

## **Frequently Asked Questions**

Below is a list of frequently asked questions followed by a brief response. It should be noted that if there is a discrepancy between the information provided below and the Mapleton City Municipal Code (MCC), the adopted standards in the MCC shall rule. It is recommended that you contact the Community Development Department if you have questions on any of these items.

### ***When do I need a building permit?***

Obtaining a building permit ensures that your project complies with adopted building standards and protects you and future owners from potential hazards. A building permit is required whenever an individual intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building, or to erect, install, enlarge repair, remove, convert or replace any electrical, gas, mechanical or plumbing system. A building permit is not required under limited circumstances including, but not limited to the following:

- Single story detached structures that do not exceed 200 square feet in size and used as a storage shed, playhouse or similar use;
- Fences not over 7 feet in height;
- Retaining walls that are not over 4 feet in height (measured from the bottom of the footing to the top of the wall);
- Decks not exceeding 200 square feet in area and not more than 30 inches above grade that are not attached to a dwelling;
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finished works; and
- Minor electrical, gas and/or mechanical repairs.

Please see <http://www.mapleton.org/communitydevelopment.html> for a comprehensive list of work that does not require a permit, or contact the Community Development Department.

### ***Do I need a permit to finish my basement?***

Unless the basement finish only involves items that are exempt from building permit requirements (see "When do I need a permit" above), then a building permit is required. Applications should identify the proposed use of all finished space, show all electrical outlets and account for the proper window egress in bedrooms.

### ***What is my property zoned and what does that mean?***

The City is divided into various zoning districts. Each zone has adopted standards that govern the types of uses that are permitted (commercial, residential, agricultural, etc.), development standards for new construction

(building heights, setbacks, minimum lot sizes, etc.) and applicable parking requirements.

The following is a link to the official Zoning Map:

<http://www.mapleton.org/maps/Zoning%2024x36%20-%203-21-12.pdf>

Once you've identified the zoning, you can click on the following link to review the zoning standards for your particular zone in the Mapleton City Code (zoning is found in title 18).

[http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=801](http://www.sterlingcodifiers.com/codebook/index.php?book_id=801)

### ***What are my setback requirements?***

See the following table. For setbacks in planned unit development zones, or zones not listed below, please contact the Community Development Department.

| Zone  | Front | Side/Corner | Side | Rear | Garage Facing a Street    |
|-------|-------|-------------|------|------|---------------------------|
| A-2   | 30'   | 30'         | 10'  | 25'  | 25' from back of sidewalk |
| RA-1  | 30'   | 30'         | 10'  | 25'  | 25' from back of sidewalk |
| RA-2  | 30'   | 30'         | 10'  | 25'  | 20' from back of sidewalk |
| R-2   | 30'   | 30'         | 10'  | 25'  | 20' from back of sidewalk |
| R-2-B | 30'   | 30'         | 10'  | 25'  | 20' from back of sidewalk |

\*All setbacks measured from property line except Garage Facing a Street, which is measured from back of sidewalk regardless of location of property line

### ***Can I subdivide my parcel? What is the process?***

There are various factors that determine whether your property could be subdivided. The city is divided into various zoning districts and each zone has specific requirements for minimum lot sizes, length of lot frontage along a city street, etc.. For example, property in the A-2 zone requires a minimum of 2 acres per lot with at least 200 feet of frontage on a city street.

Both state law and the Mapleton City Code require property owners to following an adopted process in order to subdivide land. The process typically includes the preparation of a subdivision plat by a property owner and the review and approval of the plat by the City. Subdivision laws are intended to ensure orderly development, to provide a safe and efficient road system and to encourage the provision of adequate public utilities.

Occasionally, well intentioned property owners bypass the City's process by simply recording a deed with the County Recorder transferring ownership of

portions of their property. This is considered a violation of City Code that can result in the withholding of building permits, the issuance of citations and/or the recording of a Notice of Noncompliance on the property's title among other enforcement actions.

If you are thinking about subdividing your property for development, estate planning, or any other purpose, please contact the Community Development Department to ensure that you understand the requirements of the law.

### ***What are impact fees and how much are they?***

Impact fees are imposed when property is developed to pay for all or a portion of the costs of providing public services to and for the new development. These fees are implemented to help reduce the economic burden on the City that result from population growth. The City charges impact fees for culinary water, pressurized irrigation, sewer, public safety (police & fire), and parks and recreation.

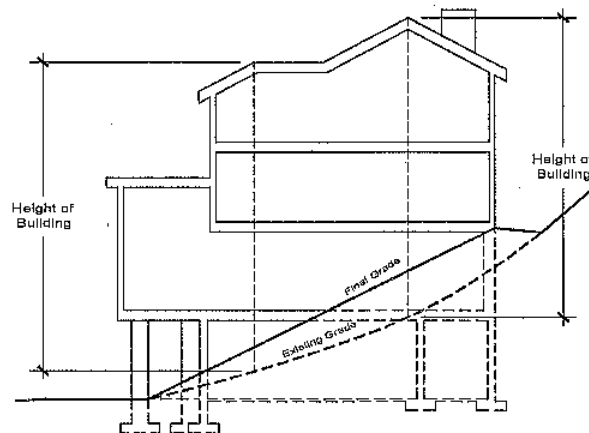
The City's impact fees are collected in two parts. First, prior to a residential subdivision plat being recorded, the developer must pay \$4,528 per lot in impacts fees. Second, prior to the issuance of a building permit, an additional impact fee of \$6,968 is collected per lot. Impact fees are slightly different for commercial development.

See attached for the impact fee schedule.

<http://www.mapleton.org/forms/Impact%20Fees%20-%20Detached%20Home%20Construction%207-1-12.pdf>

### **What are the height requirements?**

The height requirement for new structures is forty (40') in all zones except the PO-1 zone, which has a thirty (30') foot limit. The height of a building is measured as the plumb vertical distance from any point on the roof to the natural or finished grade, whichever is more restrictive (see diagram below).



### ***Can I have a second kitchen?***

A single family residence may have a second kitchen provided a building permit is obtained and the second kitchen is for family use only. The issuance of a permit for a second kitchen does not authorize the creation of an accessory apartment.

### ***Can I have an accessory apartment?***

Most zones allow for accessory apartments under certain limitations. A permit is required to establish an accessory apartment along with the following conditions:

- 1) Only one accessory apartment is allowed per lot that contains a single family residence;
- 2) Either the primary dwelling unit or the accessory apartment must be occupied by the owner of the property;
- 3) The lot must be at least 14,500 square feet in size;
- 4) At least two (2) off street parking stalls designated for use by the accessory apartment in addition to the required off street parking required for the single-family dwelling shall be provided. A designated parking stall may not be located within a garage, unless at least two (2) other parking stalls within a garage are available for the primary dwelling unit.
- 5) Not more than one of the designated parking stalls may be located within the front yard setback, or side yard setback adjacent to a street;
- 6) The size of the accessory apartment shall be at least 300 square feet and shall not be larger than the primary residence;
- 7) The primary residence must be at least 1,000 square feet;
- 8) The entrance to the accessory apartment must be either to the side or the rear of the primary residence, or not be visible from the street.
- 9) Payment of a one-time fee of \$5,500; and
- 10) An increased monthly sewer fee.

If an accessory apartment is proposed in a detached accessory building, the following standards also apply:

- 1) The lot is one acre or larger;
- 2) The building serves as a function other than a separate dwelling unit;
- 3) The detached structure shall not appear as a separate dwelling unit;
- 4) The size of the accessory apartment shall not exceed fifty percent (50%) of the total size of the detached structure, and the apartment may not exceed one thousand (1,000) square feet.

### ***Where can I build a fence and how tall can it be?***

Fences, screens, walls, hedges, shrubs, or other tangible barriers may be built or grown up to 3 feet tall in the front yard (within 30' of the front property line), 3 feet tall on the side property line located between the street and the home. Fences and other tangible barriers may be up to 6 feet tall in the rear and 6 feet tall on the side property lines located behind the front of the home. If the fence or barrier is at least 50% non-sight obscuring in front of the home, it may be up to 4 feet tall. Home owners should be advised that fences cannot be constructed in such a manner that traffic visibility is impaired. Taller fences that serve a specific purpose, such as tennis court or baseball backstops, may be approved by the Planning Commission.

### ***How close can a detached accessory building (garage, shed, etc.) be from the property line?***

Accessory buildings can be located as close as 3 feet from a side or rear property line as long as they: 1) are located at least 10 feet to the rear of the main building; 2) are less than 15 feet tall; 3) are not placed over an underground utility line or system; 4) do not drain onto another property; and 5) do not include openings on the side or sides adjacent to the rear or side lot line. If an accessory building fails to meet any of these criteria it must be located at least 10 feet from a side or rear property line.

Accessory buildings cannot be located within the front yard setback and no accessory buildings or group of accessory buildings in a residential zone shall cover more than 30% of the rear yard nor exceed 35' in height.

### ***Do I have animal rights?***

Most zones allow one animal unit per 20,000 square feet of lot size. However, some zones such as the R-1-B, R-2, SDP-1, GC-1, CC-1, NC-1 and I&M-1 do not allow animal rights. An "animal unit" is one or a proportionate combination of the following:

- 2 cows, or 2 horses, or 2 pigs, or 2 llamas, or 2 other similar large animals
- 8 adult sheep or feeder lambs, or 4 alpacas (similar to llama).
- 4 goats.
- 36 rabbits, or 36 similar small animals.
- 4 large birds such as ostriches, or emus, or peacocks.
- 16 turkeys.
- 1 deer, or 1 elk, or 1 moose, or 1 bison, or 1 other such wild animal.

### ***Can I have a home based business?***

A modest level of business activity is allowed within the home if it can be conducted under conditions and levels of operation that don't adversely affect or undermine the residential character of the area. Home businesses do require a business license and a home occupation permit which is facilitated through the Mapleton Community Development Department. The home occupation license approval process is intended to ensure that the business does not significantly alter the residential character of the neighborhood. Very minor home occupations can be approved by city staff while moderately intense home occupations are approved by the City Planning Commission.

Generally, home occupations can be permitted or permitted with conditions that:

- Are confined to a completely enclosed structure,
- Occupy less than 25% of the home or 500 square feet, whichever is less,
- Employ no more than one person who does not reside within the home,
- Are not primarily engaged in the sale of goods,
- Do not include the storage of heavy equipment,
- Are secondary to the use of the home as a residence and do not change the character of the home,
- Do not include the parking of more than 6 cars at any one time,
- Do not include the use of hazardous materials or chemicals,
- Do not produce noise, glare, light, fumes, or dust that is obvious from outside of the home, and
- The physical appearance, traffic and other factors do not negatively affect the surrounding property values or the residential qualities of the neighborhood.

The Community Development Department can help you determine if your business might be appropriate in a residential setting.

### ***Am I responsible for keeping the sidewalk clear and the park strip maintained in front of my property?***

Yes. A property owner is responsible for keeping the sidewalk in front of their property free of obstructions, weeds, ice, snow, garbage and debris. A property owner is also responsible for keeping the park strips/parkways in front of their property maintained.

Park strips/parkways less than 2 feet wide may be landscaped with brick pavers, concrete pavers, or concrete but may never be paved with asphalt. Park strips/parkways more than 2 feet wide must be landscaped with turf grass. Park strips more than 4 feet wide must be landscaped with turf grass and include trees that have a minimum caliper size of 1 inch and are spaced not more than 30 feet apart. Only trees that are found on the city's street tree list are permitted within the park strip/parkway.