend with the natural materials and predominant colors and hues of the surrounding foothills. Colors permitted include grays, browns, greens, tans, and other native earth tones. White or bright colors shall be limited to window casings, doors, eaves, and other trim areas.
- C. **Glass.** Non-reflective glass is to be used for windows. Windows and other glass surfaces shall have an outdoor visible light reflective value no more than eighteen percent (18%) as defined and measured by ASTM E308-90 or its successor.
- D. **Shutters.** The use of shutters or similar exterior trim elements is encouraged.
- E. **Massing.** It is encouraged that the massing of front, rear, and side elevations is broken up by at least a 3-foot relief. This is especially important on elevations that significantly affect the view shed.
- F. **Front Building Elevation.** Brick, rock, or stone is to be used for the finish system on the front building facade and must make up a minimum of 30% of the total area of the front facade. If the home incorporates a front porch across the entire front facade, the use of brick, rock, or stone may be reduced to 10%. Brick or stone shall be used on the front elevation to show significant masonry architectural detail in the form of vertical accents. However, other architectural details may be used instead of brick or stone if approved by the SHDRC. Manufactured materials may be substituted for real stone products. The remainder of the front elevation may be finished with a combination of stucco, fiber cement material, or brick products. The use of vinyl and aluminum siding is prohibited. The trim should be applied consistently with the architectural style of the home. Trim should be applied so that it adds dimension to the front facade. The use of more than three finish materials (excluding window frames and glass) in the front elevation is discouraged. All finish materials used, and their placement on the facade, must be indicated on the elevation rendering when submitted for review to the SHDRC. Where living space is added above the garage, the front facade must include windows and other treatments to avoid a large blank wall space above the garage doors.
- G. **Side Building Elevation.** The side of the building shall have the same primary material treatment as the front. Each side elevation must include at least two windows per floor unless the home contains a wainscot that covers the entire length of the side elevation, in which case, only one window per floor is required. The windows should make up 5% of the side facade for a non-corner lot. For corner lots, the windows should make up 10% of the facade and have similar window treatments as the front facade windows, i.e., trim and/or shutters.



- H. **Rear Elevation.** Any house or building where the rear of the building faces a street or active open space must have the same architectural elements for the rear elevation as for the front elevation, i.e., trim, shutters, rock, stone, and masonry base. Landscaping can also be used to help break up the back wall, but it cannot be used exclusively to satisfy this requirement.

### **5.7 Roof Materials, Fascia, Soffits**

Roof planes for lots on a street without a cul-de-sac shall have a minimum pitch of 6:12 (vertical to horizontal). Lesser pitches may be utilized on small areas of the roof plane, such as shed dormers and patio or porch roofs. The design of the roof should appear as an integrated architectural element. Generally, continuous long rooflines are discouraged. Thirty-year architectural grade roofing material is the minimum allowable quality for roofs in the South Hills Development. The SHDRC may approve other shingle materials that meet or exceed the minimum requirement.

A minimum fascia height of 4 inches shall be required for all homes. These elements shall be finished to match the finish and color or the trim of accent color of the home. Exposed rafters and open soffits shall only be allowed by the SHDRC when they relate to the style of the architecture. In such cases, the soffit and rafters must be painted to match the building. Soffit and fascia finish materials must be approved by the SHDRC.

### **5.8 Porches and Decks**

The use of covered porches and decks to extend the living area outdoors is encouraged. Front porches may extend into the front setback area as allowed in Section 4.1 Setbacks. The use of railings on porches is encouraged. When a covered porch is added to mitigate garage protrusion, it must be at least ten (10) feet deep and at least 100 square feet in size. Covered porches, decks, and overhangs are encouraged to provide variety to the building facades of each residence while maintaining architectural integrity and unity within the structure. The appearance of 'add-on' elements should be avoided.

Rear decks shall be integrated into the design of the structure. The appearance of a deck supported by 'spindly legs' should be avoided with minimum size support posts of 6"x 6". The SHDRC may require the use of structural elements beyond that required by building code to achieve visual balance between the deck and the support structure.

### **5.9 Contemporary and Technological Conveniences**

New products and technological conveniences, such as satellite dishes, may be evaluated and regulated in terms of location and use by the SHDRC. Satellite dishes larger than 24 inches in diameter and radio and TV antennas taller than eight (8) feet are not to be permitted except by special permission from the SHDRC and the City. Location, visibility from adjacent properties, color, and screening will be considered when granting permission for such devices. Approval of such devices shall be considered provisional and may be withdrawn by the SHDRC. As such, the permit may be withdrawn by the SHDRC and the City upon violation of any conditions imposed at the time of the approval. In such cases, the device must be removed within 30 days of permit cancellation.

### **5.10 Modification of Architectural Standards**

The architectural requirements for structures in these Guidelines may be modified upon approval of the SHDRC. A written description of such modifications with illustrations (as needed) is to be made available for review at the offices of the South Hills Development.

Requested changes to the architectural guidelines will be reviewed by the SHDRC in their next meeting following the submittal of the requested modifications. The entity or person requesting the modification may be requested to attend the SHDRC meeting in which the modification will be discussed to explain the request or answer questions by the SHDRC. Approval of the modification request can be postponed by the SHDRC until such time as all information regarding the request has been submitted and the SHDRC has had sufficient opportunity to review the modification request. The modifications shall become effective upon approval of the SHDRC.

Proposed modifications of the architectural standards shall be filed with the Administrator after being approved by the SHDRC. If the Administrator determines for any reason that it would be inappropriate for the Administrator to determine the acceptability of the proposed modification, then the Administrator may require the proposed modifications to be processed as a Modification Application pursuant to the ARMDA. The Administrator shall consider and decide upon the proposed modifications within a reasonable time. If the Administrator approves any proposed modifications, then the Administrator shall notify the Planning Commission in writing of the proposed approval. Unless the Administrator receives a notice as specified below that the Planning Commission should consider the proposed modification as a Modification Application, then approval of the proposed modification by the Administrator shall be conclusively deemed binding on the City. Any member of the Planning Commission may notify the City within ten (10) business days after notification by the Administrator that the proposed modification must be processed as a Modification Application. If the Administrator denies any proposed modification, then the Applicant may process the proposed modification as a Modification Application pursuant to the ARMDA.

### **5.11 Home Based Business**

Home Based Businesses are permitted in the South Hills Development provided they meet all requirements as specified in the Herriman City Code and a business license has been issued by the City (when required). The SHDRC must be notified by the Applicant of the request for a business license located within the subdivision. Additional restrictions may be requested by the SHDRC at the time the license is issued. The use of business signage is prohibited.

## **6.0 LANDSCAPING STANDARDS**

The following landscape standards shall apply to all residential development. For SHDRC approval, the Applicant shall be required to implement these standards and provide a landscaping deposit, which will be held within an escrow account to ensure compliance. Failure by the Applicant to complete the required landscaping outlined in this section will result in the loss of the associated escrowed deposit. South Hills may change or waive the escrow requirement at its sole discretion. Escrow amounts are to be calculated by the Applicant for each pod, and approved by the SHDRC, and are to represent the cost of the landscaping in that pod. A landscape plan must be submitted and approved by the SHDRC prior to Herriman City issuing a building permit. The SHDRC has the right to reject any design proposal that materially conflicts with the intent or overall philosophy of these Technical Guidelines.

## **6.1 Landscape Planting**

Each lot or residential parcel shall meet or exceed the following landscape standards:

## **6.2 Front Yard Landscaping**

The front yard area (including park strips) of each lot or parcel must be landscaped by the Applicant prior to final inspection by the City, except when final inspection occurs during fall or winter months (defined as November 1 to March 31). In this case, the Applicant shall be required to install front yard landscaping by April 30th of the following spring. After installation of front and side yard landscaping is complete, 50% (the other 50% is for the rear yard, see Section 6.4) of the escrowed amount will be released upon written request by the Applicant.

The minimum requirements for front yard landscaping (based on the square footage of the front yard area) are as follows. The type and size of all street trees (those planted in park strips) must be according to the City's approved street tree list. All other front yard plantings shall be according to the Recommended Street Trees & Plantings List (see Attachment "E1"):

- A. 2 trees (2" caliper min.) located between the walk and home
- B. 3 shrubs (5 gallon) per 600 sq ft
- C. 1 evergreen shrub (5 gallon) per 600 sq ft
- D. Minimum 2 Street Trees (2" caliper min.) located in the park strip or 1 Street Tree (2" caliper min.) per 25' of frontage (i.e., 75' frontage requires 3 trees), whichever is greater
- E. Sod

## **6.3 Park Strip Landscaping**

All park strip areas adjacent to the front, rear, and side yard areas of each lot are to be landscaped by the Applicant and maintained by the homeowner. No materials other than the approved trees or grass may be installed in park strip areas. Rocks, gravel, bark, or other types of xeriscaping are not accepted landscape materials for park strip areas. Street trees shall be located within the park strip between the sidewalk and curb. Clear zones for visibility and safety must be considered when locating street trees on corner lots. The side park strips on corner lots must follow the rule of one tree every 25 feet. Any tree that is placed in the park strip that is contrary to the 'Street Tree List' may be removed and replaced with an appropriate tree by the SHDRC at the lot Applicant's expense.

Park Strip landscaping is to be coordinated with the 'Street Tree Master Plan' submitted by the Applicant and approved by the SHDRC and the City for each subdivision. The lot owner is responsible for maintaining the park strip.

## **6.4 Rear Yard Landscaping**

The rear yard area of each lot or parcel must be landscaped by the Applicant within 90 days of the issuance of the final inspection. When the final inspection occurs during the fall or winter months (defined as November 1 to March 31), the Applicant shall be required to install rear yard landscaping by April 30th of the following spring. After installation of the rear yard landscaping is complete, 50% (the other 50% is for front yard landscaping, see Section 6.2) of the escrowed amount may be released upon written request by the Applicant.

The minimum requirements for rear yard landscaping are as follows:

- A. Three (3) trees that meet or exceed a 2" caliper measurement (minimum)
- B. Sod or hydro-seeded grass

The balance of the rear yard shall be landscaped with sod, ground cover, planting beds, or a vegetable garden.

### **6.5 Side Yard Landscaping**

The minimum requirements for side yard landscaping shall be the installation of sod or hydroseed, ground cover, or planting beds. On corner or triple fronting lots, the side yard(s) facing the street(s) shall be treated as a front yard and landscaped accordingly by the Applicant.

### **6.6 Irrigation Required**

All landscaping is required to be installed with an automatic irrigation system. Irrigation systems must provide coverage within the front and/or side yard park strips. The use of water-conserving drip irrigation systems is encouraged.

### **6.7 Medium and High Density Landscaping**

Landscaping in MDR, MDSL, HDT, and HDS developments shall conform to the above-listed standards where applicable, and the Applicant shall provide a landscape plan as part of the site plan submittal to the SHDRC and the City. The landscaping in MDR, MDSL, HDT, and HDS areas should be designed to help soften the density and generally should be maintained under a Homeowners Association. Individual units may be allowed to have a small area of private landscaping, but in general, this area should be screened from public view.

### **6.8 Erosion Control Planting or Measures**

All graded areas of any lot will be required to install temporary erosion control plantings or similar erosion control measures in advance of the final landscape installation. All final landscape plans must address erosion control issues for the house, the lot, and any drainage easements that may exist along the lot boundaries. Homeowners may not alter or remove any existing permanent erosion control, drainage system improvements, or any other permanent infrastructure without prior approval from the SHDRC. Erosion control plans shall be submitted to the SHDRC for review and approval.

All erosion control measures, as shown in the SWPPP and installed by the Developer, must be maintained by the Developer until one of the following occurs:

1. A lot has been sold and a building permit has been issued for said lot.
2. A lot has been sold and the Developer's warranty for the erosion control measures has been fulfilled.

In either of the two cases listed above the lot owner becomes responsible for the maintenance of all SWPPP measures for his lot. A copy of the SWPPP is available upon written request from the South Hills Development office.

### **6.9 Plantings Adjacent to Development Open Space**

Privately owned landscaping adjacent to open spaces should be planned to provide for screening and privacy where desired by the homeowner. A hard, mowable edge or a planting bed with a spun fabric weed barrier is recommended along the boundary. As maintenance within the common areas may vary and planting may be limited to native vegetation, these requirements will help to minimize weed intrusion into the residential landscape. Placement of private landscaping within the common area is not permitted. Any such plantings may be removed by future development without notice or compensation to the homeowner. Maintenance to control weeds and fire hazards within the common areas by the Owner of an adjacent property may be permitted upon approval of the SHDRC.

### **6.10 Required Plant Materials**

Plantings within the South Hills Development, except those within common areas maintained by the City or in public park strips, shall be selected from the approved list in Attachment "E1" 'Recommended Street Trees & Planting List' and the City's approved plant list. Lot owners should use this list for individual landscape planting plans within the development. Plants listed as 'Prohibited' are not allowed within the South Hills development.

### **6.11 Maintenance**

At the Owner's sole cost, each Owner shall be responsible for the maintenance and repair of all landscaping on the Owner's lot or parcel. This includes park strip areas on either side of sidewalks. All landscaping shall be maintained in good condition, including but not limited to irrigation, mowing, fertilization, pruning, pest and disease control, trash removal, fencing, and any other improvement within the landscaped area. Dead, damaged, or dying plant materials and damaged or deteriorating structural elements shall be removed or replaced as soon as possible when an unsightly or potentially hazardous condition becomes apparent.

**6.12 Weed Control.** Each Owner shall control weed growth on their lot or parcel. Weeds may not be permitted to exceed six (6) inches in height, with the exception of common area parcels that are planted in native vegetation. Any vegetative growth that is deemed, in writing, to be a fire hazard by municipal authorities is to be removed within five (5) business days of the date of written notice at the lot/pad/unit owner's expense. This requirement applies to both developed and undeveloped properties.

## **7.0 LIGHTING AND MISCELLANEOUS SITE FEATURES**

The intent of this section is to provide security and safety for sidewalks, pathways, and streets while preserving the nighttime sky.

### **7.1 Site Lighting**

Providing adequate lighting while maintaining the rural nature of the surrounding areas is an important design goal for the South Hills Development. Streetlights will be installed along major arterial and collector roads. Public Local Streets shall be lit according to City standards. Lighting within the development shall be coordinated according to the following guidelines, and fixtures shall be approved by the SHDRC and subject to compliance with City standards.

## **7.2 Pathway Lighting**

Major pathways within the core areas of the development should be illuminated by the Applicant. These light fixtures shall be of City standard. Illumination levels shall be chosen by Developer based on the intended use of the pathway.

## **7.3 House Lighting**

All exterior light fixtures on residences, except those adjacent to front entries and garages, shall be of a type that has a light source shielded from view from the street or neighboring properties, such that sidewalks are illuminated. These lights are to be installed with timers that automatically turn on the lights at a programmed time in the evening and then automatically turn off at a programmed time in the morning. This type of lighting program may satisfy the need for lighting on local streets and preserve the night sky from urban-style conventional street lighting if approved at the sole discretion of the City. Security lighting installed on a residence shall be concealed from the street view by locating it under eaves or in niches built into the architecture and painted to match the structure. No lighting shall be allowed that shines on another residence or lot. The use of any light source with a color other than white or pale yellow shall be prohibited except for holiday lighting.

## **7.4 Landscape Lighting**

Landscape lighting is permitted within each lot as long as it meets the intent of the 'House Lighting' section outlined above. All landscape lighting should be low voltage. Landscape lighting shall be used for accent lighting and not for general illumination of the residential lot.

## **7.5 Holiday Lighting and Decorations**

Holiday lighting and decorations shall not become a nuisance to neighbors. Holiday lighting and decorations may be displayed for a period of (45) days prior to and (30) days after the holiday it is intended for.

# **8.0 SIGNAGE**

## **8.1 Sign Program**

Signage continuity and theming are important to the long-term values within South Hills. The formulation of a development identity will be governed by the SHDRC. All Applicants shall be required to submit a Sign Program to the SHDRC for approval before installing any sign within the South Hills Development. The Sign Program will delineate the type, size, location, height, duration of use, responsible person with all contact information, and content or design of all signs. All signage must also be approved by the City.

## **8.2 Temporary Signage**

Real estate, construction, and similar temporary signage shall be governed by the SHDRC. Those signs that are not approved as part of the Signs Program are subject to removal without notice. All approved signs must be maintained in a clean and safe manner. Any damaged sign must be repaired or removed within five (5) business days of written notice.

## **8.3 Flags and Flagpoles**

All flags and flagpoles, whether permanent or temporary, must be approved by the SHDRC. An exception to this requirement shall be the placement of no more than two (2) poles not exceeding five feet each in length on a structure. Flags on these poles may not exceed fifteen (15) square feet each.

#### **8.4 Entry Monumentation**

Each pod or neighborhood will determine a name for the platted neighborhood (pod) that ties it to the overall master-planned Project. An entry monument design is to be submitted to the SHDRC for review and approval. The design should commingle man-made aspects with landscaping resulting in a manicured formal appearance. The entry feature should be proportional in size and grandeur to the size and product type of the product in the pod.

### **9.0 GENERAL CONDITIONS AND MAINTENANCE**

#### **9.1 Construction Operations**

Construction operations must proceed in an orderly manner within the development. The Contractor and or Owner are responsible for the safety conditions of their property as well as any required liability and disability insurance coverage. It is the responsibility of the Contractor and or Owner to see that all subcontractors and material suppliers adhere to the rules and regulations as outlined in these regulations.

Due to the site conditions, blasting utilities and foundation may be required. The Contractor shall be permitted to blast if they use a state-certified blasting company and have obtained all state and local permits.

Site grading, site preparation, topsoil processing, soil processing, and crushing can be permitted at the risk of the Developer as part of the land development operations. The Contractor or Owner must have the appropriate permits, licenses, and insurance to perform such work. It must also follow the policies of the City and the State Department of Water Resources with the appropriate Utah Pollutant Discharge Elimination System (UPDES) permit, as well as the Department of Air Quality and the appropriate dust control permits. Any fines the Developer incurs as a result of the negligence of a lot owner or a group of lot owners or builders will be summarily transferred to the said lot owner or owners.

#### **9.2 Access to Building Sites and Lots**

Owners and contractors may only access building sites by legal points of access such as dedicated streets, rights-of-way, or construction easements. The crossing of adjacent properties, parcels, or lots is prohibited except by written permission of the Owner of the adjacent parcel. The use of dirt ramps as a means of accessing lots from the street is strictly prohibited. Steel plate, plastic, or other type of ramps may be used so long as all concrete improvements are protected while gutter flow is uninhibited. Fines will be issued to lot owners and builders where dirt ramps are found, regardless of who placed the dirt ramp on the lot. These funds will be withheld from damage deposits to pay for storm drain cleanup. No homeowner or Contractor may utilize any public or Development open space for access to the rear of the lot for any purpose without prior written permission from the SHDRC or other appropriate governmental agency. Permission may be granted for temporary uses or construction purposes only.

Permission will not be granted for the purpose of storing vehicles, campers, motor homes, boats or other equipment.

### **9.3 Dust and Erosion Control**

Each Applicant shall be required to control all dust during construction. An erosion control plan must be included with the SHDRC submittal which follows the SWPPP guidelines as shown in Attachment F1. This plan is to be implemented for all phases of construction. Failure to adequately control dust and erosion may result in the levying of penalties or fines by the SHDRC. The Applicant must also follow the requirements outlined by the State Department of Water Quality.

### **9.4 Cleanup of Building Sites**

Building sites should be cleaned on a regular basis. Materials should be secured on the site to prevent the blowing of debris and garbage. Commercial dumpsters must be located on the building site or in the right-of-way in front of the site. A location on an adjacent site under the control of the Contractor is also permitted. The Contractor shall leave the site in a clean condition upon completion of construction.

### **9.5 Disposal of Construction Debris**

All construction debris must be removed from the property and disposed of in a legally approved manner. The burning or burial on site of debris and garbage is not permitted.

### **9.6 Concrete Washout Areas**

Each Applicant shall be required to designate and maintain a concrete washout area on the subject lot. All concrete washouts as a result of construction must be removed from the lot and properly disposed of upon completion of construction.

## **10.0 VIOLATIONS AND ENFORCEMENT**

### **10.1 Fines**

Violations of Section 9 of the Technical Guidelines shall be punishable by fines, penalties, and charges for replacing damaged improvements. A current list of charges may be obtained from the SHDRC office.

### **10.2 Liens**

Any violations of these Guidelines shall be subject to fines as established and authorized in these Guidelines by and payable to the SHDRC. The payment of any fines shall be the responsibility of the lot or parcel owner. Any fine that is not paid in the time limit specified may be filed as a lien against the subject lot/parcel. Any violation that is not corrected within 30 days may be corrected by the SHDRC, at its discretion, and subsequently billed to the lot or parcel owner or filed as a lien against the property.



## **Attachments**

- A1** – Scoring Chart Form
- B1** – Roadway Cross-Sections
- C1** – Sewer Extension Exhibit
- D1** – Garage Examples
- E1** – Recommended Street Trees & Planting List
- F1** – Home Builder's Soil Erosion Control Guidelines
- G1** – Exception Application Form
- H1** – Culinary Water Master Plan

**Attachment A1**  
**“Scoring Chart Form”**

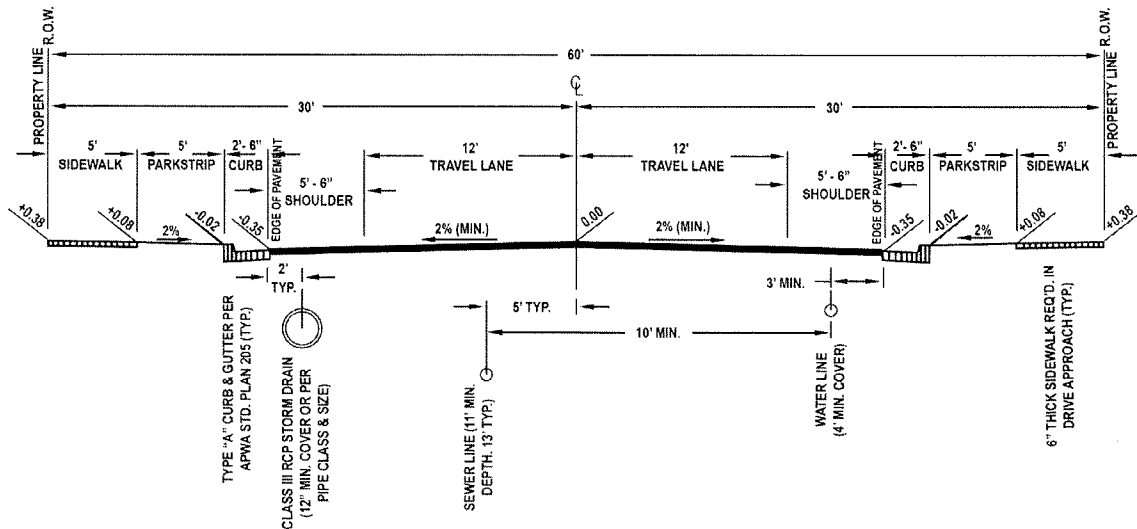
**South Hills Technical Guidelines – Aesthetic Improvement Checklist**

<b>Improvement</b>	<b>Points Possible</b>	<b>Total</b>
Square Footage 1800 sq. ft. or Higher	2	
Roof Pitch 8/12 or Steeper	2	
Hip Roof	1	
3 Gables	1	
Window Treatments (See Description)	3	
Dormers and pop-out/bay windows	1	
Glass 25% or more	2	
75%+ front masonry	2	
35%+ side masonry	2	
Garage is detached or set back from facade	3	
Side Turned Garage	3	
Double Doors	2	
Alternate Garage Configurations	3	
Covered Front Porch (See Description)	2	
Wrap Around Front Porch	2	
Rear Deck	1	
Covered Rear Deck/Patio	2	
Built-in Front, Rear, or Side Second Story Balcony	2	
Decorative Iron Railings	1	
2 or More Large Yard Trees	1	
Significant Rock Work (See Description)	1	
Water Feature	2	
Planting Beds & Shrubs	1	
Decorative Support Beams	2	
New Plan Introduction	2	
Discretionary Points	3	
<b>GRAND TOTAL</b>	<b>Min. 10</b>	<b>=</b>

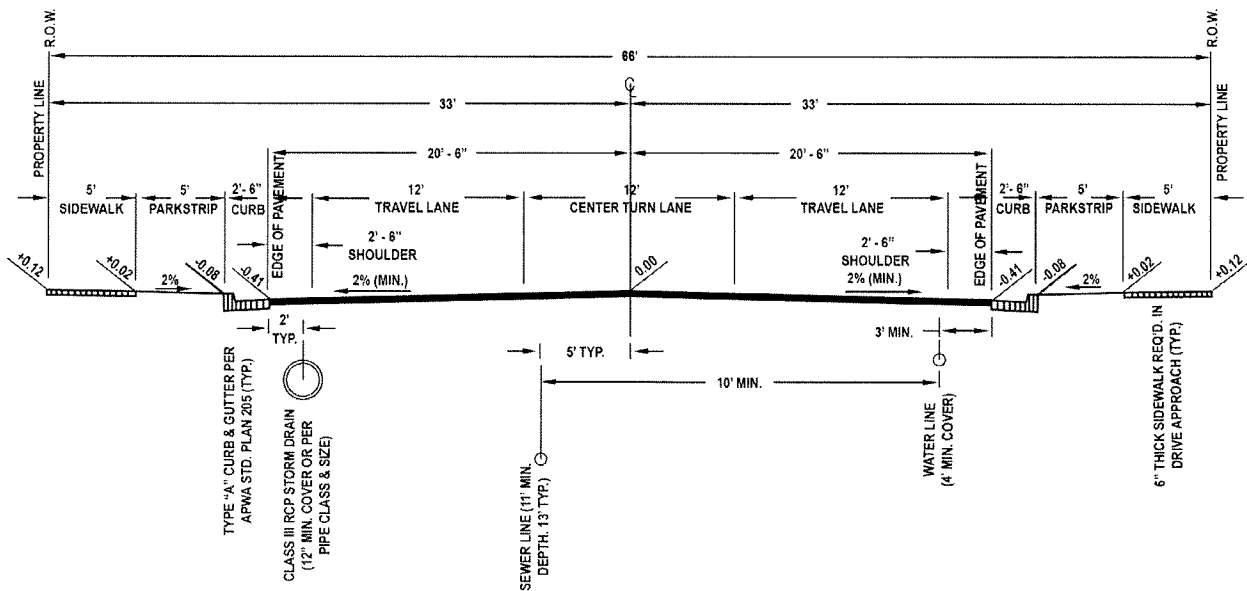
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**GRADE SEPARATED R.O.W. CROSS-SECTION**  
NOT TO SCALE

Sheet 2 of 5  
**“Roadway Cross-Sections”**  
**UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND NOT REQUIRED TO BE  
 LOCATED AS SHOWN**

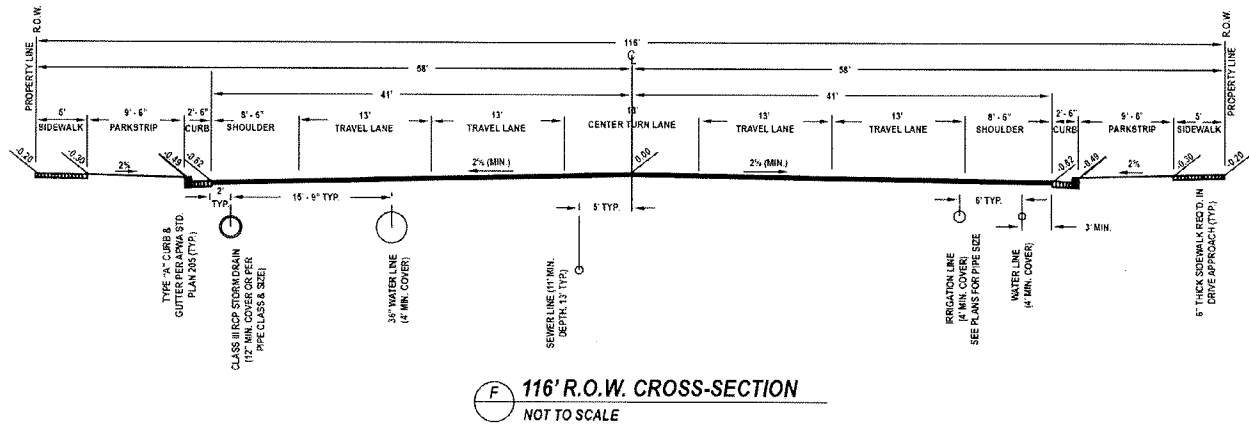
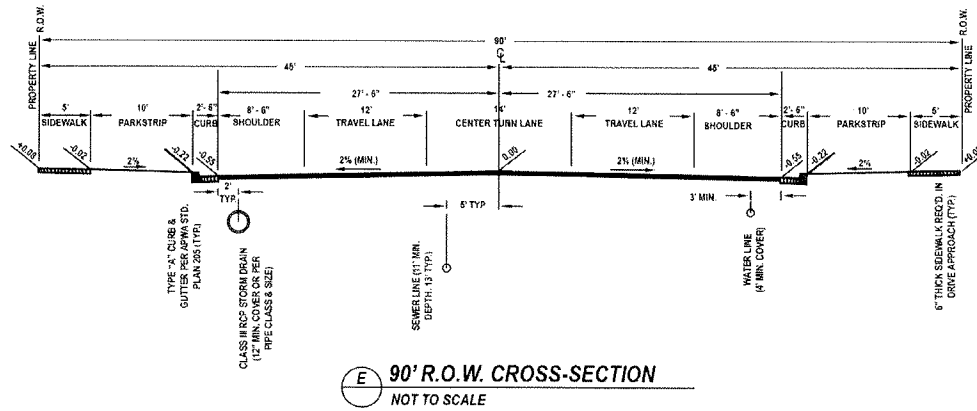


**C 60' R.O.W. CROSS-SECTION**  
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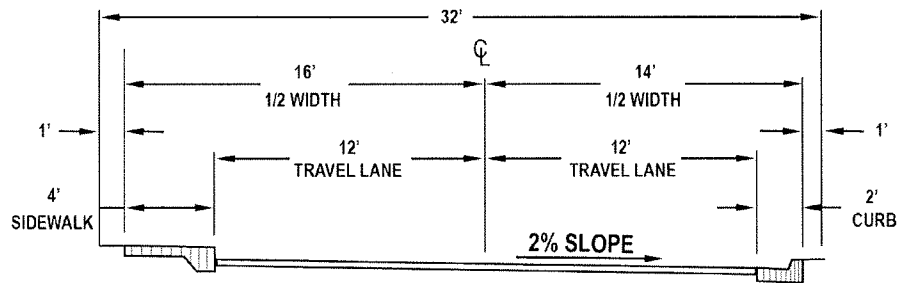


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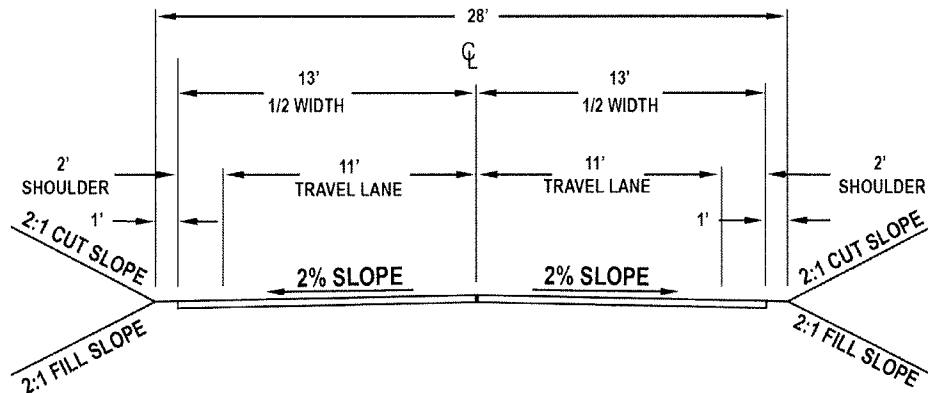
**Sheet 3 of 5**  
**"Roadway Cross-Sections"**  
**UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND NOT REQUIRED TO BE**  
**LOCATED AS SHOWN**



**Sheet 4 of 5**  
**“Roadway Cross-Sections”**  
**UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND NOT REQUIRED TO BE LOCATED AS SHOWN**



**G** **32' PRIVATE R.O.W. CROSS-SECTION**  
 NOT TO SCALE

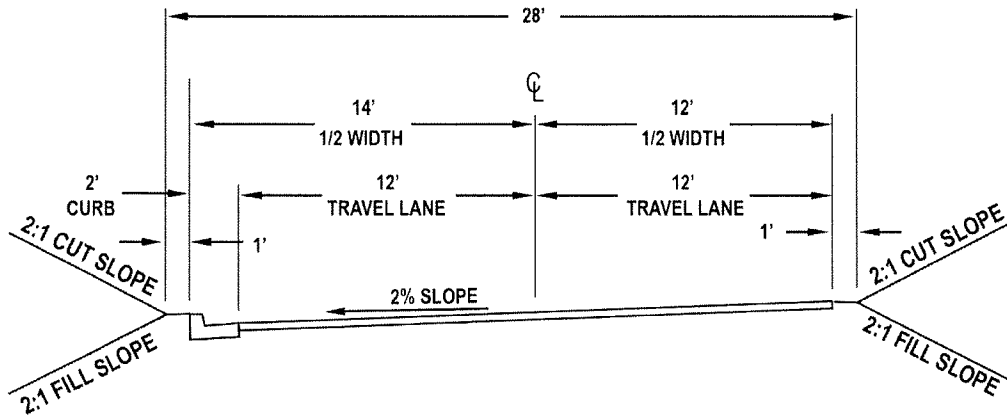


OPTION 2: 36' ROW INCLUDES AN ADDITIONAL  
 8' CRUSHED ROCK PATH ON ONE SIDE

**H** **28' PRIVATE R.O.W. CROSS-SECTION**  
 NOT TO SCALE

**"Roadway Cross-Sections"**

**UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND NOT REQUIRED TO BE LOCATED AS SHOWN**

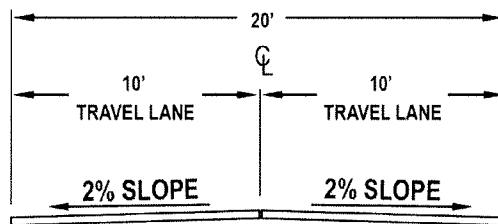


OPTION 2: 36' ROW INCLUDES AN ADDITIONAL  
8' CRUSHED ROCK PATH ON ONE SIDE



**28' PRIVATE R.O.W. CROSS-SECTION**

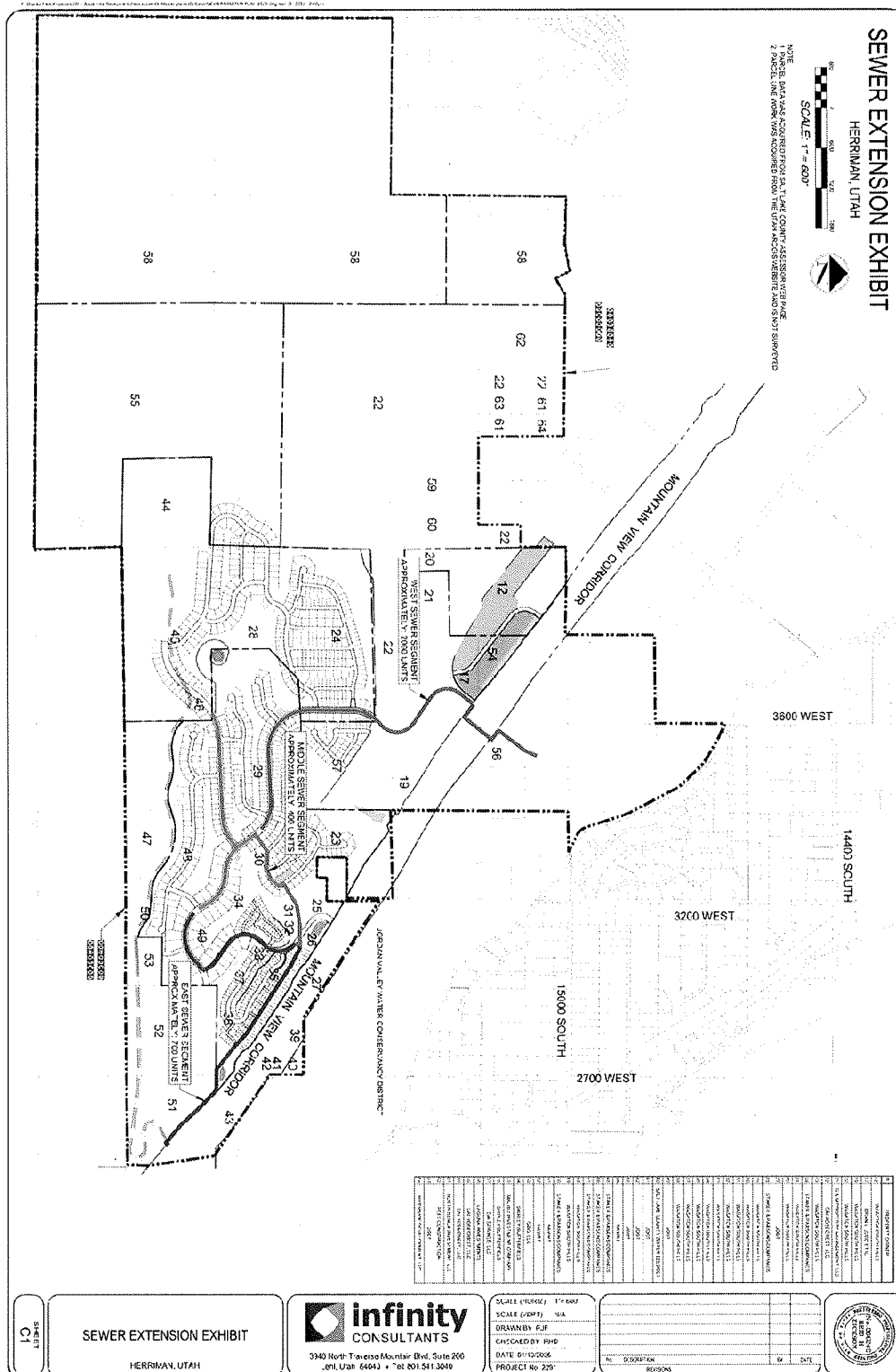
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**20' PRIVATE R.O.W. CROSS-SECTION**

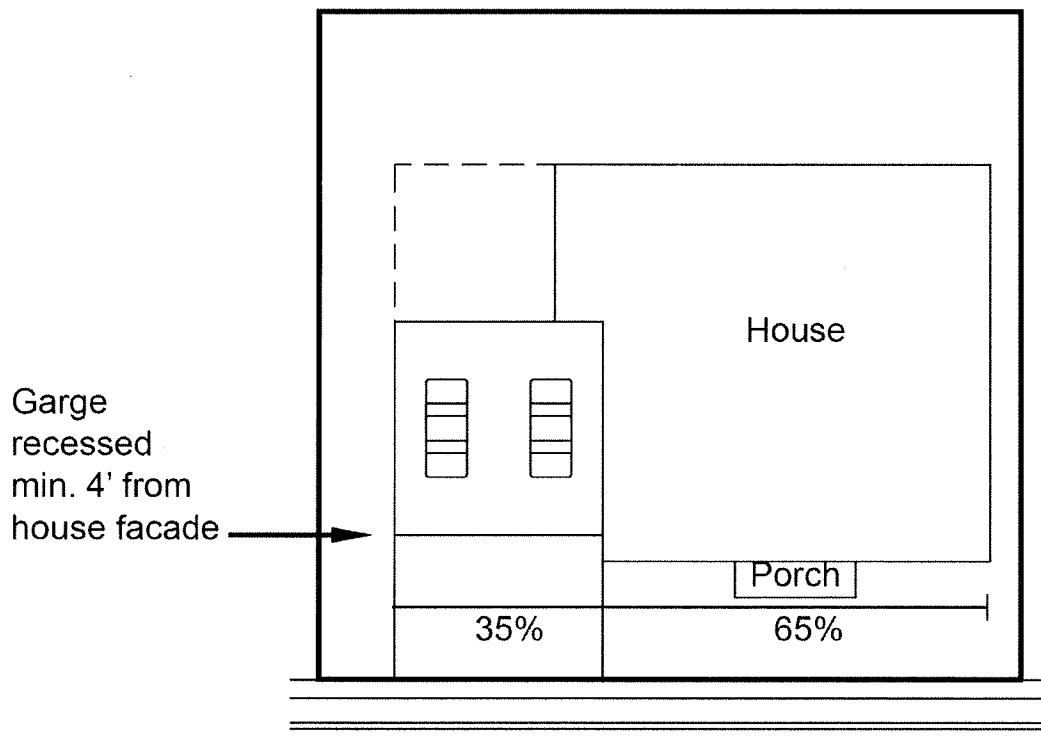
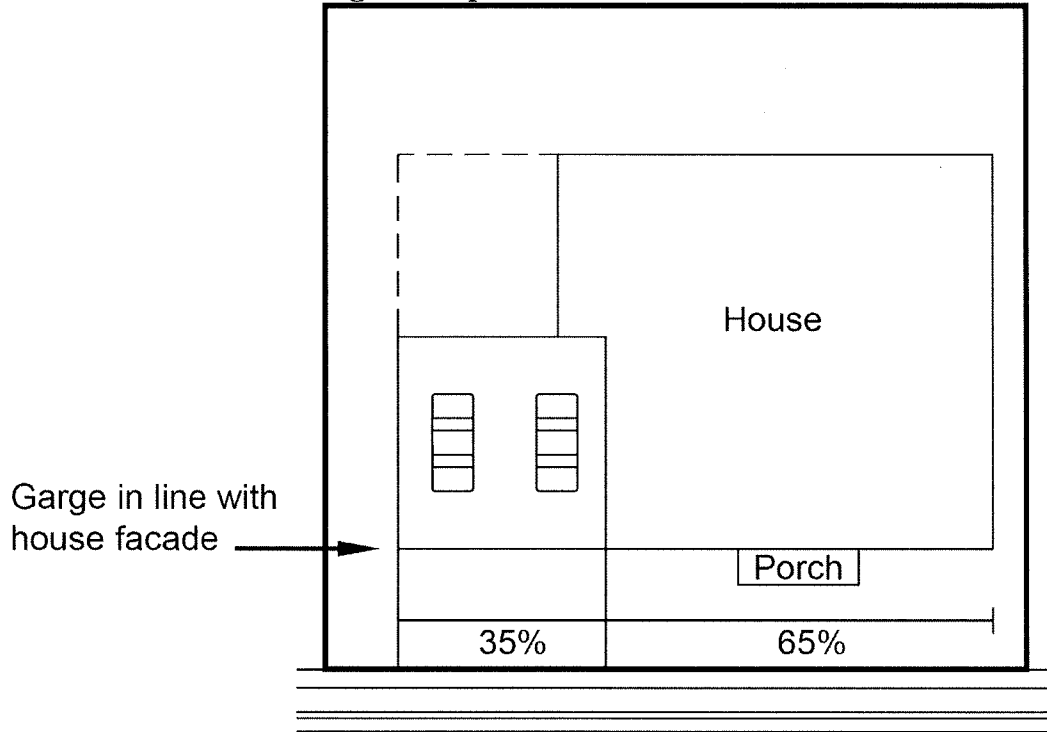
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# Attachment C1 "Sewer Extension Exhibit"

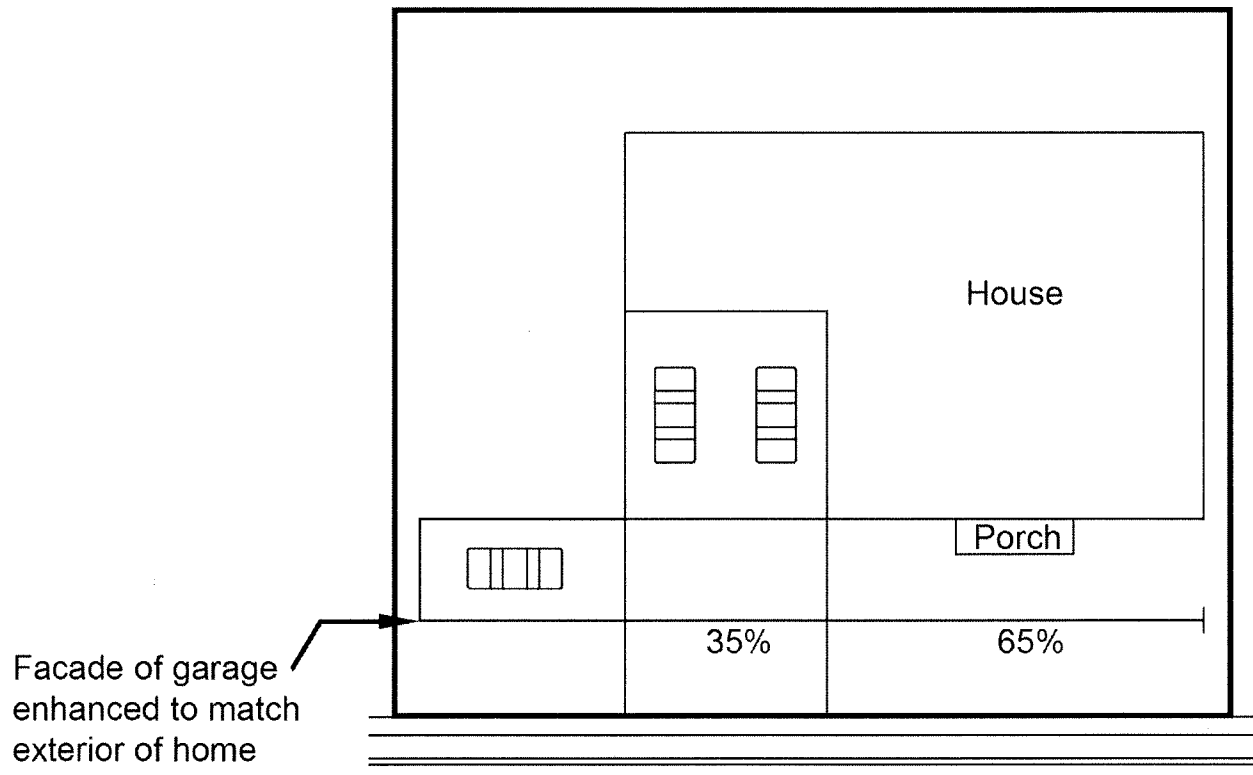
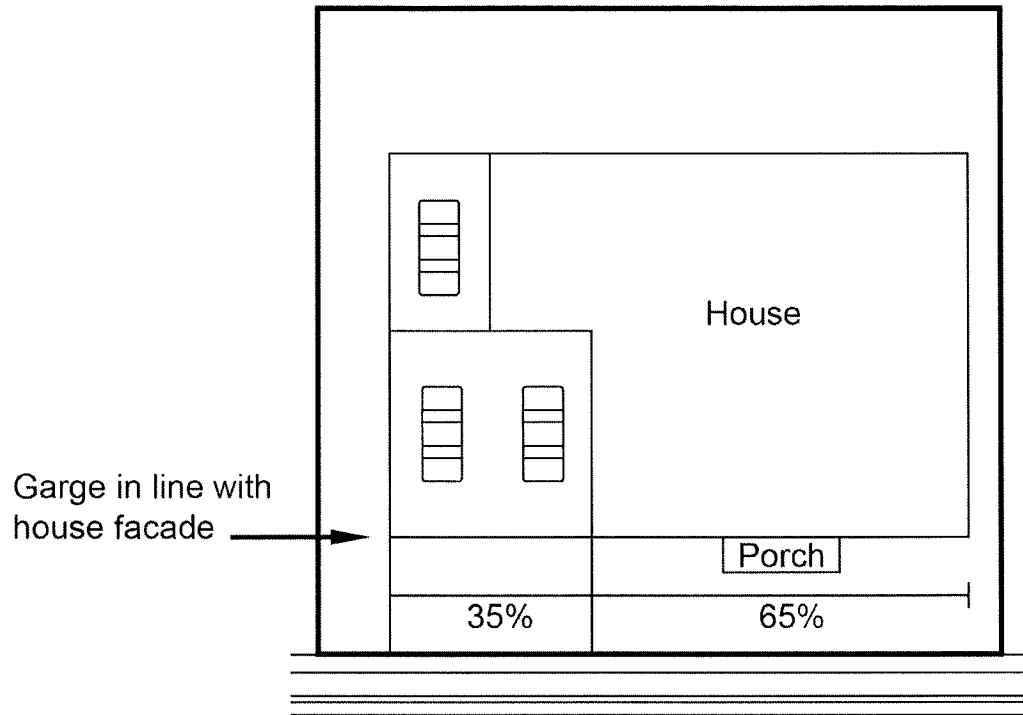




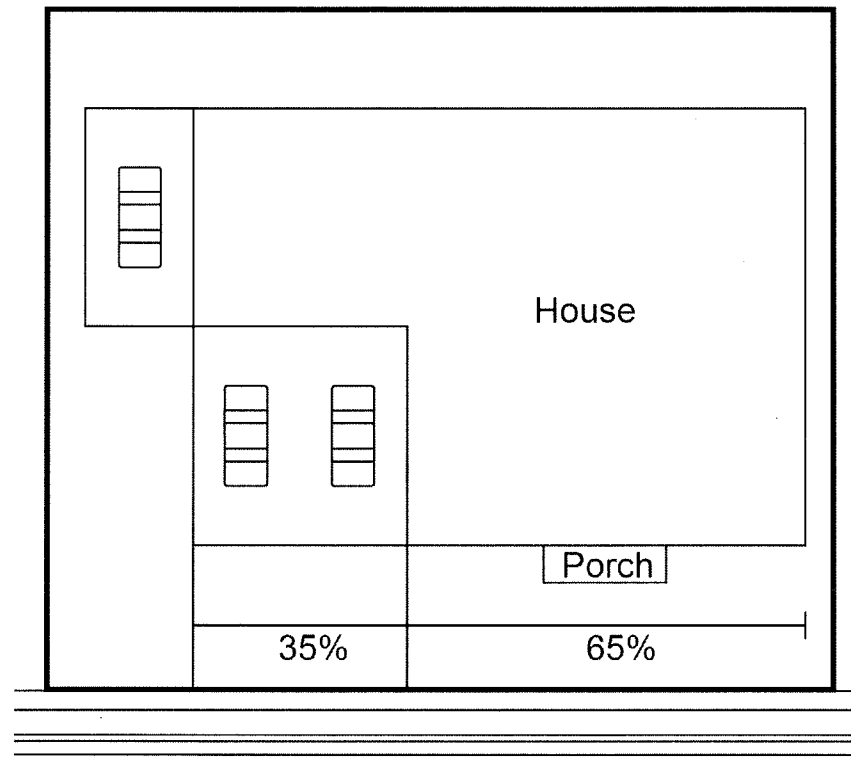
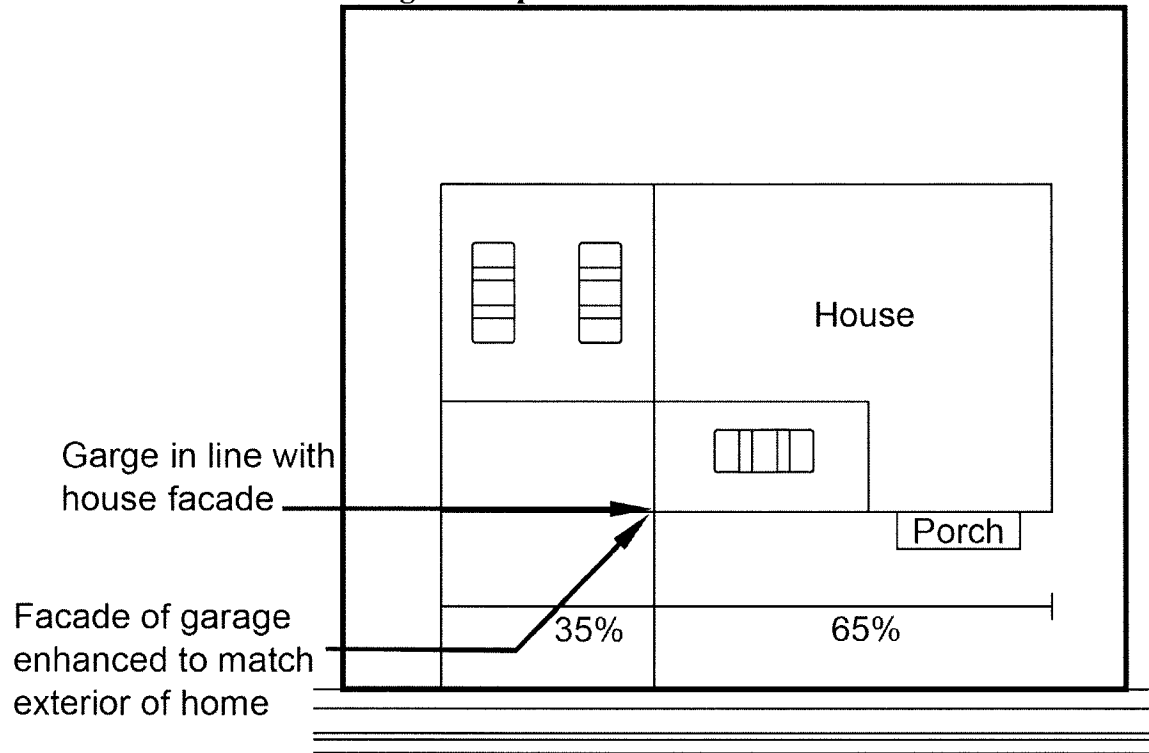
Attachment D1  
Sheet 1 of 6  
"Garage Examples" - Front Load 2 Car



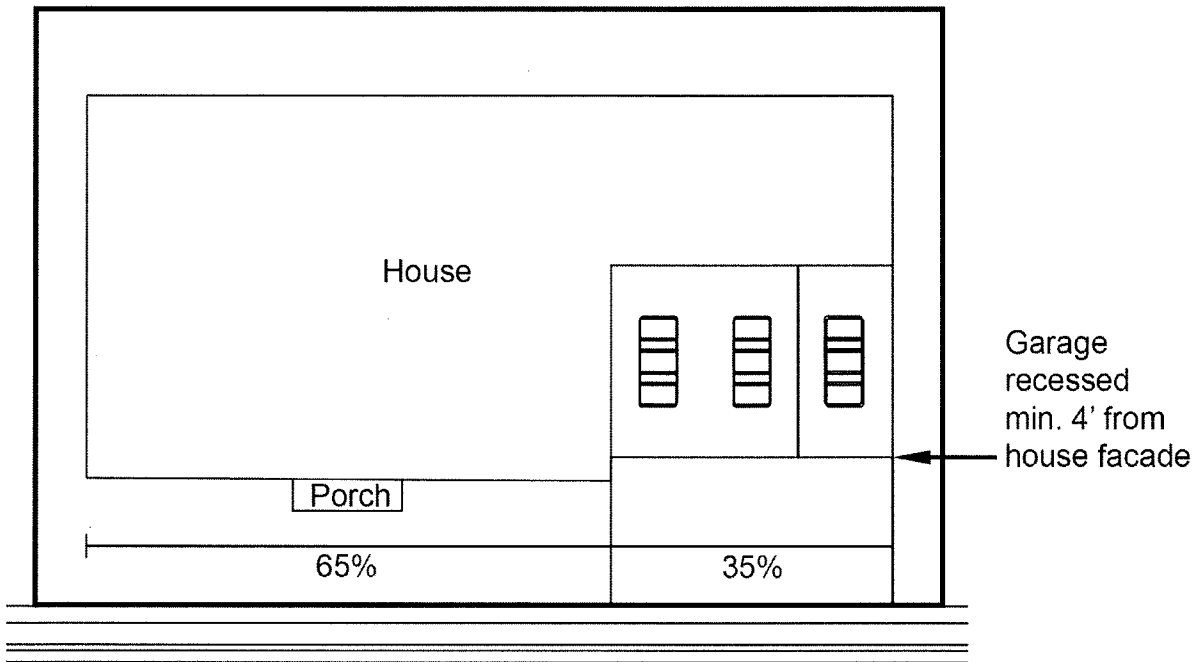
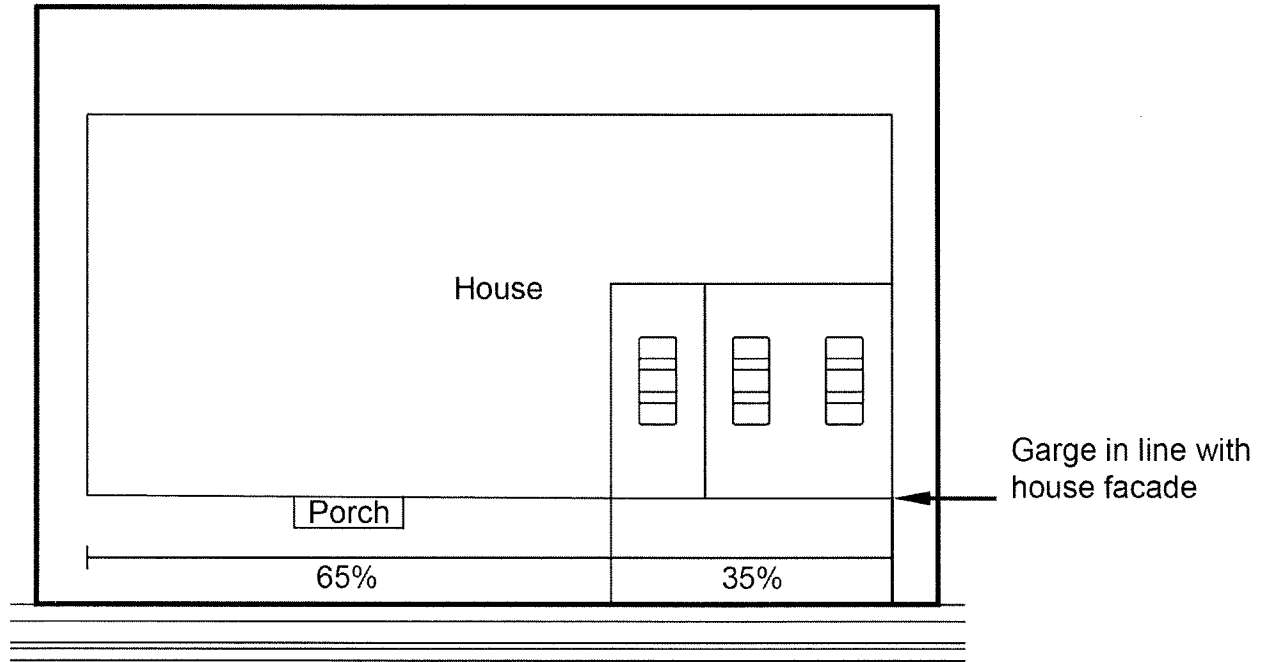
Sheet 2 of 6  
“Garage Examples” – Front Load 3 Car



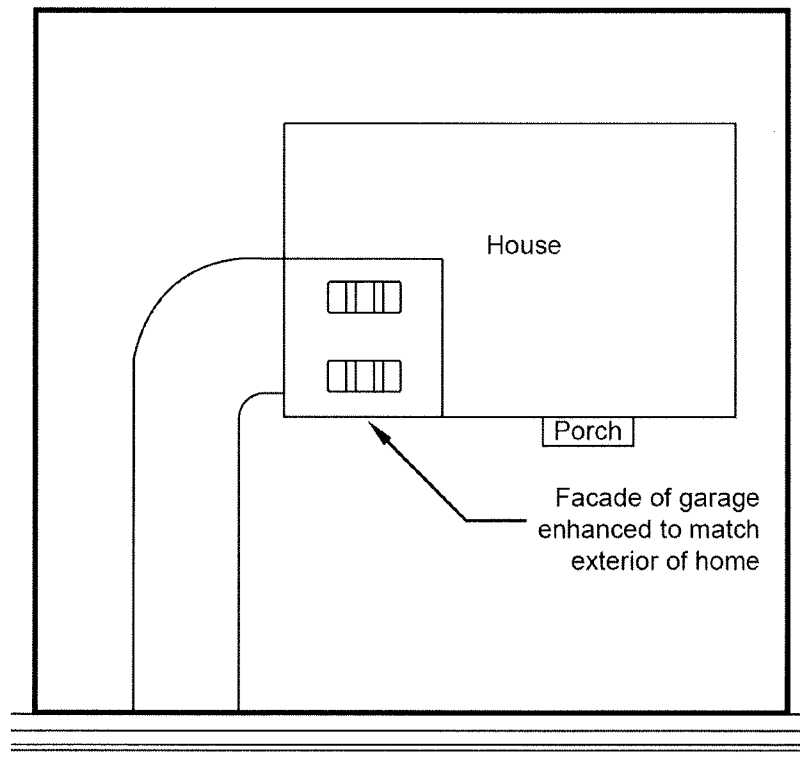
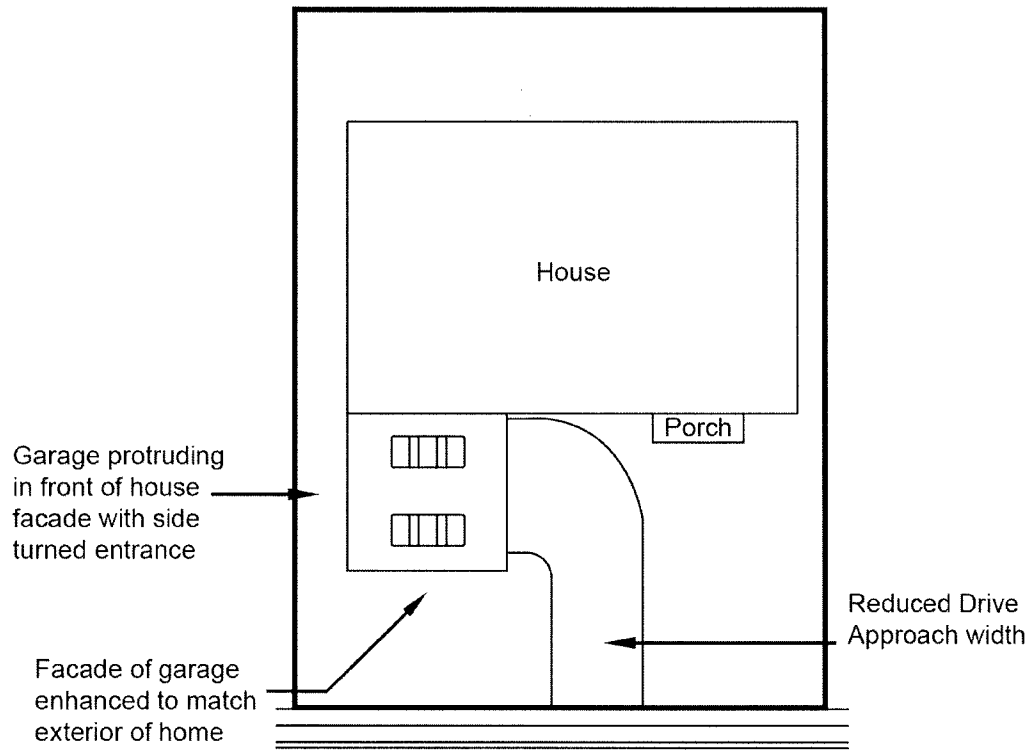
Sheet 3 of 6  
"Garage Examples" – Front Load 3 Car



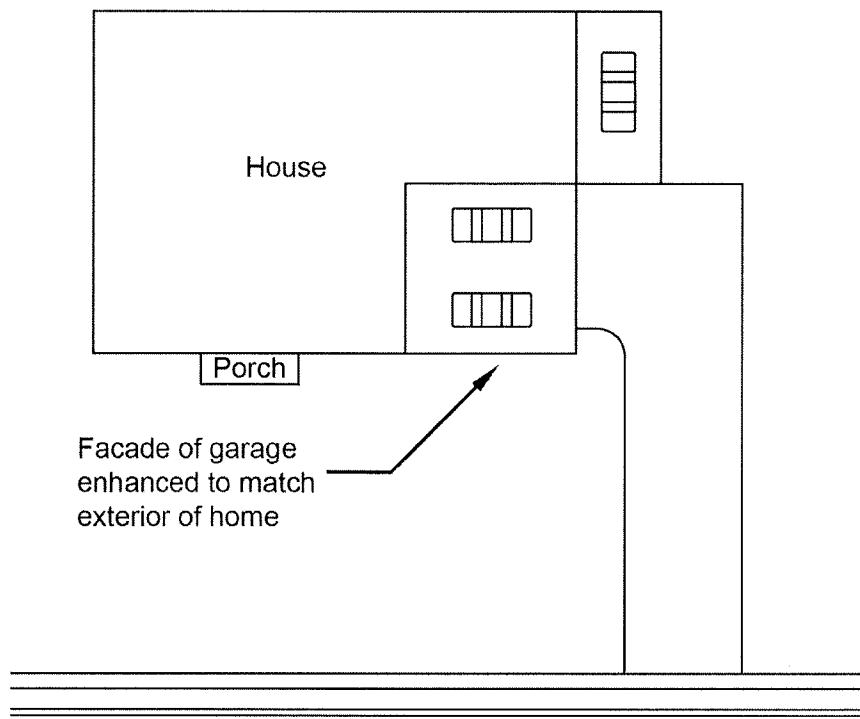
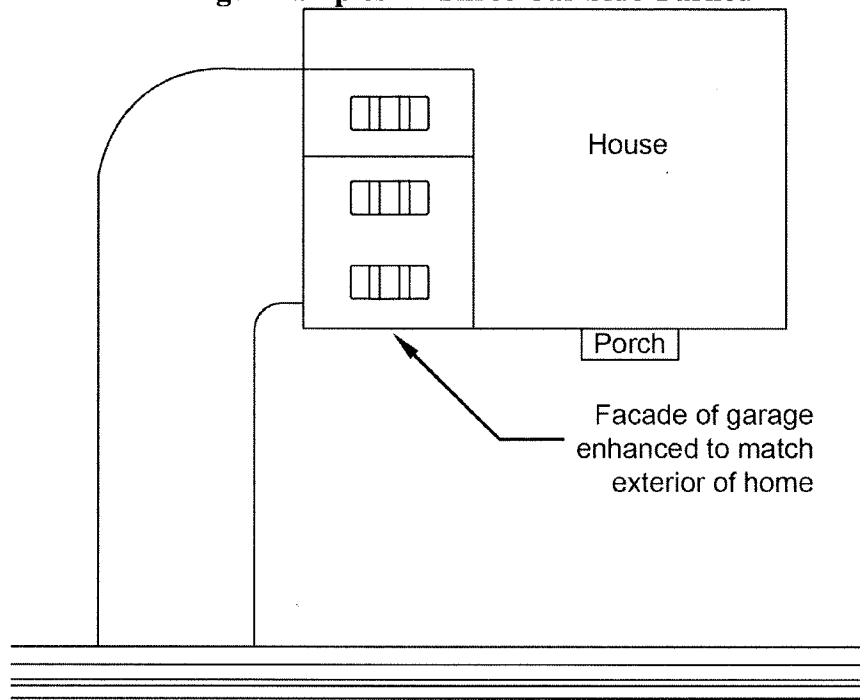
Sheet 4 of 6  
"Garage Examples" – Front Load 3 Car



Sheet 5 of 6  
"Garage Examples" – Two Car Side Turned



Sheet 6 of 6  
"Garage Examples" – Three Car Side Turned



**Attachment E1**  
**“Recommended Street Trees & Planting Lists”**

**COLLECTOR STREET TREES**  
**SPACING MINIMUM = 45' O.C. | SPACING MAXIMUM = 65' O.C.**

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
ACER P. 'EMERALD QUEEN'	NORWAY MAPLE
ACER PSEUDOPLATANUS	SYCAMORE MAPLE
AESCULUS X CARNEA 'FORT McNAIR'	HORSE CHESTNUT
CELTIS OCCIDENTALIS	HACKBERRY
FAGUS SYLVATICA	EUROPEAN BEECH
FRAXINUS P.L. 'CIMMZAM'	CIMMERON GREEN ASH
GLEDITSIA T. 'SKYLINE'	SKYLINE HONEYLOCUST
QUERCUS MACROCARPA	BURR OAK
QUERCUS RUBRA	RED OAK
TILIA C. 'GREENSPIRE'	GREENSPIRE LINDEN

**LOCAL AND NEIGHBORHOOD STREET TREES**  
**SPACING MINIMUM = 30' O.C. | SPACING MAXIMUM = 50' O.C.**

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
ACER CAMPESTRE	HEDGE MAPLE
ACER PLATANOIDES	NORWAY MAPLE
AESCULUS x CARNEA	HORSE CHESTNUT
CARPINUS BETULUS 'FASTIGIATA'	PYRAMIDAL HORNBEAM
CELTIS OCCIDENTALIS	HACKBERRY
CRATAEGUS OXYCANtha	ENGLISH HAWTHORN
CRATAEGUS PHAENOPYRUM	WASHINGTON HAWTHORN
FRAXINUS AMERICANA	WHITE ASH
FRAXINUS PENNSYLVANICA	GREEN ASH
GINKGO B. 'FAIRMONT'	MAIDENHAIR TREE
GLEDITSIA T. 'IMPERIAL'	IMPERIAL HONEYLOCUST
MALUS 'HOPA'	HOPA CRAB
PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR
QUERCUS MACROCARPA	BURR OAK
TILIA A. 'REDMOND'	REDMOND LINDEN
TILIA C. 'GREENSPIRE'	GREENSPIRE LINDEN

**Evergreen Trees are not permitted to be placed within the park strips or any other area that lies between a walkway and the curb**

## RECOMMENDED PLANTING LIST

### EVERGREEN TREES

SCIENTIFIC NAME	COMMON NAME
ABIES CONCOLOR	CONCOLOR (WHITE) FIR
ABIES LASIOCARPA	SUB-ALPINE FIR
PICEA PUNGENS	COLORADO GREEN SPRUCE
PICEA PUNGENS 'GLAUCA'	COLORADO BLUE
PINUS MUGO 'PUMILIO'	DWARF MUGO BLUE
PINUS NIGRA	AUSTRIAN PINE
PINUS SYLVESTRIS	SCOTCH PINE

### DECIDUOUS TREES

SCIENTIFIC NAME	COMMON NAME
ACER CAMPESTRE	HEDGE MAPLE
ACER GLABRUM	ROCKY MOUNTAIN MAPLE
ACER GRANDIDENTATUM	BIGTOOTH MAPLE
ACER PALMATUM	JAPANESE MAPLE
ACER PLATANOIDES *	NORWAY MAPLE
AESCULUS x CARNEA *	HORSE CHESTNUT
BETULA OCCIDENTALIS	WATER BIRCH
CARPINUS BETULUS 'FASTIGIATA'	PYRAMIDAL HORNBEAM
CELTIS OCCIDENTALIS	HACKBERRY
CRATAEGUS OCYCANTHA	ENGLISH HAWTHORN
FAGUS SYLVATICA *	EUROPEAN BEECH
FRAXINUS AMERICANA *	WHITE ASH
FRAXINUS PENNSYLVANICA *	GREEN ASH
GLEDITSIA TRICANTHOS *	THORNLESS HONEYLOCUST
MALUS 'HOPA'	HOPA CRAB
PLATANUS x ACERIFOLIA *	LONDON PLANE TREE
POPULUS ALBA 'PYRIMIDALIS'	BOLLEANA POPLAR
POPULUS DELTOIDS 'SOUIXLAND'	COTTONLESS COTTONWOOD
POPULUS CERA. 'THUNDERCLOUD'	THUNDERCLOUD PLUM
PRUNUS CISTENA	CISTENA PLUM
PRUNUS SUBHIRTELLA *	FLOWERING CHERRY
PYRUS CALLERYANA 'BRADFORD' *	BRADFORD FLOWERING PEAR
QUERCUS GAMBELII	GAMBEL (SCRUB) OAK
QUERCUS MACOCARPA *	BURR OAK
SALIX M. 'UMBRACULIFERA'	GLOBE WILLOW
TILIA CORADATA *	LITTLELEAF LINDEN

\* DENOTES POTENTIAL STREET TREE VARIETY



**EVERGREEN SHRUBS**

SCIENTIFIC NAME	COMMON NAME
ILEX AQUIFOLUM 'SAN GABRIEL'	GREEN ENGLISH HOLLY
JUNIPERUS S. 'TAMARISCIFOLIA'	TAM JUNIPER
JUNIPERUS SABINA 'BUFFALO'	BUFFALO JUNIPER
JUNIPERUS SCOPULORUM	ROCKY MOUNTAIN JUNIPER
MAHONIA A. 'COMPACTA'	COMPACT OREGON GRAPE
PHOTINIA FRASERI	FRASER PHOTINIA
PRUNUS LAUROCERASUS	ENGLISH LAUREL
TAXUS MEDIA 'HECKSII'	HICKS YEW

**DECIDUOUS TREES**

SCIENTIFIC NAME	COMMON NAME
AMELANCHIER UTAHENSIS	UTAH SERVICEBERRY
ARONIA ARBUTIFOLIA	RED CHOKEBERRY
CORNUS STOLONIFERA	RED TWIG DOGWOOD
COTONEASTER APICULATA	CRANBERRY COTONEASTER
BUDDLEIA DAVIDII	BUTTERFLY BUSH
EUONYMUS ALATUS COMPACTA	DWARF WINGED EUONYMUS
FORSYTHIA I. 'LYNWOOD GOLD'	LYNWOOD GOLD FORSYTHIA
POTENTILLA FRUTICOSA SP.	SHRUBBY CINQUEFOIL
PRUNUS VIRGINIANA	CHOKECHERRY
RHUS TRILOBATA 'WASATCH'	WASATCH OAKBRUSH SUMAC
RHUS TYPHINA	STAGHORN SUMAC
ROSA RUGOSA	RUGOSA ROSE
SPIRAEA B. 'ANTHONY WATERER'	ANTHONY WATERER SPIRAEA
SPIRAEA VANHOUTTEI	BRIDAL WREATH SPIRAEA
SYRINGA VULGARIS	COMMON PURPLE LILAC
VIBURNUM SPECIES	VIBURNUM
YUCCA FILAMENTOSA	YUCCA

**GROUND COVERS**

SCIENTIFIC NAME	COMMON NAME
EUONYMUS FORTUNEI 'COLORATUS'	WINTERCREEPER
HEDERA HELIX	ENGLISH IVY
LYSIMACHIA NUMMULARIA	CREEPING JENNY
MAHONIA REPENS	CREEPING MAHONIA
POTENTILLA VERNA	CINQUEFOIL
SEDUM UTAH	UTAH GREEN SEDUM
VINCA MINOR	DWARF PERIWINKLE

**PERENNIAL FLOWERS**

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
ACHILLEA F. 'CORONATION GOLD'	GOLD YARROW
ACHILLEA MILLEFOLIUM 'CHERRY'	CHERRY YARROW
ALCEA ROSEA 'CHATTERS MIXED'	HOLLYHOCK
AQUILEGIA 'BIEDERMEIER'	COLUMBINE
AQUILEGIA 'McKANA GIANT'	COLUMBINE
ARABIS CAUCASICA 'SNOW CAP'	WHITE ROCK CRESS
ASTER BONNEY BLUE	MICHAELMAS DAISY
ASTILBE 'BRIDAL VEIL'	GOAT'S BEARD
ASTILBE 'FANAL'	GOAT'S BEARD
AURINIA SAXATILE 'COMPACTA'	BASKET OF GOLD ALYSSUM
CAMPANULA ROTUNDIFOLIA 'OLYMPICA'	BLUE BELLS OF SCOTLAND
CENTAUREA MONTANA 'BLUE'	BACHELOR BUTTON
CHRYSANthemum MAXIMUM 'ALASKA'	SHASTA DAISY
COREOPSIS GRANDIFLORA 'SUNRAY'	TICKSEED
COREOPSIS VERTICILLATA 'MOONBEAM'	TICKSEED
DELPHINIUM PACIFIC GIANT	LARKSPUR
DIANTHUS DELTOIDES 'BRILLIANT'	MAIDEN PINKS
DIANTHUS PLUMARIUS 'ZING ROSE'	ZING ROSE COTTAGE PINK
ECHINACEA PURPUREA	PURPLE CONEFLOWER
ECHINACEA PURPUREA 'ALBA'	CONEFLOWER
GAILLARDIA GRANDIFLORA 'GOBLIN'	BLANKET FLOWER
HEMEROCALLIS	DAYLILY
HOSTA 'ROYAL STANDARD'	PLANTAIN LILY
IMPERATA CYLINDRICA 'RED BARON'	JAPANESE BLOOD GRASS
LAVANDULA A 'HIDCOTE BLUE'	ENGLISH LAVENDER
LUPINUS 'RUSSELL HYBRIDS'	LUPINE
PAPAVER ORIENTALE	ORIENT AL POPPY
PENSTEMON 'PRAIRIE FIRE'	PENSTEMON
POLYSTICHUM SETIFERUM ANGULARE	ALASKAN FERN
RUDBECKIA FULGIDA 'GOLDSTUM'	BLACK EYED SUSAN
VERONICA SPICATA 'RED FOX'	SPIKE SPEEDWELL
VERONICA TEUCRIUM 'BLUE SPIRES'	HUNGARIAN SPEEDWELL

**PROHIBITED PLANTS**

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
ACER NEGUNDO	BOX ELDER
ELEAGNUS ANGUSTIFOLIA	RUSSIAN OLIVE
GOSSYPIUM ARBOREUM	COTTON FORMING
POPULUS DELTOIDES	COTTONWOOD
GINKO – FEMALE CULTIVARS	FRUITING FEMALE GINKGO

\* ANY PLANT OR SPECIES LISTED BY THE STATE OF UTAH AS 'NOXIOUS WEED'.

**Attachment F1**  
**“Home Builder’s Soil Erosion Control Guidelines”**

All builders shall be required to file a UPDES permit with the State of Utah as required by State Law. Each Builder must have a Storm Water Pollution Prevention Plan (SWPPP), which must incorporate the items outlined in this exhibit. The UPDES permit can be done online at the following URL:

[http://www.waterquality.utah.gov/updes/Updes\\_f.htm](http://www.waterquality.utah.gov/updes/Updes_f.htm)

Builders are required to prevent soil erosion from the lots that they have purchased. Builders shall implement measures to prevent soil erosion during construction. Activities that will be managed, depending on the slope and nature of the lot, during construction include, but are not limited to, the following:

1. Grade lot so that drainage will follow the drainage easements between lots as specified on the grading and drainage sheets of the Construction Drawings for the Platted development. Each lot shall be graded so that drainage will follow the direction of the drainage arrows shown on the grading and drainage sheets.
2. Direct downspouts from gutters so that water runs away from bare soil on your lot. Flexible plastic pipe shall be utilized to direct the water away from bare soil towards the street.
3. Install and maintain a temporary silt fence barrier, sandbags, fiber filter rolls, or Filtrexx Filtersoxxs around your lot. These products control sediment from eroding onto other lots and into the street. The chosen product shall be placed on the sides of the lot that front a street(s) and along property boundaries that slope onto other lots. The erosion control measure shall be placed next to the back of curb where the lot fronts a street. Figure 1 shows a typical lot on a hillside and the location of where these erosion control products shall be placed.
  - a. A silt fence is a black, woven plastic material with wooden stakes. The fence shall be trenched 6 inches into the ground and extend approximately 18 inches above ground. The fence is stabilized with wood stakes that are placed a maximum of 6 feet apart. Figure 2 shows how a typical silt fence is installed.
  - b. Sandbags are burlap or plastic bags filled with sand. The bags, when filled, are approximately 10 to 12 inches wide and 18 inches long. The bags are placed next to each other end on end, two bags high, and extend along the property boundary. Figure 3 shows how sandbags are placed to prevent sediment from leaving a lot.

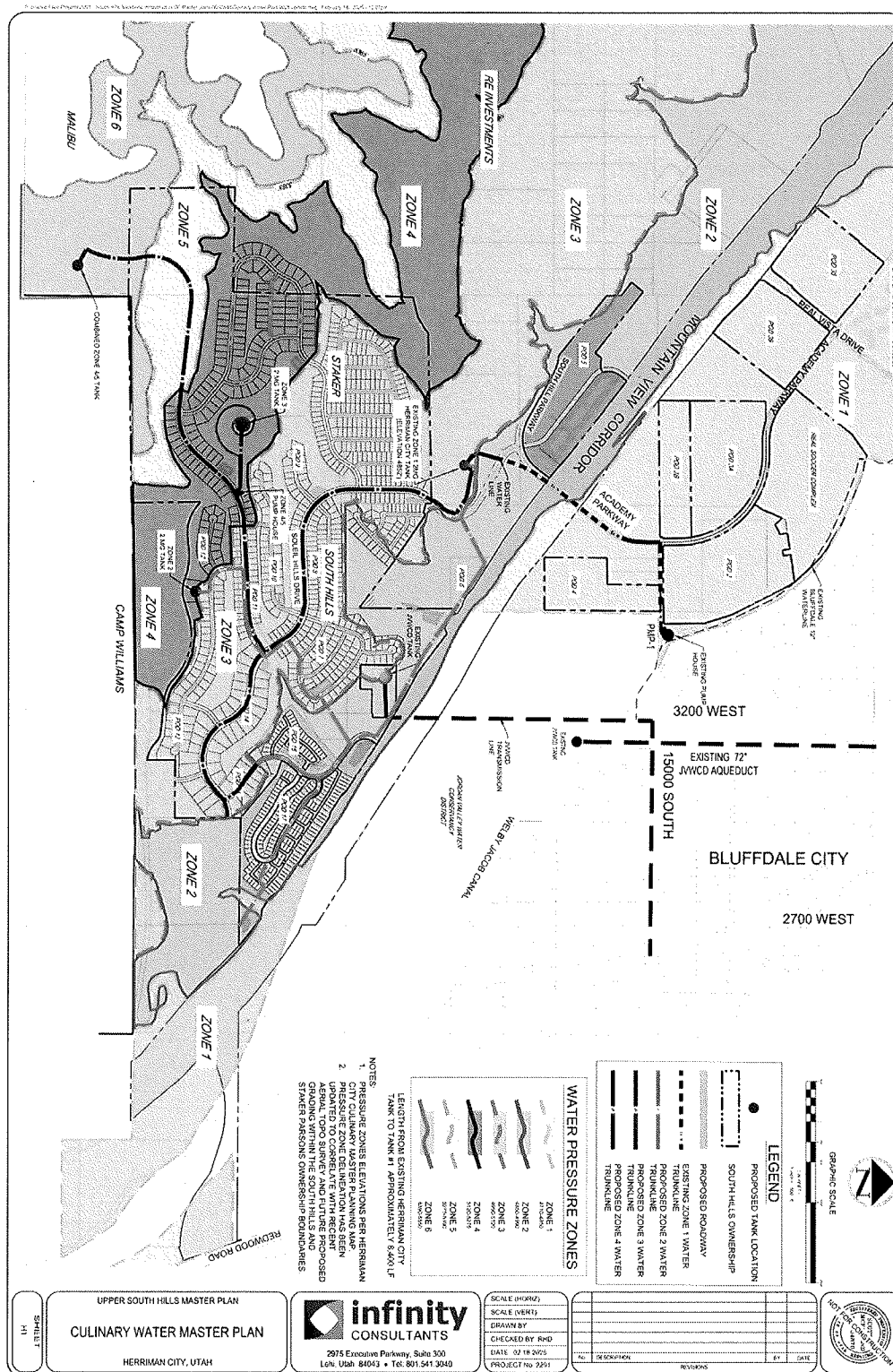
- c. Fiber filter rolls are typically 8 - 9 inches in diameter and 25 feet long. They are placed in a small trench, 3 to 4 inches deep, and staked with 18 or 24-inch wood stakes at four foot on center. The ends of adjacent fiber filter rolls are abutted to each other snugly. Figure 4 shows how a fiber filter roll is installed.
  - d. Filtrexx SiltSoxx are sediment-trapping devices using Filtrexx Filter Media applied with a pneumatic blower device or equivalent. The SiltSoxx are typically 8 or 12 inches in diameter and staked with 18 or 24-inch wood stakes at ten feet on center. Figure 5 is an example of Filtrexx SiltSoxx' The chosen sediment control measure shall be installed per the manufacturer's specifications. If the erosion control product is removed during the daily construction process, it must be reinstalled at the end of each workday.
4. Maintain single construction access to lot for vehicle entrance. The access shall be maintained to prevent sediment from entering the street. Sandbags shall be placed approximately 10 feet downstream from the construction access, as described in Figure 1.

South Hills will work with each Builder to ensure that soil erosion is controlled within each lot that is under construction. Erosion control measures will be checked and monitored by Herriman City. Erosion Control is the responsibility of the Builder during construction and then transfers to the homeowner during occupancy. If a builder or homeowner fails to comply with these guidelines, fines can be assessed, and the Builder or homeowner will be responsible for damage due to uncontrolled run-off. Remember, the best way to control run-off is by landscaping. The deadlines for landscape installation can be found in the Design Guidelines, which is a part of the CCRs for each plat.

Request for Exception from Technical Guidelines	
INFORMATION	
Applicant/Representative:	
Representing (if applicable):	
Phone/Email:	
Address:	
Project Name:	
Engineer:	
Phone/Email:	
SUBMITTAL INFORMATION	
What Technical Guideline(s) is/are the exception(s) being requested for?	
State the requested exception. (what is the proposed design criteria)	
Provide justification for the proposed exception and attach reference material, plans, details, etc.	
Approvals	
South Hills Design Review Committee	Date

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# Attachment H1 "Culinary Water Master Plan"



**Exhibit H**  
**“Commercial Technical Guidelines”**

**SOUTH HILLS**

*A Master Planned Community*

**COMMERCIAL TECHNICAL GUIDELINES**

November 13, 2024

## **1.0 EXECUTIVE SUMMARY**

### **1.1 Overview**

Contained herein are the basic standards for commercial development of master-planned improvements, pods, lots, structures, landscaping, and other site improvements such as lighting, signage, and monumentation within the South Hills Master Planned Community (the “Project”).

The information in this portion of the South Hills Commercial Technical Guidelines, i.e., “Commercial Technical Guidelines” or “Commercial Guidelines”) is for commercial development in the Project. These guidelines establish patterns of design for the appearance, functionality, and theming of the South Hills Development as identified in the approved Land Use Master Plan (LUMP) and other attached exhibits. They are to be used to inform developers, builders, engineers, architects, landscape architects, and other professionals and help them understand expectations for commercial development. The intent of these guidelines is to allow for ingenuity and creative design of the project while maintaining continuity of style, theme, and quality and preventing incompatible new construction.

The standards and guidelines in this document consider the natural environment of the Project itself, the environment surrounding of the Project, and the future environments or communities that may be created as the Project is developed. These guidelines also consider and plan for the engineering, land planning, landscape architecture, and building architecture that will occur on a “phase-by-phase” basis in the future. The incorporation of innovative technology is encouraged. Visual quality, functionality, and safety are all key aspects of these Technical Guidelines. Unique and creative design principles are also discussed in these guidelines, which will enhance the desirability and long-term viability of the commercial improvements created within the South Hills development the surrounding affected areas.

The Commercial Technical Guidelines will steer the decisions that are made by the South Hills Design Review Committee (SHDRC) when reviewing applications for development or construction.

Commercial developments will be characterized by a variety of lot and building sizes, types, and uses. Variation in setbacks is encouraged and can be influenced by quality landscape design to improve people’s experience by helping to promote connectivity and synergy within the development. Land planning, engineering, landscape architecture, and building architecture should recognize surrounding developments and communities and consider available views and amenities.

## **2.0 SITE DESIGN**

### **2.1 Overview**

Site planning includes the locating, sizing, configuring, and orientating of buildings; alignment and sizing of streets and travelways; positioning and sizing of parking areas; sizing and configuring of landscaped areas; design of pedestrian routes and crossings; spaces for outdoor dining, sales, and recreation; placement of utilities; placement of dumpsters and snow storage areas; and



accommodation of grade changes such as slopes and walls. Site planning also includes elements that ensure the safe interaction of vehicles and pedestrians, such as speed table pedestrian crossings, traffic calming “travel way” restrictions, and medians or islands with pedestrian crossing protection, etc. Site design will also consider adjacent land uses, access, views to and from the site, sun exposure, public transportation, and complementary land uses, both internal and external. Site design of commercial areas will create a sense of place, destination, or gathering locations and enhance the sense of community within Herriman City.

All commercial building permit applications will be submitted, reviewed, and approved by the SHDRC prior to being submitted to the City according to the process outlined in this section.

## **2.2 Submittals of Individual Lot Improvements/Building Permit Applications**

Electronic plans in a digital format acceptable to the Developer (or three sets of printed plans if necessary) detailing any building improvements or changes to a lot, dwelling, building, structure, or any other improvement requiring a permit normally governed by a City ordinance shall be submitted to the SHDRC for approval. All plans shall be drawn to scale on a sheet size of 24” x 36” (when printed). The plan submittal shall include the following information:

- A. South Hills Design Review Committee Review Application
- B. Site Development Plans that include the following (all plans must be prepared by a qualified engineer, licensed to practice in the State of Utah):
  - 1. Lot boundary with dimensions and bearings
  - 2. certified topographic information (existing grade contours at two-foot intervals)
  - 3. Identification of all existing features on the subject lot.
  - 4. All adjacent parcels, right-of-way, or parcels with identification of same
  - 5. Dimensioned building pad and other site improvements such as concrete flatwork,
  - 6. Dimensioned extensions of building (i.e., decks, window wells, stairs, patios, etc.)
  - 7. Locations of all easements, rights-of-way, and setbacks
  - 8. Front setback dimensions of adjacent lots
  - 9. Location and size of any other regulated proposed improvements
  - 10. Front, side, and rear elevations of any architectural element or improvements
  - 11. Grading and Drainage
  - 12. Any retaining features in excess of four (4) feet in height, along with engineer's calculations
  - 13. Erosion control measures in compliance with State law.
- C. List of all exterior materials and colors, including samples of any unusual or custom materials
- D. Landscape plans and plant materials (where required)
- E. Any additional information as required by the SHDRC
- F. Rendering or picture of the structure or modification proposed

### **2.2.1 Permitted Uses**

Permitted uses within the C-2 Commercial Zone include those listed in Herriman City Code Chapter 10-16 Table of Uses and the following: athletic club/health club, automatic automobile wash, baking, ice cream making, candy making, massage therapist, copy service, hotel/motel, restaurant with liquor license, package agency, parking lot, printing shop, reception center, recreational commercial, and tanning studio. Types of uses are to be reviewed and approved by SHDRC.

### **2.2.2 Prohibited Uses**

The following uses are prohibited: automobile services center, kennel, dog or cat grooming, cemetery, golf course, mini storage, recycling center, unoccupied model buildings, sand or gravel storage or processing, composting, and sexually oriented business.

### **2.3 Building Setbacks**

- A. To Right-of-Way, Rear: 20-foot average (based on lineal footage of fronting side or sides of buildings) where multiple buildings front a street right-of-way (ROW), but no smaller than 10 feet.
- B. To Right-of-Way Line, Front: On internal streets, building setback may be reduced to zero (0) feet where urban design theme enhances width and use of walks, streets, or on-street parking. Walks and areas around zero setback buildings will be enhanced by elements such as wider walks, decorative light poles, light pole banners or plants, decorative trash enclosures, and benches, etc. (See Landscaping, Section 4.)
- C. To Property Line, Side – Internal side setbacks (those which only affect buildings within a proposed commercial site) may be reduced to zero, and in any case, comply with the International Fire Code (IFC). External side setbacks (affecting properties adjacent to a proposed commercial site) will be no less than 12 feet.

### **2.4 Building Coverage**

Building coverage for larger multi-phase surface-parked commercial sites will not exceed 60%. Some phases or lots may exceed this value, provided the overall coverage does not exceed 60%. In the case of sites where non-surface parking is employed, the building coverage percentage may exceed 60%. In no case may the landscaped areas of the overall master-planned commercial site be less than 15% of the gross site area. Enhanced decorative elements and theming will enhance this type of urban commercial site design. (See Landscaping, Section 4.)

### **2.5 Parking - Number of Stalls**

The parking design of commercial sites will be evaluated by a qualified professional according to industry design standards. Location, distribution, and quantity of parking are to be included in the evaluation. Proposed land and building uses are to be determined as part of the parking evaluation. Ride-share, mass transit, pedestrian, and other non-vehicular loads are to be included. Shared parking based on uses at opposing times of day is to be considered. ADA parking, compact parking, electric car recharging spaces, and other unique parking needs should be considered. The Institute of Transportation Engineers (ITE) publication *Parking Generation Manual, Fifth Edition, January 2019* and other industry publications should be used in evaluating the parking demands of proposed commercial projects. Other factors affecting parking demand will be considered, such as the number of bedrooms per residential unit, number of anticipated workstations per square foot of office space, number of occupants of retail buildings, CC&R restrictions on occupant numbers and/or on available parking, consideration of owner vs. renter occupation, proximity of public transit, etc.

For example, Land Use Description and Data Plot 221 (see page 104), from the ITE Parking Generation Manual, provides information for a mid-rise multifamily housing project on a Sunday, the highest demand period of the week. The demand is 1.06 parking stalls per residential unit. The data was collected on a project that has 415 units. On all the other days of the week, the parking demand is less than 1.06.

### **2.5.1 Parking - Configuration**

Parking lots are to be configured for efficient and convenient use of space. Parking lot areas are also to be configured to provide areas for landscaping features such that large paving areas are enhanced with landscaped islands, parking space end protection islands, tree diamonds, or storm drainage infiltration strips (minimum of 2 feet wide). Parking areas are to be configured such that paving areas are integrated with one of the above features at least every 200 feet in any direction on average.

### **2.6 Site Lighting**

The lighting design of commercial sites will be evaluated by a qualified professional according to industry design standards. Location, intensity, and quantity of lighting are to be included in the evaluation. Proposed land and building uses are to be determined as part of the lighting evaluation. Open spaces and common areas are to be included. Published industry standards and software should be used to evaluate the lighting demands of proposed commercial projects. Site lighting should not have significant negative impacts on adjoining properties. Adjacent residential land uses should be shielded from direct lighting. The style of poles and fixtures is to be determined according to the architectural theme of the overall commercial site design and building architecture. Styles of poles and fixtures are to be consistent throughout a given site. Redundant lighting should be avoided when designing a proposed site next to or near an existing site.

### **2.7 Drive-Thru Lanes**

Drive-thru lanes add significant value to a commercial project and are paramount to the sustainability of certain tenants. Curbing and paving for drive-thru lanes and parking areas are subject to a minimum 10-foot separation from public ROW lines. Vertical separation, achieved by slopes or walls, or densified vegetative separation (flower beds, low hedges, continuous shrubs, etc.) should be employed wherever the separation distance between public ROW and any curbing or paving is less than 20 feet.

### **2.8 Dumpsters, Snow Storage**

Dumpster pads with gated enclosures are to be located within a site where they are both convenient for use and accessible by service trucks. The design of enclosures should generally match the building material and style near or surrounding the dumpster. Snow storage areas are to be provided on-site where snow can be conveniently pushed or piled without impeding parking areas, travelways, accesses, or pedestrian ways. Landscaping areas may be used for snow storage.

## **3.0 SITE PLANNING AND ENGINEERING**

### **3.1 Site Infrastructure**

Site infrastructure includes grading, streets, culinary water, sewer, storm drainage, irrigation, power, gas, communications, walls, parking lots, and sidewalks. These elements must be master-planned and designed according to accepted industry standards. Site infrastructure is to be planned and designed to not distract from the more decorative and thematic aspects of the overall commercial development. Site infrastructure is to be planned and designed according to regional and City master plans and is to be safe, attractive, cost-effective, and reliable.

### **3.2 Private Streets**

Streets internal to a proposed commercial development may be public or private. Their cross-sections are to be specifically designed according to projected needs and loads. The number of lanes, widths of lanes, on-street parking, bike lanes, bus lanes, turn lanes, park strip widths, sidewalk widths, etc., will be determined for each roadway according to need and circumstance. Each street cross-section will be depicted graphically and certified by a licensed professional engineer for compliance with industry standards. Geometric alignments of streets and intersections will also be designed and certified according to the above. Design publications: A Policy on Geometric Design of Highways and Streets, AASHTO, Residential Streets, ITE, ULI, ASCE, and Guide for the Development of Bicycle Facilities, 2012, AASHTO should be used.

### **3.3 Public Streets**

External (or fronting) streets are public and will be designed in cross-section and alignment according to Herriman City standards. Walks, bike paths, park strips, lighting, and landscaping are to be consistently perpetuated along streets with uniform cross-sections and widths.

### **3.4 Commercial Lot Frontage**

For purposes of any subdivisions, cross-access easements to a public street shall suffice for any access requirement to any individual subdivision lot.

### **3.5 Storm Drainage**

All drainage facilities and infrastructure required by a Development Application shall be designed in accordance with the City's latest adopted versions of the Standards & Specifications Manual and the Storm Drain Master Plan, per City ordinance, unless a Deviation to the Standard is granted by the City.

If the City grants a Deviation to the Standard, any areas or pods included in the data, reports, and studies associated with that deviation will not require a separate Deviation to the Standard Application. For example, if the Developer receives full approval for a Deviation to the Standard regarding the storm drain improvements plan for the backbone roads, and the submitted data, reports, and studies also cover storm drain plans for Pods 8A, 14, and 15, no additional applications, studies, or reports will be needed for those pods.

The use of neighborhood detention basins are allowed if the drainage cannot be reasonably taken to one of the regional facilities. The use of temporary detention or retention facilities may be approved in the event that regional detention facilities or regional transmission facilities are not completed according to the needs of an individual pod. Adequate assurances are to be given that any temporary storm drainage facilities will be connected to permanent regional storm drainage facilities as development allows. The maintenance of any temporary facilities is the Developer's responsibility.

Infiltration of storm drain water is an effective way to reduce stormwater detention and run-off volumes. The effects of ground infiltration can be included in the sizing of storm drainage detention facilities. Maintenance plans shall be provided showing the means by which infiltration systems can be cleaned to operate at original design infiltration rates. A financial mechanism shall be put in place to assure the City that any mediation of reduced infiltration will be corrected.

Groundwater infiltration rate testing, or any other method of properly identifying infiltration rates, will provide a method for effectively down-sizing a given detention facility. Data gathered for purposes of determining infiltration characteristics of detention basin soils will be submitted, along with all appropriate calculations and/or detail drawings to display the method of introducing storm drain water back into the ground.

#### **4.0 LANDSCAPING STANDARDS – COMMERCIAL, OFFICE, AND RESIDENTIAL WITHIN COMMERCIAL**

##### **4.1 Design Criteria**

- A. Landscaping should reflect and relate to the adjacent project's architectural design and character.
- B. Landscaping should encourage low water usage for landscaped areas.
- C. Incorporate plant materials that are proven to flourish in Herriman City. (see South Hills Residential Technical Guidelines - Attachment F1 for recommended tree and plant materials).
- D. Landscape areas should use trees to shade large expanses of pavements and reduce the heat island effect.
- E. Landscaping should be used to soften building massing to create a cohesive, coordinated character to the South Hills Development commercial neighborhoods.

##### **4.2 Landscape Requirements**

###### **4.2.1 Overall Landscape Requirements**

- A. At least fifteen percent (15%) of the site shall be landscaped for Commercial (C-1, C-2) and Office (OP) zones within the South Hills Development.
- B. Landscaping areas shall include live plant material of at least 75% within five (5) years of installation. Non-live landscaping materials may consist of organic mulch such as wood mulch, decorative gravel or cobble, pavers, and boulders.
- C. One tree shall be planted for every five hundred (500) square feet of landscaped area. Trees may be clustered.
- D. Deciduous trees shall be a minimum of 2" caliper and 6' tall for evergreen trees.
- E. Shrubs shall be a minimum of 2-gallon container.
- F. Landscaped areas to be watered with an automatic irrigation system containing rain sensor(s) with drip irrigation encouraged for planter bed areas.

###### **4.2.2 Front and Side Yards**

- A. Front and side yards shall be landscaped.
- B. At least seventy-five percent (75%) of the landscaped area shall be planted with live plant material within five (5) years of installation.

###### **4.2.3 Public Street Landscaping**

Except for approved driveways and pedestrian walkways, landscaping shall be provided along public streets as follows:

- A. A minimum of one tree planted in the park strip for every thirty feet (30') of frontage.
- B. The area between streets and property frontage shall be landscaped. At least fifty percent (75%) of the landscaped area shall be planted with live plant material within five (5) years of installation.
- C. Park strips shall be an extension of the landscape treatments in the building frontage space.
- D. The property owner shall be responsible for the maintenance of the park strip landscape area.

#### **4.2.4 Parking Lot Landscaping**

Parking lot landscaping shall be developed to reduce the impact of parking lots from adjacent streets and neighborhoods. Trees and plant materials shall be selected to provide shade and a canopy effect.

- A. Deciduous shade trees shall be dispersed throughout the parking lot with at least one tree (1) per parking lot island. See Section 2.5.1 for parking lot island quantities.
- B. The use of plant materials to screen parking areas from streets and adjacent uses is encouraged.

#### **4.2.5 Buffer Landscaping Adjacent to Residential**

A landscape buffer shall be installed along side and rear lot lines which abut a residential zone.

- A. A minimum of one tree is required for every 20 linear feet of buffer frontage, with the use of evergreen trees preferred unless the buffer width is less than 5' (then trees are not required).

#### **4.2.6 Screening Requirements**

Dumpster or trash facilities not located within a building shall be screened from view by landscaping that will reach a minimum of 6' tall within five (5) years of planting.

- A. Utility boxes, meters, and mechanical equipment shall be screened from public view by landscaping.
- B. Dumpster enclosures (see Section 2.8)

### **4.3 Open Space Development**

Open space areas that support human health, safety and recreation shall be planned and contain unique features to draw pedestrians and create a sense of community within the South Hills Development.

- A. Open space areas such as plazas, pocket parks, and mid-block breaks should be incorporated into individual project developments.
- B. The open space areas should be scattered throughout the South Hills Development and provide a variety of experiences for people to participate in.
- C. The open space areas should be designed to engage with the adjacent architecture.
- D. Provide visible and well-lit open spaces that are accessible to the public.

- E. Promote the development of gathering spaces where people can meet and socialize.
- F. Open space areas may incorporate site furnishings such as benches, trash receptacles, tables, bike stalls, lighting, raised planters as well as a variety of landscape elements.

## **5.0 ARCHITECTURAL STANDARDS – COMMERCIAL AND OFFICE**

### **5.1 Overview**

“Mountain Modern” is the established theme for the South Hills Development. All new developments from this point forward within South Hills must reflect this theme and be presented to the SHDRC for review and approval. The design review process will apply as outlined in section 2.0.

The theme should be used as a guide to promote good, cohesive building design and architecture. The theme shall be used to help influence design style and decisions for each pod and building. Various combinations of materials and forms are encouraged and should be used in a complementary manner to produce a harmonious design. The SHDRC may reject any design proposal which they view to conflict with the intent or overall philosophy of these Commercial Technical Guidelines.

Section 5 provides the design guidelines and criteria for commercial zones within the South Hills Development. The intent is to create vibrant and lively areas for business offices and community commercial development, where various uses and purposes are interconnected.

### **5.2 Style and Character**

The general style and character of each building shall be appropriate to the size of the structure and lot. The location within the development and topography should also be considered.

### **5.3 Design Criteria**

The following design criteria are provided to help inform developers, builders, and design professionals of the standards and expectations for each new building within the South Hills Development. Buildings and structures shall conform to the following regulations.

#### **5.3.1**

For all buildings, at least two (2) of the following elements should repeat horizontally. Buildings with facades greater than one hundred feet (100') in length should include several of such elements, repeated at appropriate intervals, either horizontally or vertically. Large and monotonous wall and roof planes shall be avoided

- A. Color change: A minimum of three (3) colors per elevation shall be required.
- B. Texture change.
- C. Material change.
- D. Architectural variety and interest through a change in plane, such as offsets.
- E. Roof line change.
- F. Reveals, archways, or projecting ribs.
- G. Wall plan projections or recesses.

### **5.3.2**

Buildings should have a mix of building forms and complementary building materials and color schemes.

### **5.3.3**

Buildings should have a variety of materials with the suggested composition of one or two primary materials (up to 70% - 80% of exterior surfaces, excluding windows) and two or more accent materials (20% - 30% of exterior surfaces, excluding windows).

### **5.3.4**

No fewer than three (3) materials (combined between primary and accent materials) may be used on each building. Additional accent colors matching tenant branding standards may be used with the approval of the SHDRC; however, dominant surface materials and colors shall follow the development theme.

- A. Preferred Primary Materials: Brick, stone, fiber-cement siding, simulated wood, integral color CMU, finished concrete, metal panels, and EIFS
- B. Preferred Accent Materials: Brick, stone, fiber-cement siding, wood or simulated wood, cement masonry unit (CMU), architectural concrete, painted or weathered metal, metal panels, EIFS, and tile.
- C. Prohibited materials: Faux stucco stone or brick patterns comprised of stucco, unfinished gray CMU as a primary material, and vinyl siding. Bright colors, such as neon or fluorescent colors, are only permitted as accent colors but require approval from the SHDRC.

### **5.3.5**

Building forms should terminate, and materials/finishes should transition at logical points.

### **5.3.6**

Franchise architecture (building designs that are prototypical or identifiable with a particular chain or corporation) shall be reviewed by the SHDRC. Applicant will provide site-specific colored elevations with finishes specified and noted for approval. The SHDRC shall recommend modifications to the building to be more cohesive with the development theme. The Applicant, upon request, shall provide color pictures of other national tenant buildings (non-prototype examples) that have been built in other cities and states.

### **5.3.7**

The stores, shops, or businesses designated in this development shall strive to be free from objection due to odor, dust, smoke, noise, vibration, or other causes. The SHDRC may require changes and modifications if problems or complaints occur.

### **5.3.8**

New buildings near predominantly residential areas should consider the architecture of the adjacent structures in their approach to provide a complementary design.

### **5.3.9**

Parapets for concealing flat roofs shall be designed to match the existing architecture.



### **5.3.10**

Roof-mounted equipment shall be screened from public view. Grade changes and taller buildings will be considered in this determination. The SHDRC may recommend some modifications to the building to meet this requirement.

### **5.3.11**

Free-standing accessory structures, such as enclosed service or refuse areas and covered parking, should be designed to relate to the building's architecture. Similar forms, colors, textures, and materials should be utilized in the design of these structures.

### **5.3.12**

All utility connections should be designed to not be exposed where possible. Where exposed and visible, appropriate screening treatment shall be provided.

### **5.3.13**

Electrical panels, including Service Electrical System (SES) and Main Distribution Panel (MDP), should be appropriately screened or considered in the design to blend in with the building's exterior finishes or placed in the back of the building if not exposed to adjoining properties.

### **5.3.14**

Building lighting should be shielded and/or designed to not shine directly into surrounding residences.

### **5.3.15**

Proposed outdoor display and sales areas should not displace required parking and landscaping or interfere with required pedestrian access.

## **5.4 Building Heights**

There is no maximum height restriction for commercial buildings within the South Hills Development.

## **6.0 ARCHITECTURAL STANDARDS – RESIDENTIAL WITHIN COMMERCIAL DEVELOPMENTS**

### **6.1 Overview**

“Mountain Modern” is the established theme for the South Hills Development. All new development from this point forward within South Hills must reflect this theme and be presented to the SHDRC for review and approval. The design review process will apply as outlined in Section 2.0.

The theme should be used as a guide to promote good, cohesive building design and architecture. The theme shall be used to help influence design style and decisions for each pod and building. Various combinations of materials and forms are encouraged and should be used in a complementary manner to produce a harmonious design. The SHDRC may reject any design proposal which they view to conflict with the intent or overall philosophy of these Commercial Technical Guidelines.

Section 6 provides the design guidelines and criteria for residential projects (if approved by the City) located within the commercial development at South Hills. The intent is to create comfortable, safe, and desirable housing that is integrated into the commercial development. The residence will help support local businesses and adjacent uses while enjoying the many benefits and conveniences found in these settings.

## **6.2 Style and Character**

The general style and character of each residence shall be appropriate to the size of the lot, the location within the commercial development, and the topography. Housing designed on sloping lots that result in large retaining walls due to the poor integration of the home and topography may be denied by the SHDRC. The incorporation of multiple design elements such as dormers, porches, wide roof overhangs, iron elements, shutters, accent shingles, and a high percentage of glass and windows are encouraged and should follow the development theme.

## **6.3 Design Criteria**

The following design criteria are provided to help inform developers, builders, and design professionals of the standards and expectations for medium and high-density residential units within a commercial development at the South Hills. Buildings shall conform to the following regulations.

### **6.3.1**

Buildings should have a mix of building forms and complementary building materials and color schemes.

### **6.3.2**

For all buildings, at least two (2) of the following elements should repeat horizontally. Buildings with facades greater than one hundred feet (100') in length should include several of such elements, repeated at appropriate intervals, either horizontally or vertically. Large and monotonous wall and roof planes shall be avoided.

- A. Color change. A minimum of three (3) colors per elevation shall be required
- B. Texture change
- C. Material change
- D. Architectural variety and interest through a change in plane, such as offsets
- E. Roof line change
- F. Reveals, archways, or projecting ribs
- G. Wall plan projections or recesses

### **6.3.3**

Architecture in residential areas should consider the surrounding buildings, structures, and communities in commercial development. The Owner or Applicant for SHDRC approval is required to implement these standards.

The exterior of the home structures should meet or exceed the following minimum standards for finish and materials. All windows and doors can be trimmed or set apart from the plane of the facade by accent colors.

Non-reflective glass is to be used for windows. Windows and other glass surfaces shall have an outdoor visible light reflective value of no more than eighteen percent (18%) as defined and measured by ASTM E308-90 or its successor.

The use of shutters or similar exterior trim elements is a possible option to add interest to the facade.

It is encouraged that the massing of front, rear, and side building elevations is broken up by at least a two-foot relief. This is especially important on elevations that significantly affect the view shed.

Front Building Elevation – A masonry product is to be used for the finish system on the front of the building facade and must make up a minimum of 20% of the total area of the front façade. The masonry product shall be used on the front elevation to show significant architectural detail. However, other architectural details may be used in lieu of a masonry product if approved by the SHDRC. Manufactured materials may be substituted for real stone products. The remainder of the front elevation may be finished with a complimentary material. The use of vinyl and aluminum siding is prohibited. See Section 6.3.4 for additional information regarding materials. If trim is used, it should be applied consistently with the architectural style of the building. All finish materials types and placement on the facade must be indicated on the elevation rendering when submitted for review to the SHDRC. Where living space is added above the garage, the front facade must include windows and other treatments to avoid a large blank wall space above the garage doors.

Side Building Elevation – The side of the building shall have the same primary material treatment as the front.

Rear Elevation – Any building where the rear of the building is facing a street or active open space must have the same architectural elements for the rear elevation as for the front elevation. Landscaping can also be used to help break up the back wall but cannot be used exclusively to satisfy this requirement.

#### **6.3.4**

No fewer than two (2) materials may be used on each building. Using more than three (3) materials on the front elevation is discouraged.

- A. Acceptable Masonry Materials: Brick, stone, integral color CMU, finished concrete (precast or cast in place)
- B. Acceptable Exterior Finish Materials: Brick, stone, fiber-cement siding, wood or simulated wood, CMU, architectural concrete, painted or weathered metal, metal panels, EIFS, and tile.
- C. Prohibited materials: Faux stucco stone or brick patterns comprised of stucco, unfinished gray CMU as a primary material, and vinyl or aluminum siding. Bright colors, such as neon or fluorescent colors, are only permitted as accent colors but require approval from the SHDRC.

#### **6.3.5**

Building forms should terminate, and materials/finishes should transition at logical points.

#### **6.3.6**

New residential buildings near or within commercial developments shall consider the architecture of the adjacent structures in their approach to provide a complementary design.

#### **6.3.7**

Parapets for concealing flat roofs shall be designed to match the existing architecture.

#### **6.3.8**

Pitched roofs will have a minimum slope of 4:12 (vertical to horizontal). The design of the roof should appear as an integrated architectural element. Generally, continuous long roof lines are discouraged. Thirty-year architectural grade roofing material is the minimum quality allowed for roofs in the South Hills Development. The SHDRC may approve other shingle materials that meet or exceed the minimum requirement.

A minimum fascia height of 4 inches shall be required at pitched roofs. These elements shall be finished to match the finish and color or the trim of accent color of the residential building. Exposed rafters and open soffits shall only be allowed by the SHDRC when they relate to the architectural style and theme of the development. In such cases, the soffit and rafters must be painted or stained to match the building. Soffit and fascia finish materials must be approved by the SHDRC.

#### **6.3.9**

Free-standing accessory structures, such as enclosed service/refuse areas and covered parking, should be designed to relate to the building's architecture. Similar forms, colors, textures, and materials should be utilized in the design of these structures.

#### **6.3.10**

All utility connections should be designed to not be exposed where possible. Where exposed and visible, appropriate screening treatment shall be provided.

#### **6.3.11**

Electrical panels, including Service Electrical System (SES) and Main Distribution Panel (MDP), should be appropriately screened or considered in the design to blend in with the building's exterior finishes or placed in the back of the building if not exposed to adjoining properties.

#### **6.3.12**

Building lighting should be shielded and/or designed to not shine directly into surrounding residences.

### **6.4 Building Heights**

Special Building Height Controls: Uses and buildings shall conform to the following special height regulations:

#### **6.4.1**

Building height shall be measured as per City standards.

#### **6.4.2**

The maximum building height for a housing structure shall be ninety-five (95) feet. The maximum building height can be modified through the SHDRC approval process if deemed appropriate. To grant a height special exception, the SHDRC should find the proposed plan:

- A. Is better suited to the site than can be achieved by strict compliance to these regulations.
- B. The impact of additional height on neighboring properties has been reasonably mitigated.
- C. In making these considerations, the SHDRC can consider the size of the lot upon which the structure is proposed.
- D. The burden of proof is upon the Applicant to submit sufficient data to persuade the SHDRC.
- E. The SHDRC may deny an application for a height special exception if:
  - 1. The additional height can be reduced by modifying the design of the structure.
  - 2. There is a significant negative impact on the use, operation, and success of current and future adjacent properties and functions.

### **7.0 MODIFICATIONS OF COMMERCIAL ARCHITECTURAL STANDARDS**

#### **7.1**

The architectural requirements for structures in these Guidelines may be modified upon approval of the SHDRC and acceptance by the designated City Administrator.

##### **7.1.1 SHDRC Review**

Requested changes to the architectural guidelines will be reviewed by the SHDRC in their next meeting following the submittal of the requested modifications. The entity or person requesting the modification may be requested to attend the SHDRC meeting in which the modification request will be discussed to explain the request or answer the questions by the SHDRC. Approval of the modification request can be postponed by the SHDRC if necessary to have sufficient opportunity to review the request.

##### **7.1.2 SHDRC Provisional Approval**

The modifications shall become effective upon approval of the SHDRC and acceptance by the designated Administrator acting on behalf of the City.

#### **7.2**

Proposed modifications of the architectural standards shall be filed with the Administrator after being approved by the SHDRC.

##### **7.2.1 City Administrator Review**

If the Administrator determines for any reason that it would be inappropriate for the Administrator to determine the acceptability of the proposed modification, then the Administrator may require the proposed modifications to be processed as a Modification Application pursuant to the ARMDA. The Administrator shall consider and decide upon the proposed modifications within a reasonable time.

### **7.2.2 Planning Commission Notice & Consideration**

If the Administrator approves any proposed modifications, then the Administrator shall notify the Planning Commission in writing of the proposed approval. Unless the Administrator receives a notice as specified below that the Planning Commission should consider the proposed modification as a Modification Application, then approval of the proposed modification by the Administrator shall be conclusively deemed binding on the City.

### **7.2.3 Planning Commission Response**

Any member of the Planning Commission may notify the City within ten (10) business days after notification by the Administrator that the proposed modification must be processed as a Modification Application. If the Administrator denies any proposed modification, then the Applicant may process the proposed modification as a Modification Application pursuant to the ARMDA.

## **8.0 Deviations**

All deviations from standards shall be requested in writing, specifically a “Deviation Request.” Any deviations not requested in this manner will be considered unauthorized, and a fine, as outlined below, will be assessed at the Developer’s discretion.

### **A. Per deviation:**

- |                        |        |
|------------------------|--------|
| 1. Fencing and Walls   | \$500  |
| 2. Landscaping         | \$250  |
| 3. Architectural       | \$1000 |
| 4. Building Elevations | \$500  |

## **9.0 Improvement Damages**

### **9.1 Improvement Turnover Form Requirement**

Prior to the Builder commencing construction, the Builder shall walk all improvements and note all material deficiencies, if any, and sign and submit the “Improvement Turnover Form” document, which has been attached to this agreement in Exhibit “I” for reference, to the Wasatch South Hills Design Review Committee.

### **9.2 Builder Responsible for Damages**

Following completion of the “Improvement Turnover” process, the Builder is responsible for all damages henceforth and agrees to make necessary repairs to damages as required by the City.

**Exhibit I**  
**“Improvement Turnover Form”**



South Hills Design Review Committee

<b>Improvement Turnover Form</b>	
<b>INFORMATION</b>	
<b>Builder/Representative:</b>	
<b>Representing (if applicable):</b>	
<b>Phone/Email:</b>	
<b>Address:</b>	
<b>Project Name:</b>	
<b>Contractor (if applicable):</b>	
<b>Phone/Email:</b>	
<b>MATERIAL DEFICIENCIES INFORMATION</b>	
<b>When reviewing and/or walking all improvements on site prior to commencing construction, were there any material deficiencies?</b>	
<b>Signature</b>	
<b>Builder/Representative</b>	<b>Date</b>

299 South Main St, Salt Lake City UT 84111 o. 801.961.1000

email: [info@wasatchcommercial.com](mailto:info@wasatchcommercial.com)

**Exhibit J**  
**"Notice of Proximity to Military Base"**

**Notice of Proximity to Camp Williams and Associated Noise Impacts**

Recording Requested By: \_\_\_\_\_

When Recorded, Mail To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Document Title: Notice of Proximity to Camp Williams and Associated Noise Impacts

Assessor's Parcel Identification (or "PID") Number: \_\_\_\_\_

Property Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTICE IS HEREBY GIVEN, pursuant to applicable federal, state, and local disclosure laws, that the real property legally described as:

[Insert Legal Description of Property]

(the "Property") is located in the vicinity of an active United States military installation, specifically Camp Williams, which conducts military training and operational activities that may generate noise and other disturbances. Such military operations may include, but are not limited to, the following:

- Overflights by fixed-wing aircraft and helicopters
- Live-fire training exercises and explosive detonations
- Low-altitude flight operations during day and night hours
- Movement of military personnel, vehicles, and equipment

These activities are inherent to the mission of the military installation and may occur intermittently or regularly, including during nighttime hours, and may impact the ambient sound levels experienced on the Property.



By this notice, current and future owners, occupants, lessees, and other parties with an interest in the Property are hereby placed on actual and constructive notice of the Property's proximity to said military installation and of the potential for associated noise, vibration, and other operational impacts.

This Notice shall run with the land and shall be binding upon the undersigned and their heirs, successors, and assigns, and shall inure to the benefit of all subsequent owners, lessees, and occupants of the Property.

IN WITNESS WHEREOF, the undersigned has executed this Notice on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Owner(s) of Record:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Acknowledgment

State of \_\_\_\_\_

County of \_\_\_\_\_

On this, \_\_\_\_\_, day of \_\_\_\_\_, 2025, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument, the person(s) executed the instrument.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_  
(Seal)

**Exhibit K**  
**“City’s Vested Laws”**

## **CHAPTER 10-9 AGRICULTURAL ZONES**

### **10-9-1 Purpose**

### **10-9-2 Scope**

### **10-9-3 Definitions**

### **10-9-4 Uses Allowed**

### **10-9-5 Development Approval**

### **10-9-6 Development Standards**

### **10-9-7 Other Applicable Regulations**

### **10-9-1 Purpose**

- A. *A-1-10 Agricultural Single-Family Zone.* The purpose of the A-1-10 zone is to provide areas in the city for low-density residential development, together with limited agricultural uses.
- B. *A-1-21 Agricultural Single-Family Zone.* The purpose of the A-1-21 zone is to provide areas in the city for low-density residential development, together with limited agricultural uses.
- C. *A-1-43 Agricultural Single-Family Zone.* The purpose of the A-1-43 zone is to provide areas in the city for low-density residential development and agricultural uses.

(Code 2023, § 10-9-1; Ord. No. 2019-23, 7-10-2019; Ord. No. 2022-18, 4-27-2022)

#### **HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-2 Scope**

The provisions of this chapter shall apply to real property located in an agricultural zone as shown on the official zoning map.

(Code 2023, § 10-9-2; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-3 Definitions**

Certain words and phrases in this chapter, including uses, are defined in HCC chapter 10-3.

(Code 2023, § 10-9-3; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-4 Uses Allowed**

- A. *Permitted and conditional uses.* Permitted and conditional uses allowed in agricultural zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.
- B. *Accessory uses.* Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.
- C. *Prohibited uses.* Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or

conditional use as provided in HCC 10-5-9.

(Code 2023, § 10-9-4; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-5 Development Approval**

The use and development of land located in agricultural zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.

(Code 2023, § 10-9-5; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-6 Development Standards**

- A. *Generally.* The use and development of land located in agricultural zones shall conform to the standards set forth in this section and in HCC 10-9-7, chart 10-9, except as may be authorized by another provision of this title.
- B. *Accessory structure design.* The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, shall not be subject to this requirement.

(Code 2023, § 10-9-6; Ord. No. 2017-54, 12-13-2017; Ord. No. 2019-23, 7-10-2019; Ord. No. 2022-18, 4-27-2022; Ord. No. 2024-18, exh. A(10-9-6), 7-10-2024)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-9-7 Other Applicable Regulations**

To the extent that use and development of land located in agricultural zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.

#### CHART 10-9. AGRICULTURAL ZONE DEVELOPMENT STANDARDS

##### *A. Minimum lot area and width.*

Zone	Lot Area	Lot Width
A-1-10	10,000 sq. ft. (may be reduced to 8,500 sq. ft. in a planned development)  1/2 acre for raising or grazing of up to 2 horses or 2 cows	85 feet, at 25 feet from the lot line

A-1-21	21,780 sq. ft. (includes raising or grazing of up to 2 horses or 2 cows)	85 feet, at 25 feet from the lot line, when minimum required area is 21,780 sq. ft.
		100 feet, at 25 feet from the lot line, when minimum required area is 1 acre
		200 feet, at 25 feet from the lot line, when minimum required area is 4 acres
A-1-43	1 acre	100 feet, at 25 feet from the lot line
Any zone A	Radio and television transmitting and relay stations and towers: 4 acres or area needed to permit tower placement so horizontal side clearance from tower base in every direction equals or is greater than tower height	Radio and television transmitting and relay stations and towers: 200 feet or width needed to permit tower placement of towers so horizontal side clearance from tower base in every direction equals or is greater than tower height

**B. Minimum yard for residential.**

Zone	Front Yard	Side Yard	Rear Yard
A-1-10 and A-1-21	25 feet	1 side yard: 8 feet	Single-family dwelling: 25 feet
		Both side yards: 18 feet	Any portion of uncovered or covered patio or deck: 20 feet
		Corner lot: 20 feet from street	
A-1-43	25 feet	1 side yard: 10 feet	Same as above
		Both side yards: 20 feet	
		Corner lots: 20 feet from street	

**C. Minimum yard for buildings other than residential and accessory buildings.**

Zone	Front Yard	Side Yard	Rear Yard
All A zones	30 feet	20 feet	30 feet

**D. Maximum building height.**

Zone	Residential	Agricultural
All A zones	35 feet	75 feet

**E. Maximum lot coverage.**

Zone	Lot Coverage
A-1	70% of lot area

(Code 2023, § 10-9-7; Ord. No. 2017-54, 12-13-2017; Ord. No. 2022-03, 2-23-2022; Ord. No. 2022-18, 4-27-2022; Ord. No. 2023-14, exh. A(10-9-7), 7-12-2023)

#### HISTORY

*Adopted by Ord. 2025-13 on 5/14/2025*

**CHAPTER 10-16 TABLE OF USES****10-16-1 Uses****10-16-1 Uses**

A. Any use showing an empty box for a particular zone or any use not shown on this table is not permitted. See footnotes for qualifying requirements or use limitations. Prohibited uses include, but are not limited to:

1. Bus terminal.
2. Check cashing.
3. Correctional facility.
4. Garage, private.
5. Group living arrangement (unless a more specific type of Group Living 1 Arrangement is expressly allowed as a conditional or permitted use in the table of uses below).
6. Impound lot.
7. Junkyard.
8. Manufactured and mobile home park.
9. Mineral extraction.
10. Organic disposal site.
11. Pawn shop.
12. Retail tobacco specialty business.
13. Sanitary landfill.

B. The following is the use table for each zone in the city.

Legend:

P = Permitted use

C = Conditional use

Blank = Not permitted

Uses <sup>1</sup>	Zones																		
	A-1-1-0	A-1-2-1	A-1-4-3	R-1-1-0	R-1-1-5	R-1-2-1	R-1-4-3	R-2-1-0	R-2-1-5	R-1-M	F-2	R-C	O-P	C-1	C-2	M-1	T-M	M-2	M-U
<b>Agricultural</b>																		C	
Agricultural business		C	C													C		C	
Agricultural processing																C		P	
Agriculture	P	P	P	P	P	P	P									P			
Apiary <sup>3</sup>	P	P	P	P	P	P	P												

Backyard chickens <sup>4</sup>				P	P			P	P		P									
Cannabis production establishment			C														C			
Family food production <sup>4</sup>	P	P	P			P	P													
Pigeons <sup>5</sup>				P	P	P	P	P	P											
Shipping container, agricultural use only	P <sub>46</sub>	P <sub>46</sub>	P <sub>46</sub>																	
Soil products			C <sub>6</sub>														C			
Stable, private	P	P	P																	
Stable, public			C																	
<b>Residential</b>																				
Assisted living facility	C <sub>7</sub>	C <sub>7</sub>	C	C <sub>7</sub>	C <sub>7</sub>	C <sub>7</sub>	C <sub>7</sub>	C <sub>7</sub>	C <sub>7</sub>	C										
Congregate living facility										C				C						
Day care/preschool home <sup>26</sup>	C	C	C	C	C	C	C	C	C		C								C	
Dwelling, four-family									C	C	C								C	
Dwelling, group <sup>8</sup>										C	C <sub>9</sub>							C	C	
Dwelling, multi-family											C								C	
Dwelling, single-family	P	P	P	P	P	P	P	C <sub>10</sub>	C <sub>10</sub>	C	P								C	
Dwelling, single-family with internal (not detached) accessory dwelling unit	P	P	P	P	P	P	P	P	P											
Dwelling, single-family with second kitchen <sup>11</sup>	P	P	P	P	P	P	P	P	P		P								P	



Dwelling, three-family								C	C	C									C	
Dwelling, two-family								C <sub>10</sub>	C <sub>10</sub>	C									C	C
Home group instruction <sup>31</sup>	C	C	C	C	C	C	C	C	C		C								C	
Home occupation <sup>31</sup>	P	P	P	P	P	P	P	P	P	P	P								P	
Residential facility for persons with a disability	P	P	P	P	P	P	P	P	P	P	P								P	
Shipping container, living space	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>	C <sub>48</sub>								
Special home occupation <sup>31</sup>	C	C	C																	
Public and civic																				
Auditorium or stadium																				
Cemetery	C	C	C	C	C	C	C	C	C	C										
Church or place of worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C					C	
Club or service organization														P						
College or university																				
Conference and reception center												C		C	C		C		C	C
Correctional facility																				
Cultural service												C								
Golf course	C	C	C	C	C	C	C	C	C	C	C	C			C				C	
Government service	C	C	C								C			C	C	P	P	P		C
Hospital										C				P	P					C <sub>13</sub>
Operations center														C	C	C	C	C		

Park, public <sup>51</sup>	P	P	P	P	P	P	P	P	P	P	P	P							P	
Post office													P	P	P				C	
Protective service															C				C	
Resource recycling collection point <sup>14</sup>														P	P			P	P	
School, charter <sup>15</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P
School, elementary, middle, high <sup>16</sup> or	P	P	P	P	P	P	P	P	P	P			P	P	P				P	
School, vocational														P	C	P			C	
Utility, major	C	C	C	C	C	C	C	C	C	C	C			C	C	C	C	C	C	
Utility substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Commercial																				
Agricultural sales and service															C				C	
Alcoholic beverage <sup>44</sup>																				
Banquet catering															P	P	P		P	
Bar establishment															P		P	P	P	
Beer wholesaler															P	P	P	P	P	
Brewery manufacturing															P	P	P	P	P	
Hotel															P	P	P		P	
Off-premises beer retailer															P	P	P	P	P	
On-premises beer retailer															P	P	P		P	
Package agency															P	P	P	P	P	
Reception center															P	P			P	

Restaurant, beer only															P	P	P	P		P	
Restaurant, full service															P	P	P	P		P	
Restaurant, limited service															P	P	P			P	
State liquor store															C	C		P		C	
Tavern															P		P	P		P	
Animal care service			C							C 17				C 18	P 19	P		P	C 20	P	
Bank or financial institution <sup>52</sup>										C			C	P	P	C	C		P	P	
Bed and breakfast homestay	C	C	C			C	C	C	C	C	C 21									P	
Bed and breakfast inn										C				C 22	C 21				C 23	P	
Brewery															C						
Business equipment rental and supplies																P	P	C	P		C
Business services														C	P				C	C	
Car wash, automatic <sup>24</sup>															C	C	C	C	C		
Car wash, full- serve															C	C	C	C	C		
Car wash, self- serve <sup>24</sup>															C	C	C	C	C		
Construction sales and service			C												C	P		P		C	
Convenience store															C	C	C	P	C 25	C	
Data center																C	C				
Day care/preschool center <sup>26</sup>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C					C	

Dealership; automobile, trucks, sales and service (new)																			P
Dealership; automobile, trucks, sales and service (used)																			P
Dealership; recreational vehicle, all- terrain vehicle, boat or trailer, sales and service (new)																			P
Dealership; recreational vehicle, all- terrain vehicle, boat or trailer, sales and service (used)																			P
Fireworks stand <sup>27</sup>												C	C	C		C		C	
Food cart																			
Food truck	P 28												P	P	P	P		P	
Garage, public														P		P			
Garden center		C	C									P	P				P	C	
Gas and fuel, storage and sales														C		C			
Gasoline service station												C 2 9	C	C	C		C 30	C	
Hotel/motel									C	C			C		C		C	P	
Kennel													C			C			
Laundry or dry cleaning, limited												P	P				P	C	
Media service														C	C				

Medical or dental laboratory										C				C	P	P	P	C		P	C	
Medical service																P	P	C		P	C	
Mobile store <sup>32</sup>															C	C				C	C	
Model home sales office <sup>33</sup>	P	P	P	P	P	P	P	P	P	P	P					P					P	
Mortuary										C						C						
Office, professional										C		C	P <sup>3</sup> 4			P	P	P			C	
Parking lot										C					C	C	P		P	C	C	
Personal care service									C <sup>45</sup>	C		C			P	P		P		C	C	
Personal instruction service																P	C			C	C	
Printing																C	P	P	C		C	
Produce stand		C	C																	P	C	
Recreation and entertainment, indoor													C			P	C	C	C		C <sup>35</sup>	
Recreation and entertainment, outdoor		C	C	C	C	C	C	C	C	C	C	C				P	C		C		C	
Repair service															P	P				P	C <sup>36</sup>	
Research service															P		P	P	P		C	
Restaurant, fast food												C				P	C	C	C			
Restaurant, general												C			C	P	P	C	P	C	C	
Retail, general															P <sup>3</sup> 7	P				P	C	
Secondhand store																C					C	
Sexually oriented business																	C		C			

Shipping container, commercial use														C 47	C 47	C 47	C 47			C 47	
Shipping container, storage only	C 49	C 49	C 49	C 49	C 49	C 49	C 49	C 49	C 49	C 49	C 49										
Shipping container, temporary use	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50	P 50		P 50	P 50	
Shopping center																					
Temporary building <sup>38</sup>	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	P
Transportation service														C	C	P		P	C 39		
Vehicle and equipment rental															C	P		P		C	
Vehicle and equipment repair, general															C	P		P	C		
Vehicle repair, limited														C	C						
Vehicle repair (accessory use only)																					P
Vehicle storage (accessory use only)																					P
Warehouse, self-service <sup>40</sup>																P		P			
Wireless telecommunication facility <sup>41</sup>	C	C	C	C	C	C	C	C	C	C	C		C	C	C	P	C	P	C 42	P	
Industrial																					
Freight terminal																		P			
Heavy industry																					
Laundry services															P	P		P		C	
Manufacturing																	C	P			

Manufacturing, light																C	C	P			
Recreational vehicle storage yard																C 43		C 43			
Wholesale and warehousing, general																C	C	P			
Wholesale and warehousing, limited																C	C	P			

## Notes:

<sup>1</sup>Accessory uses are allowed in all zones, but only if incidental to a permitted or conditional use.

<sup>2</sup>Includes FR-1, FR-2.5, FR-5, FR-10, and FR-20 zones.

<sup>3</sup>Apiary only, subject to HCC 10-29-11.

<sup>4</sup>See HCC 10-29-7 for regulations allowing animals and fowl for family food production. The keeping of more animals than listed in the chart shown in HCC 10-29-7 may be approved as a conditional use in the A-.25, A-.50, and A-1 zones.

<sup>5</sup>Pigeons allowed subject to health department regulations.

<sup>6</sup>Must have an area of at least 50 acres.

<sup>7</sup>Facility shall have a residential appearance and character. Occupancy shall be limited to not more than five residents for facilities located on streets less than 80 feet wide and not more than ten residents for facilities on streets 80 feet or wider, excluding the facility operator and the operator's family and one nonresident part-time relief employee on the premises at any one time, unless additional staffing is required for a state license.

<sup>8</sup>Subject to dwelling group design criteria in HCC 10-10-6(D).

<sup>9</sup>Dwelling unit density shall be at least nine units per acre and not more than 20 units per acre.

<sup>10</sup>Allowed only as part of a planned unit development.

<sup>11</sup>See HCC 10-29-42 for use regulations.

<sup>12</sup>Reserved for future use.

<sup>13</sup>No larger than two stories.

<sup>14</sup>Allowed subject to the following conditions:

1. Must be located on improved property which includes main building with paved parking, landscaping, curb, gutter and sidewalk;
2. All materials must be within an enclosed container;
3. Cannot be located in a required yard unless allowed by the zone in which the recycling container is located; and
4. Must be maintained in a clean, neat, and orderly manner.

<sup>15</sup>As provided in U.C.A. 1953, § 10-9a-305(3), a school district or charter school is not subject to requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, additional building inspections, city building codes, building use for educational purposes, or placement or use of temporary classroom facilities on school property.

<sup>16</sup>As provided in U.C.A. 1953, § 10-9a-305(3), a school district or charter school is not subject to requirements for landscaping, fencing, aesthetic considerations, construction methods or

materials, additional building inspections, city building codes, building use for educational purposes, or placement or use of temporary classroom facilities on school property.

<sup>17</sup>Must be located within a completely enclosed air conditioned and soundproof building which prohibits detection of animal noise at the property line. No overnight boarding or sale of merchandise from the premises.

<sup>18</sup>Excludes overnight boarding.

<sup>19</sup>Must be located within a completely enclosed building; no overnight boarding.

<sup>20</sup>Limited to dog and cat grooming, excluding overnight boarding.

<sup>21</sup>Site access on on-site parking shall be available for use and maintained, including snow removal, throughout entire year.

<sup>22</sup>May include a restaurant and conference meeting rooms.

<sup>23</sup>May include a restaurant and conference meeting rooms.

<sup>24</sup>Automatic or self-serve car washes shall only be allowed as an accessory use where permitted by the zoning district, and self-serve car washes shall have a maximum of four car wash bays.

<sup>25</sup>Maximum 3,000 square feet.

<sup>26</sup>See HCC 10-29-18 for use limitations and regulations.

<sup>27</sup>Subject to issuance of a temporary use permit as provided in HCC 10-5-13.

<sup>28</sup>Only allowed at Butterfield Park and Crane Park as provided in the mobile food truck ordinance.

<sup>29</sup>May include automatic car wash not exceeding four wash bays.

<sup>30</sup>May include automatic car wash not exceeding four wash bays.

<sup>31</sup>See HCC chapter 10-22 for use limitations and regulations.

<sup>32</sup>Must obtain a temporary use permit. See HCC 10-5-13.

<sup>33</sup>See HCC 10-29-33 for use limitations and regulations.

<sup>34</sup>Office buildings with more than 5,000 square feet must obtain a conditional use permit.

<sup>35</sup>Excludes firearms and archery range.

<sup>36</sup>Excludes gunsmith.

<sup>37</sup>Excludes grocery stores up to 5,000 square feet which are allowed as a conditional use.

<sup>38</sup>Building must be removed upon completion or abandonment of construction work.

<sup>39</sup>Limited to 16 trucks on the premises at one time.

<sup>40</sup>Must be located within a fully enclosed building.

<sup>41</sup>Must be located on public or quasi-public owned property or utility site, and not in public parks unless an exception is granted by the planning commission, subject to HCC 10-29-8.

<sup>42</sup>Maximum height of 50 feet and designed as a stealth facility.

<sup>43</sup>Includes a six-foot-high solid visual barrier fence or masonry wall around the entire storage area.

<sup>44</sup>All uses under alcoholic beverages shall comply with the applicable state statute and all the requirements of HCC title 3.

<sup>45</sup>Limited to multifamily residential development with at least 15 acres. Use must be located within a permanent structure attached to the main office or clubhouse facility for the multifamily development. Hours of operation are limited from 8:00 a.m. to 10:00 p.m. Off-street parking for personal care service shall be provided, reserved, and identified with signs.

<sup>46</sup>Restricted to bona fide agricultural uses on a minimum of one acre. The applicant shall provide a written statement to the city describing how the container will only be used for agricultural purposes. Upon termination of approved use, the shipping container shall be removed from the property within 60 days.



<sup>47</sup>Requires site plan approval by planning commission.

<sup>48</sup>Requires minimum lot area of 10,000 square feet and compatible building materials and colors with the main building, excluding roofline.

<sup>49</sup>Requires minimum lot area of 10,000 square feet and compatible building materials and colors with the main building when visible from an adjacent street, excluding roofline.

<sup>50</sup>Requires site plan approval by city planner or designee. Temporary use shall be limited to 30 days or for the duration of a construction project by a bona fide licensed contractor. Upon termination of approved use, the shipping container shall be removed from the property within 60 days.

<sup>51</sup>Public parks shall be subject to approved administrative city policy.

<sup>52</sup>The total number of credit unions in the city shall not exceed one per 20,000 residents based on the latest population estimate provided by the governor's office of planning and budget. A credit union located inside the main building of a principal use that is permitted by the zoning district, such as a grocery store or motor vehicle dealer, may be allowed as an accessory use and shall not be considered when calculating the total number of credit unions in the city for the purposes of this title.

(Code 2023, § 10-16-1; Ord. No. 2018-26, 8-22-2018; Ord. No. 2018-36, 11-14-2018; Ord. No. 2018-37, 11-14-2018; Ord. No. 2018-41, 12-12-2018; Ord. No. 2018-44, 12-12-2018; Ord. No. 2019-22, 7-10-2019; Ord. No. 2020-32, 10-14-2020; Ord. No. 2021-24, 9-8-2021; Ord. No. 2021-25, 9-22-2021; Ord. No. 2021-29, 10-27-2021; Ord. No. 2021-31, 12-8-2021; Ord. No. 2022-06, 2-23-2022; Ord. No. 2022-11, 3-23-2022; Ord. No. 2022-14, 4-13-2022; Ord. No. 2022-18, 4-27-2022; Ord. No. 2022-20, 5-11-2022; Ord. No. 2022-24, 6-8-2022; Ord. No. 2023-03, § 2, 1-25-2023; Ord. No. 2024-14, exh. A(10-16-1), 6-12-2024; Ord. No. 2024-21, exh. A(10-16-1), 8-14-2024)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

## **CHAPTER 10-14 MIXED USE ZONES**

### **10-14-1 Purpose**

### **10-14-2 Scope**

### **10-14-3 Definitions**

### **10-14-4 Uses Allowed**

### **10-14-5 Development Approval**

### **10-14-6 Development Standards**

### **10-14-7 Other Applicable Regulations**

### **10-14-1 Purpose**

- A. *MU zone*. The purpose of the MU zone is to provide areas in the city for mixed use development with a diversity of residential, office and low-impact commercial uses.
- B. *MU-2 zone*. The purpose of the MU-2 zone is to allow the mixing of residential and nonresidential uses on the same site and/or within the same building so people can live and work in close proximity; to create economic and social vitality and decrease automobile dependency by encouraging alternate forms of transportation, such as walking, bicycling and transit.

(Code 2023, § 10-14-1; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-14-2 Scope**

The provisions of this chapter shall apply to real property located in mixed use zones as shown on the official zoning map.

(Code 2023, § 10-14-2; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-14-3 Definitions**

Certain words and phrases in this chapter, including uses, are defined in HCC chapter 10-3.

(Code 2023, § 10-14-3; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-14-4 Uses Allowed**

- A. *Permitted and conditional uses*. Permitted and conditional uses allowed in mixed use zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.
- B. *Accessory uses*. Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.

- C. *Prohibited uses.* Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in HCC 10-5-9.
- D. *Businesses and uses; conditions.* The stores, shops or businesses designated in this chapter shall be retail establishments only and shall be permitted only under the following conditions:
1. Such business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles.
  2. All products, whether primary or incidental, shall be sold at retail on the premises.
  3. All uses shall be free from objection due to odor, dust, smoke, noise, vibration, or similar causes.
  4. No large box retail is allowed.

(Code 2023, § 10-14-4; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-14-5 Development Approval**

- A. *Generally.* The use and development of land located in mixed use zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.
- B. *Site plan approval.* Any development in mixed use zones shall be subject to approval of a site plan as provided in HCC 10-5-11.
- C. *Conditional use approval.* The conditional use permit procedure set forth in HCC chapter 10-5 shall be applied to all development in mixed use zones.
- D. *Ownership.* All mixed use development shall be under unified control at the time of application and shall be planned and developed as a whole to provide for full supervision and control of the development, and to ensure conformance with these provisions and all conditions imposed upon the preliminary and final development plans.
- E. *Master plan required for MU-2 zone.* All development in the MU-2 zone shall require submission of a master plan for review by the planning commission.
1. The master plan review shall include, but not be limited to, architectural design and theme, building materials, lighting, signage, landscaping, parking, vehicular, bike and pedestrian access and paths, accessory structures, nuisance factors and natural and man-made hazards. The conditional use permit procedure set forth in HCC 10-5-10 shall be used to approve the master plan.
  2. The master plan shall cover at least 15 acres and shall establish where residential and nonresidential uses will be located and the compatibility of adjacent uses in the development. The master plan should create natural buffering through the location of compatible uses and should include the following elements:
    - a. Building orientation, size, and type;
    - b. A land use plan that determines where residential, commercial, and other uses will be located;
    - c. Identification of buffering, screening, or distance used to mitigate possible noncompatible uses;

- d. Parking areas and vehicle access to the site;
- e. Engineering issues, including grading, drainage, sewer, and other utilities; and
- f. Compatibility with uses on adjacent properties.

F. *Phasing of development.* Any mixed use development proposed to be constructed in phases shall include the full details relating thereto, including a time schedule for the completion of each phase. The commercial component shall begin construction prior to 25 percent of the residential units being completed, unless the planning commission approves a different phasing requirement at the time of plan approval. For all mixed use projects, required open space shall be completed according to a phasing plan approved with the mixed use development.

(Code 2023, § 10-14-5; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-14-6 Development Standards**

- A. *Generally.* The use and development of land located in mixed use zones shall conform to the standards set forth in this section and in HCC 10-14-7, chart 10-14, except as may be authorized by another provision of this title.
- B. *Design criteria.* All commercial development within a mixed use zone shall comply with the design criteria set forth in an approved and applicable master plan. When a building has residential and nonresidential uses located in the same building, the more restrictive criteria shall apply.
- C. *Mix of uses.* All mixed use development shall include residential and nonresidential uses. No one land use type should occupy more than 70 percent of a site. This determination shall be made by calculating the square footage or acreage of each use, as determined in the master plan approval.
  - 1. Mixed use development may include vertical mixed uses (i.e., any combination of compatible uses in a single structure) or horizontal mixed use (i.e., any combination of compatible uses arranged side by side on a single site).
  - 2. Mixed use buildings with residential uses planned for the second story and higher shall have retail, commercial, or office uses on the ground floor. Lobby areas serving upper story residential uses may also be located on the ground floor, provided that such lobby areas occupy less than 50 percent of the available floor space. All nonresidential ground floor uses shall be compatible with residential uses.

(Code 2023, § 10-14-6; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-14-7 Other Applicable Regulations**

To the extent that use and development of land located in mixed use zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.

### **CHART 10-14. MIXED USE ZONE DEVELOPMENT STANDARDS**

## A. Minimum lot area and width.

Zone	Lot Area	Lot Width
MU	None	None
MU-2	None	None

## B. Minimum yard all buildings.

Zone	Front Yard	Side Yard	Rear Yard
		None, except as follows:	None, except as follows:
MU	20 feet	Side yard adjacent to agricultural or residential zone boundary: 20 feet unless reduced by the planning commission based on surrounding existing and possible future uses	Rear yard adjacent to lot or parcel in agricultural or residential zone: 30 feet
		Corner lot: 20 feet	
MU-2	8 feet	Determined as part of master plan	None

## C. Maximum building height.

Zone	All Buildings
MU	35 feet
MU-2	45 feet

## D. Lot coverage of all buildings.

Zone	Maximum Coverage
MU	40% of lot or parcel
MU-2	60% of lot or parcel

## E. Development density.

Zone	Maximum Residential Density	
MU and MU-2	Residential and nonresidential uses in separate buildings: 10 units per acre (based on the percent of acreage being used for residential)	Residential and nonresidential uses located in same building: 15 units per acre

(Code 2023, § 10-14-7; Ord. No. 2017-54, 12-13-2017)

## HISTORY

*Adopted by Ord. 2025-13 on 5/14/2025*

## **CHAPTER 10-12 COMMERCIAL AND OFFICE ZONES**

### **10-12-1 Purpose**

### **10-12-2 Scope**

### **10-12-3 Definitions**

### **10-12-4 Uses Allowed**

### **10-12-5 Development Approval**

### **10-12-6 Development Standards**

### **10-12-7 Other Applicable Regulations**

### **10-12-1 Purpose**

- A. *C-1 zone.* The purpose of the C-1 zone is to provide areas in the city for neighborhood commercial development.
- B. *C-2 zone.* The purpose of the C-2 zone is to provide areas in the city for community commercial development.
- C. *OP zone.* The purpose of the OP zone is to provide an aesthetically attractive environment for business offices with limited commercial use that cater to a business office complex. This zone is intended to ensure compatibility of new development with surrounding land uses through standards that provide attractive buildings, well-planned grounds and other appropriate amenities supporting employee activity. Uses which produce noises, excessive vehicle traffic, excessive parking needs, objectionable odors, storage of hazardous substances or the outside storage of inventory or equipment are not appropriate in this zone.

(Code 2023, § 10-12-1; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-12-2 Scope**

The provisions of this chapter shall apply to real property located in commercial and professional office zones as shown on the official zoning map.

(Code 2023, § 10-12-2; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-12-3 Definitions**

Certain words and phrases in this chapter, including uses, are defined in HCC chapter 10-3.

(Code 2023, § 10-12-3; Ord. No. 2017-54, 12-13-2017)

#### **HISTORY**

*Adopted by Ord. 2025-13 on 5/14/2025*

### **10-12-4 Uses Allowed**

- A. *Permitted and conditional uses.* Permitted and conditional uses allowed in commercial and professional office zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.

- B. *Accessory uses.* Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.
- C. *Prohibited uses.* Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in HCC 10-5-9.
- D. *Businesses and uses; conditions.* The stores, shops or businesses designated in this chapter shall be retail establishments only and shall be permitted only under the following conditions:
  - 1. Such business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles.
  - 2. All products, whether primary or incidental, shall be sold at retail on the premises; no entertainment, except music, shall be permitted in cafes, confectioneries or refreshment stands.
  - 3. All uses shall be free from objection due to odor, dust, smoke, noise, vibration, or other causes.
  - 4. Any manufacturing shall be incidental to and operated in connection with a use permitted in this chapter and shall be conducted wholly within a completely enclosed building.

(Code 2023, § 10-12-4; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-12-5 Development Approval**

- A. *Generally.* The use and development of land located in commercial and office zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.
- B. *Site plan approval.* Any development in commercial and professional office zones shall be subject to approval of a site plan as provided in HCC 10-5-11.
- C. *Conditional use approval.* The conditional use permit procedure set forth in HCC chapter 10-5 shall be applied to the following:
  - 1. *C-1 zone.* Development over 21,000 square feet.
  - 2. *C-2 zone.* Development over one acre.
  - 3. *OP zone.* All development.

(Code 2023, § 10-12-5; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-12-6 Development Standards**

- A. *Generally.* The use and development of land located in commercial and office zones shall conform to the standards set forth in this section and Chart 10-12 in HCC 10-12-7, except as may be authorized by another provision of this title.



- B. *Alteration and expansion of existing facilities.* When development is proposed to alter or expand existing facilities and the proposed use, alteration, or expansion increases the floor area and/or parking requirements by 25 percent, then the entire site shall be brought into compliance with current city ordinances.
- C. *C-1 and C-2 zones.* Development in the C-1 and C-2 zones shall conform to the following design criteria requirements in addition to other applicable provisions of this title:
1. Direct pedestrian and bike paths shall be provided on site to match those approved or built in adjacent developments.
  2. Accessible parking spaces should be convenient to building entries.
  3. Crosswalks and sidewalks shall be incorporated within the project to provide pedestrian connections to the building. Crosswalks shall be so configured to be a design feature of the development. When pedestrian access traverses a commercial use, a material or textural change is required to identify pedestrian paths, which may include pavers, raised pedestrian paths, edges and other methods of emphasizing pedestrian use. Bulb-outs and other pedestrian design may be used to shorten walking distances across open pavement. Sidewalks should be used when appropriate to connect parking lots with building entries. Heavy painted lines shall be used in conjunction with pedestrian paths where required by the Americans with Disabilities Act (ADA).
  4. For commercial development over five acres, pedestrian amenities shall be provided that allow for use and enjoyment of outdoor areas as a developmental focal point or centralized amenity. These shall include a minimum of one feature from each of the following categories:
    - a. Landscaping: raised landscape planters, shade trees, specimen trees, potted plants, botanical exhibits, trellised planting walls, centralized green gathering space.
    - b. Hardscaped: pedestrian scaled lighting, seating walls, meandering sidewalks, centralized hard-surfaced gathering space (decorative concrete, pavers, a semi-permeable surface, or composite decking).
    - c. Aesthetics: art features, water features, informational kiosks, shade structures, tables, benches, drinking fountains, recreational amenities.
  5. Within commercial shopping centers over ten acres, transit stops with bus pullouts on public streets shall be provided with convenient pedestrian access to transit stops and outlying parking areas.
  6. Convenient and permanent bicycle parking shall be provided in locations that do not interfere with pedestrian circulation. Bicycle parking facilities shall be disbursed throughout larger sites and located in convenient and visible areas.
  7. Direct pedestrian and bike paths shall be provided on site to match those approved or built in adjacent developments and existing or planned trails, parks, or open space.
  8. Support uses, such as trash enclosures, compactors, truck loading areas and outdoor storage, shall be oriented away from residential uses to the extent practical.
  9. Drive-through lanes shall be located away from adjoining residential developments. Speakers and menu boards shall be located so that noise is not directed toward residential uses and shall incorporate a screen wall and landscaping to mitigate noise. Menu board locations shall be shown on preliminary and final site plans.

10. Service electrical system (SES) panels shall be recessed into the building elevation. Access doors shall be screened with landscaping or a solid wall (with landscaping) built of similar building materials and colors of the main development and equal to or exceeding the height of the SES panel; or placed in back of the building if not exposed to adjoining properties.
11. Proposed outdoor display and sales areas shall be located on final site plans, including, but not limited to, propane sales, vending machines, amusements, and seasonal sales. Their location should not displace required parking and pedestrian or landscaping areas.
12. Wall elevations should terminate at a logical point, such as a column or tower element.
13. For all buildings, at least two of the following elements should repeat horizontally. Buildings with façades greater than 100 feet in length shall include a minimum of four such elements, repeated at appropriate intervals, either horizontally or vertically. The use of the same element repeated across the building's façades shall count as only one element:
  - a. Texture change.
  - b. Material change.
  - c. Architectural variety and interest through a change in plane, such as building offsets, recesses, and projections. Wall projections, offsets, and recesses shall be a minimum of 18 inches.
  - d. Window and door reveals, archways or projecting ribs.
  - e. Variations in roof pitches and planes.
  - f. Entrance features which include canopies, recesses, porticos, or similar features that are consistent with the character of the building and make the entrance to the building easily visible. Entrance features shall be proportionate to the entrance's opening and shall be applied to all public entrances.
14. Parapets for concealing flat roofs shall be designed to match the existing architecture. EPDM, PVC, rubberized, rolled or liquid roofing membranes, or other similar roofing systems shall not be used on pitched roofs or in areas that are visible from the street or adjoining properties.
15. All building materials shall be high quality, durable, and provide a low-maintenance finish. All façades, including back and side elevations, shall be constructed as follows:
  - a. Primary materials: a minimum of 60 percent brick or stone that is not part of the support structure or panelized. The brick or stone shall be a natural color and shall not be painted.
  - b. Secondary materials: The balance of exterior wall area shall consist, at a minimum, of two other materials, including brick, stone, glass, architectural metal panels, decorative block or concrete, stucco or simulated stone panels.
    - (1) Stucco products, if used, shall clearly be used in minimal amounts and as a contrast or accent to other building material and shall not exceed 20 percent of any building façade.
    - (2) Simulated stone panels shall be of cementitious construction.
    - (3) Glazing systems shall be constructed of aluminum (anodized or painted) or steel (painted or powder coated). Wood, aluminum clad, or vinyl

glazing systems may be considered and are subject to the standards outlined in subsection (C)(15)(c) of this section.

- (4) Architectural metal panels shall be painted, anodized, or sealed. Profiles may include flat, boxed, or ribbed. Galvanized or raw metal finishes and corrugated "wavy" profiles may be considered if the standards outlined in subsection (C)(15)(c) of this section are met.

- (A) Architectural panels shall be installed using a hidden fastening system.

- (B) Architectural panels shall meet all building code requirements and carry a manufacturer's warranty.

- c. The planning commission may grant an exception to allow for a substitution of the building's secondary materials wherein all the following conditions are met:

- (1) The primary materials exceed 60 percent coverage on at least two elevations.
  - (2) The structure's finish materials incorporate alternate design characteristics that are equivalent to or exceed those otherwise achieved by the strict adherence to this section.
  - (3) The granting of an exception will not adversely affect the established character of the surrounding structure or development.
  - (4) The granting of the exception shall be complementary or essential to the overall design of the structure.
  - (5) The substitute material shall be of high quality, and durability, to provide a low-maintenance finish.

- d. The city council may grant an exception to this criteria for a building that is part of a large commercial project that has approved design guidelines and is greater than 40,000 square feet.

16. Freestanding accessory structures, such as enclosed service/refuse areas and covered parking, should be designed to be an integral part of the building architecture. The forms, colors, textures and materials used on the main building should be applied to all sides of these structures generally visible to the public.
17. Franchise architecture (building designs that are prototypical or identifiable with a particular chain or corporation) shall be revised if the proposed building design does not conform with the design standards set forth in this section. The applicant, upon request, shall provide color pictures of other national tenant buildings (nonprototype examples) that have been built in other cities and states.
18. All exterior lighting shall conform to standards set forth in this section, and this title. All exterior lighting shall comply with approved site plan requirements and design guidelines.

D. *OP zone*. Development in the OP zone shall conform to the following design criteria requirements in addition to other applicable provisions of this title:

1. Buildings in predominantly residential areas shall have a pitched or gabled roof and use material that is similar or alike types with surrounding existing residential uses.

2. All utility connections shall be designed to be similar with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment.
3. Exterior lighting shall be provided as follows:
  - a. On any public road where street lighting is not in place, lighting shall be provided at least equivalent to light produced by a 100-watt incandescent bulb per each 50 feet of frontage, or fraction thereof. Lighting shall be provided, by a freestanding fixture, in the yard space between the building and public street or attached to the wall of a building which is not more than 30 feet from the street property line.
  - b. Each parking area shall be illuminated for safety by installing lighting fixtures which emit light at least equivalent to that of a 100-watt incandescent bulb per 100 feet in all directions.
  - c. All lighting shall be shielded so as not to shine into surrounding residences or skyward.

(Code 2023, § 10-12-6; Ord. No. 2017-54, 12-13-2017; Ord. No. 2019-15, 6-12-2019; Ord. No. 2024-13, exh. A, 6-12-2024)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-12-7 Other Applicable Regulations**

To the extent that use and development of land located in commercial and office zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.

## CHART 10-12. COMMERCIAL AND OFFICE ZONE DEVELOPMENT STANDARDS

### *A. Minimum lot area and width.*

<i>Zone</i>	<i>Lot Area</i>	<i>Lot Width</i>
C-1	None	None
C-2	None, except as follows: Vehicle rental and sale: 2 acres	None
OP	None	None

### *B. Minimum yard for all buildings.*

<i>Zone</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>
		None, except as follows:	None, except as follows:
C-1	20 feet	Side yard adjacent to agricultural or residential zone boundary: 20 feet	Rear yard adjacent to agricultural or residential zone boundary: 20 feet

		Corner lot: 20 feet from street	None, except as follows:
		None, when located adjacent to another commercial use	Corner lots which rear upon side yard of lot in agricultural or residential zone:
C-2	20 feet	Side yard adjacent to agricultural or residential zone boundary: 15 feet plus 1 foot for every 1 foot of building height above 15 feet	Building height 35 feet or less: 20 feet
		Corner lot: 20 feet from street	Building height more than 35 feet: 30 feet
		None, except as follows:	None, except as follows:
OP	25 feet	Adjacent to residential use or zone: 2 feet for every 1 foot of building height	Adjacent to residential use or zone: 2 feet for every 1 foot of building height
		Street side yard: 25 feet	

*C. Maximum building height.*

<i>Zone</i>	<i>All Buildings</i>
C-1	35 feet
C-2	45 feet
OP	45 feet

*D. Lot coverage for all buildings.*

<i>Zone</i>	<i>Maximum Coverage</i>
C-1	60% of lot
C-2	60% of lot
OP	None

(Code 2023, § 10-12-7; Ord. No. 2017-54, 12-13-2017; Ord. No. 2019-15, 6-12-2019)

**HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

**CHAPTER 10-11 RECREATIONAL ZONES****10-11-1 Purpose****10-11-2 Scope****10-11-3 Definitions****10-11-4 Uses Allowed****10-11-5 Development Approval****10-11-6 Development Standards****10-11-7 Prior Created Planned Unit Developments****10-11-8 Other Applicable Regulations****10-11-1 Purpose**

A. *FR zone*. The purpose of forestry recreation zones is to permit development of canyon and hillside areas for forestry, recreation, and other uses to the extent such development is compatible with protection of the natural and scenic resources of these areas for the continued benefit of future generations. Development in forestry recreation zones is intended to:

1. Allow sensitive and creative development that permits continued enjoyment and protection of such natural areas vital to the attractiveness and economic viability of the city;
2. Support low-density, single-family residential for year-round and seasonal occupancy;
3. Protect and create recreational opportunities open to the public; and
4. Reflect the natural setting and respect unique site constraints.

B. *RC zone*. The purpose of the resort community zone is to permit development of areas for resort, recreation, and other uses to the extent such development is compatible with protection of natural and scenic resources of these areas for the continued benefit of future generations. Development in the resort community zone is intended to:

1. Encourage flexible and creative development in order to offer a unique experience in a high quality, visitor friendly setting that contains a complementary mixture of land uses that enhance the experience of the place;
2. Support destination facilities and venues that encourage use by tourists and visitors from outside the city, including commercial and recreational uses;
3. Promote and enhance usable open spaces, recreation sites, outdoor areas, and pedestrian walkability; and
4. Unite varied uses with a consistent theme, appearance, and operations that take advantage of natural assets for public use and recreational potential, yet respect site constraints such as limited access and protection of sensitive and scenic landscapes.

(Code 2023, § 10-11-1; Ord. No. 2017-54, 12-13-2017)

**HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

**10-11-2 Scope**

The provisions of this chapter shall apply to real property located in a recreational zone as shown on the official zoning map.

(Code 2023, § 10-11-2; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-11-3 Definitions**

Certain words and phrases in this chapter, including uses, are defined in HCC chapter 10-3.

(Code 2023, § 10-11-3; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-11-4 Uses Allowed**

- A. *Permitted and conditional uses.* Permitted and conditional uses allowed in recreational zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.
- B. *Accessory uses.* Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.
- C. *Prohibited uses.* Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in HCC 10-5-9.

(Code 2023, § 10-11-4; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-11-5 Development Approval**

- A. *Generally.* The use and development of land located in recreational zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.
- B. *Minimum zone area.* All areas to be zoned to the Forestry Residential (FR) Zone or Resort Community (RC) Zone shall be at least 15 acres.
- C. *Site plan approval.* Any development in recreational zones shall be subject to approval of a site plan as provided in HCC 10-5-11.
  - 1. Site plans shall be prepared by a professionally competent designer or team of designers.
  - 2. Site plans for development in the RC zone shall address each of the requirements set forth in HCC 10-11-6(C) in addition to the requirements set forth in HCC 10-5-11.
- D. *Approval by other agencies.* Prior to site plan approval of any use in forestry recreational and resort community zones, regardless of size or number of units, the applicant shall provide written evidence from the culinary water authority and the sanitary sewer authority certifying that water and sewer system requirements have been satisfied. The city may also request written evidence of approval from any agency having jurisdiction over the property proposed to be developed.

E. *Public support requirements.* The needs of residents in forestry recreation and resort community zones and the challenges of servicing unique sites may require specialized support of various public services. At the discretion of the city, special service districts may be created or required to service these needs. Property owners in forestry recreation zones may therefore be required, to the extent lawfully authorized, to make property available for public facilities and public support operations to service proposed development as follows:

1. Fire/emergency medical services substation;
2. Police substation;
3. Utility substation;
4. Special service districts for water, sewer or public utilities;
5. Road maintenance and erosion control; and
6. Municipal services in general.

(Code 2023, § 10-11-5; Ord. No. 2017-54, 12-13-2017)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-11-6 Development Standards**

- A. *Generally.* The use and development of land located in recreational zones shall conform to the standards set forth in this section and in HCC 10-11-8, chart 10-11, except as may be authorized by another provision of this title.
- B. *Accessory structures.* The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling or structure. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, shall not be subject to this requirement.
- C. *Design criteria.* The following standards shall apply to development in the recreation community zone:
1. *Intent.* The intent of these standards is to:
    - a. Provide for protection of the natural environment and surrounding areas from potentially adverse effects;
    - b. Provide for and protect the unique character, livability and scenic quality of the city and site developed;
    - c. Provide for fire safety and protection of all structures;
    - d. Protect the privacy and quality of life of residents and visitors;
    - e. Ensure consistency in the scale and design of structures; and
    - f. Provide for adequate open space within the development.
  2. *Effect on adjacent properties.* Structures and open spaces within the resort community developments shall be arranged, as necessary, to ensure that adjacent properties will not be adversely affected and that adjacent properties do not have an adverse effect on the resort community.



3. *Preservation of open spaces.* In keeping with the goal of creating a unique outdoor environment and experience, open space and natural areas should be protected to the maximum extent possible.
- a. At least 20 percent of the land within a resort community zone shall be preserved as permanent natural open space or provided for otherwise.
    - (1) One-half of this permanent open space required shall be maintained in one contiguous lot.
    - (2) Developed recreation amenities, such as pools, courts, or arenas and developed public spaces, such as plazas and courtyards, do not count as open space.
    - (3) Amenities that utilize natural open space, such as trails and golf courses, do count as open space.
  - b. A method that is acceptable and approved by the city to maintain open space shall be established prior to sale of any lots. Preservation, maintenance, and ownership of required open spaces within the development shall be accomplished by:
    - (1) Dedication of land as a public park or parkway system;
    - (2) Granting a permanent open space easement on or over the private open spaces to the city, another government agency or a nongovernmental organization charged with protecting important landscapes. This is intended to guarantee that the open space remains perpetually in recreational and/or open space use, with ownership and maintenance being the responsibility of the owner or an owners' association established with articles of association and bylaws, which are satisfactory to the city; or
    - (3) Compliance with the provisions of the Utah Condominium Ownership Act, U.C.A. 1953, § 57-8-1 et seq., which provides for payment of common expenses for the upkeep of the common areas and facilities.
4. *Limits of disturbance.* Plans shall delineate a "limits of disturbance" line to indicate the area within which all disturbance and construction shall be contained. The limits should include the principal structure, accessory structures, utilities, services, drainage facilities, and septic tank. Areas required for driveways and leach fields are not included. In drawing this line, the intention is to minimize visual impacts, prevent erosion, conserve water, and preserve natural vegetation, features, and topography.
5. *Access to recreation and public land.* For the benefit of residents and visitors, the city shall protect access to existing and future recreation areas, such as public lands and trails. The city may request easements through areas proposed for development as needed to permit access.
6. *Sensitive lands and natural hazards.* Construction of permanent structures shall not occur in sensitive land areas. Sensitive land areas include:
- a. Areas with special flood hazard, as provided in HCC title 12;
  - b. Wetlands, springs or stream corridors;
  - c. Natural hazard special study areas, as provided in HCC chapter 10-18; and
  - d. Steep slopes, as provided in subsection (C)(7) of this section.

7. *Steep slopes.*

- a. No development, including clearing, excavation and grading, is permitted where the slope exceeds 30 percent except trails. All areas with slopes greater than 30 percent shall remain in natural private or public open space, except as expressly allowed in this chapter.
- b. Roads and other vehicular routes shall not cross slopes greater than 30 percent, unless, after review by the planning commission, it is determined that:
  - (1) Appropriate engineering measures can be taken to minimize the impact of the cuts and fills, consistent with the purpose of this chapter; and
  - (2) The environment and aesthetics of the area will not be significantly affected.
- c. In no case shall roads cross slopes over 50 percent.

8. *Grading and drainage.* Grading shall be minimized to protect existing vegetation and natural drainage patterns, reduce erosion and dust during construction, and to minimize visual impacts.

- a. Natural drainage patterns shall be maintained to the greatest extent possible. The amount of water runoff currently moving from the project site to adjacent areas shall not exceed preconstruction levels. Alternative stormwater retention is encouraged to minimize runoff.
- b. Buildings shall be designed to integrate into natural slopes. Mass grading to create a flat building pad is discouraged.
- c. All cut and fill surfaces shall be regraded to match the surrounding topography as closely as possible.
- d. All cut and fill surfaces shall be replanted with native plants similar in type to plants that were destroyed.

9. *Ridgeline preservation.* Ridgelines should be retained in a natural state and development near ridgelines should blend with the natural contour of these features. Development near designated ridgelines as designated on the official zoning map should be sited and constructed to avoid creating a silhouette against the sky or backdrop when viewed from three designated vantage points:

- a. 5600 West and 13400 South;
- b. 6400 West and 13400 South; and
- c. 7000 West and Rose Canyon Road.

10. *Landscaping and native vegetation.* Existing vegetation shall be protected in its natural state to the greatest extent possible.

- a. All trees over six inches in caliper or plants over ten feet tall shall be noted on plans and marked in the field for the duration of construction.
- b. All clearing of existing vegetation shall be a conditional use, subject to planning commission approval. Clearing outside the limits of disturbance is discouraged.
- c. Native compatible trees and vegetation shall be utilized in new landscaping.

- d. New landscaping shall be designed to minimize the threat of wildfire to built structures.
11. *Wildlife habitat.* Protecting wildlife and their natural habitat is important for maintaining the natural ecosystem and for the enjoyment of residents and visitors.
- a. Proposals in the resort community zone shall note important natural features and vegetation that serve as habitat, and identify wildlife that may be present in different seasons.
  - b. Site plans should minimize the impact of development by:
    - (1) Siting buildings, structures, roads, trails, and other construction to avoid significant natural features and to maintain a sufficient buffer between these important natural areas and human activity;
    - (2) Facilitate wildlife movement by designing natural corridors between natural areas and by minimizing fences and road crossings;
    - (3) Maintaining the natural structure of the site, different layers of vegetation; and
    - (4) Revegetating degraded areas with native plants and selecting plants that benefit wildlife for new landscaped areas.
12. *Signage.* Signage in the resort community zone should help unify the development and provide a positive image.
- a. Signage shall be kept to the minimum necessary to identify destinations and direct people through the development.
  - b. Signage shall be designed as a coordinated signage system for the entire project and should be sensitive to the needs of visitors.
  - c. Signage for the purpose of advertising shall be used to the minimum extent possible and shall be regulated in the development's covenants, conditions, and restrictions.
  - d. Natural materials such as wood, stone, rock and metal should be used.
  - e. Signs shall be illuminated with external, directed lighting.
13. *Building design.*
- a. Buildings shall follow a consistent design theme across the development to unify the resort community.
  - b. Proposed structures shall be complementary to the surrounding landscape in terms of scale, massing, roof shape and exterior materials.
  - c. Buildings shall not create large bulky masses, but should be scaled down into groupings of smaller attached structures.
  - d. Buildings shall be placed on the site and designed to minimize adverse effects on adjacent properties.
  - e. Buildings should be sited so as not to visually break the ridgeline as set forth in subsection (C)(9) of this section.

- f. Buildings shall be sited and constructed to resist wildfire. Applicants may be asked to complete a technical analysis for the Unified Fire Authority in order to evaluate the safety of a proposal and mitigate safety impacts.
- g. Except as otherwise specifically provided in this title, all buildings and structures shall meet the following height standards:
  - (1) Building heights shall not exceed 35 feet from the lowest finished grade touching the building to the top of the roofline. Where the grade slopes, this dimension shall not be exceeded at any point along the slope.
  - (2) No single-family dwelling structure shall have less than one story above ground.
- 14. *Building materials.* Buildings shall be designed to complement the natural beauty of the surrounding landscape.
  - a. Buildings and accessory structures shall follow a consistent theme, focused on natural materials and colors to blend with the surrounding landscape.
  - b. Wood and stone and other harmonious materials shall be used. The use of bland, unpainted concrete blocks and unpainted metal is prohibited on exterior surfaces.
  - c. Materials, colors and surfaces shall have little or no reflectivity.
- 15. *Access and circulation.* Circulation networks shall be designed to consider all forms of travel, including, but not limited to, vehicles, bicycles, pedestrians and equestrian use.
  - a. A traffic impact study shall be required to project auto and truck traffic generated by the uses proposed.
  - b. Street widths, materials and configurations should vary depending on the proposed traffic level and need for emergency access.
  - c. Continuous pedestrian and bicycle access shall be provided with minimal barriers to handicapped or elderly persons.
- 16. *Street design.* Streets, roads, private access roads, driveways, and other vehicular routes shall be designed to minimize the amount of disturbance while allowing safe access.
  - a. Vehicular routes shall not cross slopes greater than 50 percent.
  - b. Vehicular routes shall follow natural contour lines to the greatest extent feasible to minimize cut and fill and disturbance to existing vegetation.
  - c. Driveways shall have a maximum grade of 12 percent.
- 17. *Parking and loading.* Parking and loading areas shall be designed to accommodate the diverse uses of the resort community zone.
  - a. Parking spaces for residents shall be provided on site to minimize road widths.
  - b. Parking for guest properties shall be provided primarily off street and shall be sufficient to serve those properties.
  - c. Cluster type and shared parking is recommended where feasible.
  - d. Parking areas shall be broken into smaller lots to avoid large expanses of paving.

- e. Parking lots shall include ample landscaping to buffer them from neighboring properties.
  - f. Areas for loading/unloading of business supplies shall be provided in unobtrusive locations that do not conflict with primary circulation routes.
  - g. Areas for the loading/unloading of vehicles used for recreation, such as trailers, shall be provided as needed.
18. *Fences.* Fences should be used to the minimum extent possible to limit their visual impact and allow access to public areas, as needed. Fences shall conform to the standards set forth in city engineering standards.
- a. No fence shall be constructed unless shown on an approved site plan.
  - b. No fence in excess of 42 inches in height shall be constructed or installed outside the designated limits of disturbance, except as required by the city for uses such as corrals for permitted animals.
  - c. Fences in front yards and along roadways shall not exceed 42 inches in height.
  - d. Fences shall not inhibit the movement of wildlife along known travel corridors.
19. *Lighting.* Lighting shall be limited to promoting safety and visibility, as necessary. Lighting may vary from city standards in this zone, but any variations shall be submitted on a lighting plan for the approval of the city engineer.
- a. Outdoor lighting shall be shielded or hooded to prevent glare onto adjacent properties and minimize the amount of light directed toward the sky.
  - b. Selective lighting of signs shall be allowed to assist in visibility only.
  - c. A greater number of smaller light fixtures shall be used instead of large, high-intensity fixtures.
  - d. Incandescent lights should be used in smaller pedestrian spaces where quality light is especially important.
20. *Utilities.* All utilities shall be buried underground for protection from natural elements and to be visually unobtrusive. Utility location and service shall be coordinated with the city as needed, as set forth in HCC 10-11-5(E).

(Code 2023, § 10-11-6; Ord. No. 2017-54, 12-13-2017; Ord. No. 2022-46, 12-14-2022)

#### HISTORY

Adopted by Ord. 2025-13 on 5/14/2025

### **10-11-7 Prior Created Planned Unit Developments**

- A. *Prior development.* Planned developments in forestry residential zones approved prior to April 2, 2015, which have been constructed pursuant to such approvals are considered legally conforming.
- B. *New development.* New planned developments shall be prohibited in forestry residential zones.

(Code 2023, § 10-11-7; Ord. No. 2017-54, 12-13-2017)

## HISTORY

Adopted by Ord. 2025-13 on 5/14/2025**10-11-8 Other Applicable Regulations**

To the extent that use and development of land located in recreational zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.

**CHART 10-11. RECREATIONAL ZONE DEVELOPMENT STANDARDS***A. Minimum lot area and width.*

Zone	Lot Area	Lot Width
FR-1	1 acre	150 feet, at 40 feet from front lot line
FR-2.5	2.5 acres	250 feet, at 40 feet from front lot line
FR-5	5 acres	250 feet, at 50 feet from front lot line
FR-10	10 acres	250 feet, at 50 feet from front lot line
FR-20	20 acres	250 feet, at 50 feet from front lot line
RC	None	None

*B. Minimum yard for residential buildings.*

Zone	Front Yard	Side Yard	Rear Yard
		1 side yard: 25 feet	Single-family dwelling: 40 feet
FR-1 and FR-2.5	40 feet	Both side yards: 50 feet	Any portion of uncovered or covered patio or deck: 40 feet
		Corner lot: 35 feet from street	
		1 side yard: 30 feet	
FR-5	50 feet	Both side yards: 60 feet	Same as above
FR-10			
FR-20			
		Corner lot: 40 feet from street	
RC	None	None	None

*C. Minimum yard for buildings other than residential and accessory buildings.*

Zone	Front Yard	Side Yard	Rear Yard
All FR zones	50 feet	30 feet	40 feet

RC	None	None	None
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*D. Maximum building height.*

Zone	Main Building
All FR zones	35 feet
RC	See HCC 10-11-6(C)(13)

*E. Lot coverage of all buildings, paved surfaces, and graded areas.*

Zone	Maximum Coverage
FR-1	20%
FR-2.5	15%
FR-5	10%
FR-10 and FR-20	5%
RC	None

*F. Development density.*

Zone	Maximum
FR-1	1 unit per acre
FR-2.5	1 unit per 2.5 acres
FR-5	1 unit per 5 acres
FR-10	1 unit per 10 acres
FR-20	1 unit per 20 acres
RC	1 unit per 2.5 acres

(Code 2023, § 10-11-8; Ord. No. 2017-54, 12-13-2017; Ord. No. 2022-03, 2-23-2022; Ord. No. 2023-14, exh. A(10-11-8), 7-12-2023)

**HISTORY**

Adopted by Ord. 2025-13 on 5/14/2025

**HERRIMAN, UTAH**  
**RESOLUTION NO. R39-2024**

**A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN  
APPROVING A MASTER DEVELOPMENT AGREEMENT FOR SOUTH HILLS  
DEVELOPMENT WITH RESPECT TO APPROXIMATELY 554.26 ACRES OF REAL  
PROPERTY LOCATED AT APPROXIMATELY 15590 SOUTH MOUNTAIN VIEW  
CORRIDOR**

**WHEREAS**, the Herriman City Council ("*Council*") met in regular meeting on November 13, 2024, to consider, among other things, an ordinance of the City Council of Herriman approving a Master Development Agreement for the South Hills Development (the "Development Agreement") with respect to approximately 554.26 acres of real property located at approximately 15590 South Mountain View Corridor; and

**WHEREAS**, the Utah Code Ann. § 10-9a-102 authorizes, among other things, that the City may enter into development agreements; and

**WHEREAS**, staff has presented to the Council the Development Agreement for the referenced property; and

**WHEREAS**, Council has reviewed the Development Agreement and hereby find that (i) entering into the Development Agreement is permitted under and consistent the City code; and (ii) it is in the best interests of the City to enter into the Development Agreement.


**NOW, THEREFORE, BE IT RESOLVED** that the Development Agreement is approved, and the City Manager and Recorder are hereby authorized and directed to execute and deliver the same; and

**BE IT FURTHER RESOLVED** that the City Manager may make formal, nonsubstantive changes in the Development Agreement as may be agreed to by the City Manager and Olympia, including without limitation to the exhibits thereto, insofar as it is necessary to bring the document into conformance with the intent of the approval granted herein and to provide for ease of readability, including, without limitation, (i) creating a table of contents; (ii) correcting internal cross references; (iii) revising headings and titles for sections and other subdivisions; (iv) revising section numbers; (v) updating exhibits to reflect comments included thereon at the time of approval or to cause changes that bring such exhibits into conformance with applicable City code; and (vi) other changes necessary to preserve the original meaning of the Development Agreement; but in no case, shall the City Manager make any change in the meaning or effect of Development Agreement as approved.

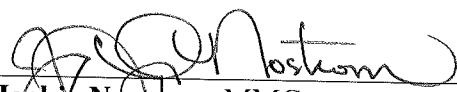
**PASSED AND APPROVED** by the Council of Herriman, Utah, this 13<sup>th</sup> day of November, 2024.



**HERRIMAN**

  
\_\_\_\_\_  
**Mayor Lorin Palmer**

**ATTEST:**

  
\_\_\_\_\_  
**Jackie Nostrom, MMC**  
City Recorder



## Herriman City

RESOLUTION NUMBER: **R39-2024**

**SHORT TITLE:** RESOLUTION APPROVING A MASTER DEVELOPMENT AGREEMENT FOR SOUTH HILLS DEVELOPMENT WITH RESPECT TO APPROXIMATELY 554.26 ACRES OF REAL PROPERTY LOCATED AT APPROX 15590 SOUTH MOUNTAIN VIEW CORRIDOR

### ROLL CALL

NAME	MOTION	SECOND	FOR	AGAINST	OTHER
Lorin Palmer			X		
Jared Henderson	X		X		
Teddy Hodges			X		
Sherrie Ohrn			X		
Steven Shields		X	X		
	TOTALS		5		

This resolution was passed by the City Council of Herriman City, Utah on the 13<sup>th</sup> day of November 2024, on a roll call vote as described above.