



REGULAR MEETING AGENDA
Mapleton City Council Meeting
Wednesday, August 16, 2023 at 6:00 p.m.
Mapleton City Council Chambers
125 W 400 N, Mapleton, UT 84664

CALL TO ORDER—INVOCATION- PLEDGE OF ALLEGIANCE - MAYOR’S COMMENTS

PUBLIC FORUM: Members of the audience may bring to the attention of the Mayor and Council any item that is not on the agenda. Please sign in. Speakers are generally given two to three minutes, at the discretion of the Mayor, to address the Council. State law prohibits the Council from acting on items that do not appear on the agenda. **The Mayor reserves the right to amend the order of the agenda items and to delete items no longer required for consideration.**

CONSENT AGENDA: Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Council may ask to remove any items from the consent agenda to be considered individually. Unless that is done, one motion may be used to adopt all recommended actions. If the public has questions or comments regarding the consent agenda, please contact staff prior to the meeting.

1. Consideration of a Resolution authorizing Mapleton City to enter into a contract for a data analytics platform with Placer Labs, Inc. ***Logan Miner, Parks and Rec Director.***
2. Consideration of a Resolution to adopt the 2023 Water Conservation Plan updated and prepared by the Public Works Department. ***Rob Hunter, Public Works Director***

ACTION ITEMS:

3. Consideration of a request to apply a Transferable Development Right Receiving Site Overlay (TDR-R) to a property located at 1185 West 2400 South. The applicants are Tangie and Rolf Walpole. ***Sean Conroy, CD Director/Assistant City Manager***
4. Consideration of a Resolution amending a condition of rezone approval for the Whiting Farms subdivision regarding the maintenance of existing trees on the site. ***Sean Conroy, CD Director/Assistant City Manager***
5. Notice is hereby given by Mapleton City under the Utah Municipal Cable Television and Public Telecommunications Act, Title 10, Chapter 18 of the Utah Code making amendments to the April 28, 2021, feasibility study. Public hearings were called on July 5, 2023, and again on August 2, 2023, to receive input from the public regarding a City telecommunications system. ***Matt Hancock, MCN Director***

THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24 HOURS NOTICE

A copy of the agenda was posted at the City Offices August 11, 2023, at 12:00 pm also delivered to the Mayor, City Council members. In compliance with the Americans with Disabilities Act, the city will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at 801-806-9106 at least three working days prior to the meeting.



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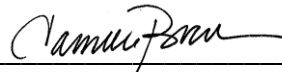
PUBLIC HEARING ITEMS:

6. Consideration of an Ordinance to re-zone five properties located at approximately 100 North Main Street from A-2 to RA-2 to ensure that each parcel complies with minimum lot size standards. The applicant is Mapleton City. ***Sean Conroy, CD Director/Assistant City Manager***
7. Consideration of an ordinance amending Mapleton City Code Title 17 and 18.90.130 regarding subdivision requirements for new development and amending the Community Development Fee Schedule. ***Sean Conroy, CD Director/Assistant City Manager***

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS
ADJOURNMENT FROM REGULAR SESSION

CLOSED MEETING:

Mapleton City Council may adjourn the regular meeting and convene into a closed session pursuant to §52-4-205, as provided by Utah Code.



Camille Brown, City Recorder

The public is invited to participate in all Mapleton city council meetings. This meeting will also be streamed via You Tube at Mapleton City Meetings. There will be no public comment via You Tube viewing. The link for the meeting is: <https://www.youtube.com/channel/UCx8-QGmCOXWQOsZq8pGYrsAgendag>

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City Council Staff Report

Date:

August 16th, 2023

Applicant:

N/A

Location:

N/A

Prepared By:

Logan Miner, Parks
& Recreation Director

Public Hearing:

No

Attachments:

Resolution
Contract

REQUEST

Consideration of a Resolution authorizing Mapleton City to enter in a Data Analytics Platform Contract with Placer Labs, Inc.

BACKGROUND & DESCRIPTION

Placer Labs, Inc. is a technology company specializing in location data analytics and insights. They work to empower public organizations to make better decisions by helping them understand what is really happening in the physical world.

This platform will allow staff the ability to discover the preferences & visitations patterns of residents and visitors to our public spaces, events, and programs. Some example metrics include visits, trade areas, customer journey, customer insights, dwell times, and visitation by hour/day.

Another key benefit is leveraging visitation data to better estimate sales tax & revenue potential, optimize budgetary plans and public resource planning. These benefits will help create partnerships with local businesses by providing measurable accurate data.

Data privacy: The device data is stripped of personal identifiers by their partners before the data is shared. After they receive the data, it is aggregated around specific points of interest (i.e., a business, a neighborhood, a park, etc.) using K-anonymity of 50 (from at least fifty devices) to preserve individual privacy. Using the proprietary technology, the data is further extrapolated to provide broader prediction based on a representative sample set.

The terms of this contract would be for 12 months with the option of renewal each year. Mapleton City would retain access to all previous year's data dating back to 2015.

RECOMMENDATION

That the Mapleton City Council allow Mapleton City to enter in a Data Analytics Platform contract with Placer Labs, Inc in the amount of \$15,000.

RESOLUTION NO. 2023-

A RESOLUTION CONSIDERATION OF A RESOLUTION AUTHORIZING MAPLETON CITY TO ENTER IN A DATA ANALYTICS PLATFORM CONTRACT WITH PLACER LABS, INC.

WHEREAS the City desires to better understand location data and insights; and

WHEREAS the City has sufficient funding; and

WHEREAS the City staff has reviewed all data privacy laws.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, to allow the City to enter in a Data Analytics Platform Contract with Placer Labs, Inc. in the amount of \$15,000.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH, This 16th day of August 2023.

Dallas Hakes, Mayor

ATTEST:

Camille Brown
City Recorder



PLACER LABS, INC.

ORDER FORM

Mapleton, Utah Address:	(“Customer”) 125 W Community Center Way Mapleton, UT 84664	Placer Labs, Inc. Address:	(“Placer”) 440 N Barranca Ave., #1277 Covina, CA 91723
Contact Person:	Logan Miner	Contact Person	Max Toadvine
Email:	lminer@mapleton.org	Billing Contact Person:	Melissa Anderson
Phone:	801-806-9122	Billing Email*:	billing@placer.ai
Billing Contact Email:	lminer@mapleton.org	Billing Phone*:	415-228-2444

*Not for use for official notices.

1. Services.

The services provided under this Order Form (the “**Services**”) include:

- Access, via Placer Venue Analytics Platform (“**Placer’s Platform**”), to all major venues within the United States
- Access, via Placer’s Platform, to reports, including Visits, Trade Areas, Customer Journey, Customer Insights, Dwell Times, and Visitation by Hour/Day
- Actionable insights include:
 - Accurate foot traffic counts and dwell time
 - True Trade Areas displaying frequent-visitors-density by home and work locations
 - Customers’ demographics, interests, and time spent at relevant locations
 - Where customers are coming from and going to, and the routes they take
 - Benchmarking of Foot Traffic, Market Share, Audiences, and other key metrics
 - Competitive insights
 - Void Analysis Reports
- Access to Xtra reports per ad hoc needs; in Excel, KML, Tableau, and other formats: Quarterly Maximum of 26 credits; Annual Maximum of 104 credits
- Access to STI Demographics Bundle + Mosaic Data Set. The applicable Advanced Demographics and Psychographics are generated using the Input Datasets from the data vendors as set forth below:

Description	Input Datasets Used
STI Demographics Bundle	PopStats
	Spending Patterns
	Workplace
	Market Outlook
Experian Mosaic	Mosaic Segmentation

2. Permitted Uses

The data, information and materials accessible via the Services are referred to as “**Placer Data**”. Customer may use Placer Data solely for the following purposes (“**Permitted Uses**”): (a) Customer may use Placer Data for Customer’s internal business purposes; and (b) Customer may incorporate Placer Data into Research Data, as described and subject to the restrictions below.

“**Research Data**” means datasets and other materials created by Customer that result in any part from Customer’s use of Placer Data. The Customer may share Research Data with current and potential customers, and in marketing

materials; provided that the Customer shall cite Placer as a provider of such information (for such purpose only, Placer grants Customer the rights to use the Placer.ai name and logo, provided that any such use of the Placer.ai name and logo must clearly indicate that Placer is the provider of data only, and is not involved in any analysis, conclusion, recommendation). Customer shall not, directly or indirectly, resell, distribute, sublicense, display or otherwise provide Placer Data to any third parties, except that Customer may display Placer Data as part of Research Data.

3. Term and Termination.

Initial Term: The initial term of this Order Form will begin as of the last signature date set forth below, and will continue for 12 consecutive months thereafter (the “**Initial Term**”). Each renewal or additional term, if any, is referred to as “**Additional Term**,” and the Initial Term and any Additional Terms are referred to collectively as the “**Term**.”

Additional Term: Following expiration of the Initial Term, this Order Form shall be automatically renewed for additional periods of the same duration as the Initial Term, unless either party provides written notice of non-renewal at least thirty (30) days prior to the expiration of the then-current term.

Termination: Either party may terminate this Order Form upon thirty (30) days’ notice if the other party materially breaches any of the terms or conditions of this Order Form or the Agreement (as defined below), and the breach remains uncured during such thirty (30) days. In addition, Placer may immediately suspend Customer’s access to the Services, or terminate the Order Form, in the event of non-payment by the Customer or breach by Customer of any restrictions regarding usage of the Services.

4. Fees.

\$15,000/year invoiced: in full upon signing this Order Form.

Invoice sent electronically to Customer’s billing contact email via NetSuite.

Customer shall pay the fees set forth above in this Order Form.

Unpaid amounts are subject to a finance charge of 1.5% per month on any outstanding balance, or the maximum permitted by law, whichever is lower, plus all expenses of collection.

Customer is responsible for all applicable taxes arising directly from the Services other than U.S. taxes based on Placer’s net income.

If Customer believes that Placer has billed Customer incorrectly, Customer must contact Placer no later than sixty (60) days after the closing date on the first billing statement in which the error or problem appeared in order to receive an adjustment or credit. Inquiries should be directed to Placer’s customer support department at support@placer.ai.

In the event of any termination, Customer will pay in full for the Services.

Placer may increase the fees any time following the Initial Term (but not more frequently than once in any twelve (12) month period). The amount of such annual increase will equal the greater of CPI or five percent (5%) per annum.

All billing will be sent via electronic invoice to the Customer contact indicated above. Customer shall pay all fees within thirty (30) days of the invoice date.

5. Support.

Placer will use commercially reasonable efforts to provide customer service and technical support in connection with the Services on weekdays during the hours of 9:00 A.M. through 5:00 P.M. Pacific Time, with the exclusion of federal holidays. For any such support, please contact us at support@placer.ai.

6. Mutual NDA.

Each party (the “**Receiving Party**”) understands that the other party (the “**Disclosing Party**”) has disclosed or may disclose business, technical or financial information relating to the Disclosing Party’s business (hereinafter referred to as “**Proprietary Information**” of the Disclosing Party). Proprietary Information of Placer includes, without limitation, non-public information regarding features, functionalities and performance of, and pricing for, the Services. The Receiving Party agrees: (i) to take reasonable precautions to protect such Proprietary Information, and (ii) not to use (except in performance of the Services or as otherwise permitted by the Agreement) or disclose to any third party any Proprietary Information. The foregoing shall not apply with respect to any information that the Receiving Party can document (a) is or becomes generally available to the public, (b) was in the possession of or known to the Receiving Party, prior to disclosure thereof by the Disclosing Party, without any restrictions or confidentiality obligations, (c) was rightfully disclosed to it, without any restrictions or confidentiality obligations, by a third party, (d) was independently developed without use of any Proprietary Information of the Disclosing Party, or (e) is required to be disclosed by law, provided that the Receiving Party provides the Disclosing Party with prompt written notice of such requirement and reasonably cooperates with the Disclosing Party to limit or challenge such requirement. These provisions regarding Proprietary Information shall apply in perpetuity and shall survive any termination of the Order Form or the Agreement.

7. Miscellaneous.

All notices under the Order Form and the Agreement will be in writing and will be deemed to have been duly given (a) upon delivery by a recognized delivery service (e.g., FedEx) with delivery confirmation, (b) upon receipt, if sent by U.S. certified or registered mail, return receipt requested, or (c) when sent via email, if sent during normal business hours of the recipient, and on the next business day if sent after normal business hours of the recipient. Notices shall be sent to the addresses set forth in the Order Form, which addresses may be subsequently modified by written notice given in accordance with these provisions.

Customer grants Placer the right to use Customer’s company name and company logo, for Placer’s promotional purposes.

This Order Form is entered into by and between Customer and Placer effective as of the date of the last signature below. This Order Form and use of the Services are governed by, and Customer and Placer agree to, the License Agreement located at <https://www.placer.ai/placer-license-agreement/> (the “**Agreement**”); provided, however, that in the event of any conflict between this Order Form and the Agreement, this Order Form shall control. Unless otherwise defined in this Order Form, capitalized terms herein have the same meaning as in the Agreement.

“Customer”

Mapleton, Utah
By:
Name:

“Placer”

Placer Labs, Inc.
By:
Name:

Title:
Date:

Title:
Date:



City Council Staff Report

Date:

August 16, 2023

Applicant:

Mapleton City

Location:

N/A

Prepared By:

Rob Hunter, City Engineer/
Public Works Director

Public Hearing:

Yes

Attachments:

Water Conservation Plan

REQUEST

Consideration of a Resolution to adopt the 2023 Water Conservation Plan updated prepared by the Mapleton City Public Works Department.

BACKGROUND & DESCRIPTION

This proposed update to the Mapleton City Water Conservation Plan contains information on historic water use and trends, available water sources, goals for conservation, and proposed implementation measures to reach the conservation goal. Entities that provide water service are required by Utah Code and the Utah Water Conservation Plan Act of 1998 to maintain a Water Conservation Plan, updated at least every 5 years. Mapleton's current adopted plan is from 2014, and is overdue for the 5-year update. The Public Works Department had prepared an update with a previous consultant. However, because of an approaching senate bill that would revise some of the requirements, it was not brought to the Council for adoption.

In addition to the general importance of keeping plans current and relevant, the City cannot receive a \$2 Million conservation grant from the Division of Water Resources that is otherwise approved, without having a Water Conservation Plan adopted within the last 5 years.

EVALUATION

The Public Works Department has addressed comments from the Utah Division of Water Resources, and presents this 2023 Water Conservation Plan for adoption by the City Council. The Provo River conservation region goal is a 20% reduction in per capita daily use by 2030, when compared to the 2015 baseline. Mapleton City must either adopt that goal, or a goal that would result in even greater conservation. This Plan elects to adopt the regional goal, and contains straight-forward existing and proposed measures to achieve this goal.

RECOMMENDATION

Adopt the 2023 Mapleton City Water Conservation Plan.

RESOLUTION NO.

A RESOLUTION ADOPTING TO ADOPT THE 2023 MAPLETON CITY WATER CONSERVATION PLAN

WHEREAS, Mapleton City is committed to conserving water as the population grows and increases demand on existing water sources; and

WHEREAS, cities providing water service are required to implement a Water Conservation Plan and update the Plan at least every 5 years; and

WHEREAS, this Water Conservation Plan includes goals, existing and proposed measures, and implementation strategies to conserve water; and

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, that: the City adopts the 2023 Mapleton City Water Conservation Plan.

This resolution adopted this 16th day of August 2023, by the City Council of Mapleton City, Utah.

Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder



Water Conservation Plan



August 2023



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Mapleton City Water Conservation Plan

I. Introduction

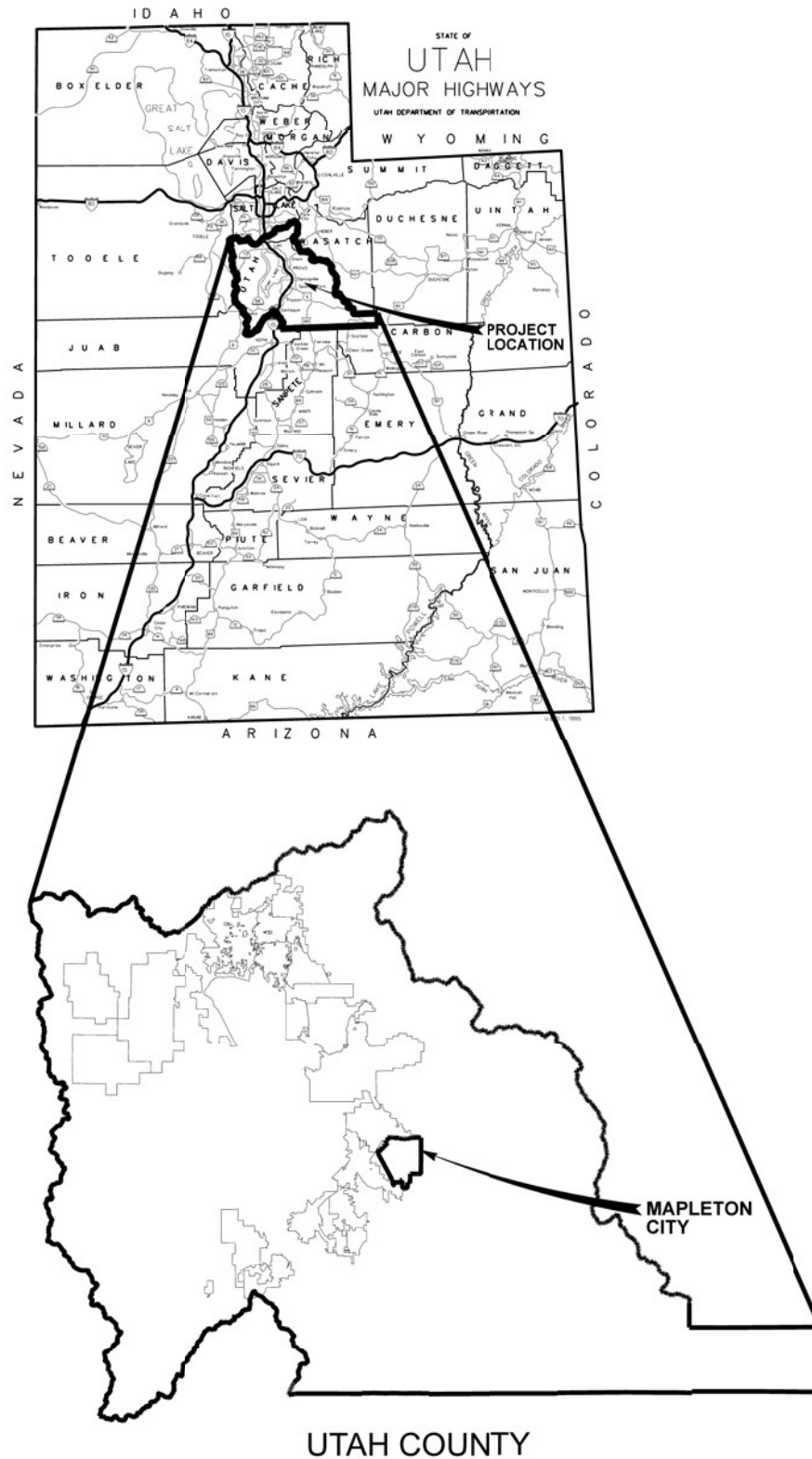
Located on the east side of Utah Valley, Mapleton City has a current estimated population of ±14,000 residents and growing. The City is primarily a residential area with limited commercial or industrial development. Past development of Mapleton was generally rural in nature with large lots and large homes. However, in recent years, development trends have changed to include more density, although the City maintains its quiet, more rural appeal.

Mapleton City operates a culinary water system that serves all of its service area, and an expanding secondary water system that currently serves about half of its service area. Water conservation is of great importance to the City as it experiences significant growth that puts pressure on the current infrastructure. However, even with current fast-paced development, the City has been successful in its ability to meet the water needs of its residents, all of whom live within the City boundaries.

The Mapleton City Water Conservation Plan has been prepared to meet the requirements of Utah Water Conservation Plan Act of 1998 amended in 2004 with Utah Administrative Code 73-10-32, which requires implementation of conservation goals and plans to reduce the overall per capita consumption of water within the City's supply and delivery service area. The plan must be updated every five years. As outlined in this plan, Mapleton City is committed to a program of efficient and careful use of water in order to be a good steward of the resources which are available to the City and its residents.

II. Water System Overview

Mapleton City is located on a foothill bench southeast of Springville City in Utah County, Utah. The City currently comprises 8,462 acres, with the potential to reach approximately 8,610 acres through future annexations. It is bounded by Springville City on the north, Maple Mountain on the east, Spanish Fork City on the south and west, with the Union Pacific Railroad Tracks forming the western boundary. Figure 1 presents a location map for Mapleton City.



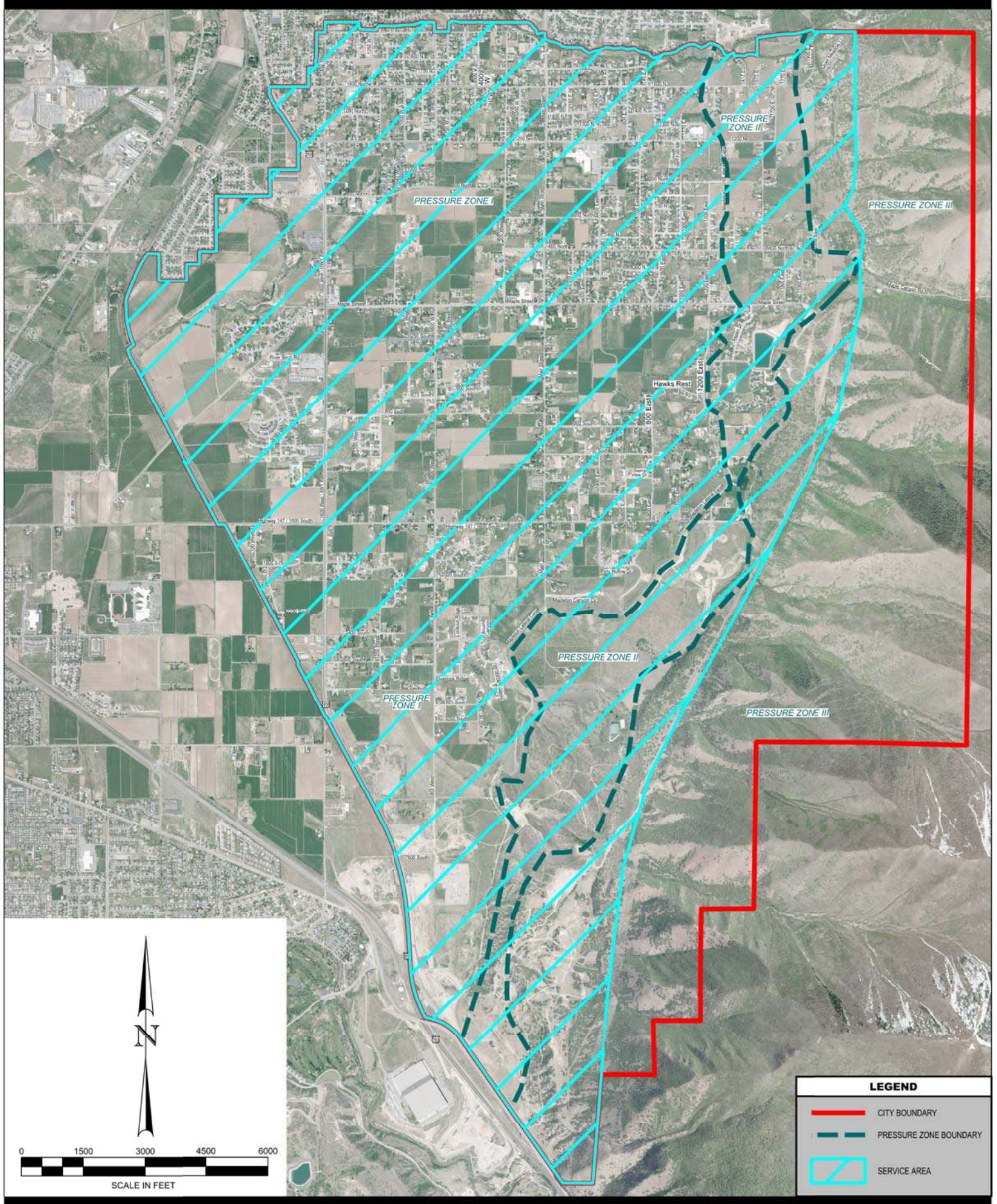


Figure 2

Mapleton City Water Conservation Plan Service Area



Mapleton Town became Mapleton City Corporation through incorporation as a third-class city on April 16, 1948. For much of the period since that time, the City has experienced relatively steady growth. However, a sanitary sewer collection system was constructed beginning in 1996, and since then the City has experienced more rapid growth. The estimated population has grown by $\pm 25\%$ in the last 3 years alone. By the end of 2022, there were 3,655 culinary water connections within the existing Mapleton City service area. The City culinary water service area is shown on Figure 2.

The culinary water distribution system includes $\pm 500,000$ lineal feet of pipe ranging in size from 4-inches in older City areas to 20-inches near the mouth of Maple Canyon. The City has more than 10,800,000 gallons of storage in five existing tanks spread across the system, primarily in Maple Canyon and along the foothills. Culinary water has been provided from springs in Maple Canyon and four wells within the City limits.

In the mid-1990s, groundwater contamination from the Ensign Bickford property southeast of the City forced the disconnection of City Well No. 1 to prevent its use in the culinary system. Since 1998, the well has been pumped continuously in an effort to clean the water bearing aquifer. In order to make beneficial use of the water pumped from this well, a pressurized irrigation system was installed to serve the northwest portion of the City. In 2011, the distribution system was expanded and a storage pond and pump station were constructed. By the end of 2022, there were 1,821 active connections to the pressurized irrigation system that do not require outdoor irrigation from the City's culinary water system. There is also extensive "dry" mains that the City is working to connect to the active lines, that will provide pressurized irrigation to an additional $\pm 1,500$ connections.

The pressurized irrigation system includes $\pm 400,000$ feet of distribution pipe ranging in size from 4-inches to 30-inches, a 109 acre-foot storage pond and a pump station to boost water from the pond to acceptable pressures for the system. Source water for the pressurized irrigation system comes from City Well No. 1, two smaller wells, and irrigation water rights delivered through the Mapleton Irrigation District and the Central Utah Water Conservancy District (CUWCD) Mapleton Lateral Canal.



Table 1 summarizes the total existing water system connections and water usage during the 2020 calendar year separated by culinary and secondary water systems.

Table 1
Summary of Water System Connections and Usage
2022 Calendar Year

Type of Connection	Culinary Water Connections	Culinary Water Used (gallons)	P.I. Water Connections	P.I. Water Used (gallons)
Residential/Domestic	3,571	632,270,688	1,805	432,832,446
Commercial	53	23,692,064	9	5,046,561
Institutional/Churches	25	28,011,987	7	28,185,066
Agriculture	4	333,736	0	0
City Owned	1	15,500	0	0
Other	1	125,463	0	0
Total	3,655	684,449,438	1,411	466,064,073

III. Existing Water Sources and Supply

Mapleton City obtains culinary water from springs and wells. The most reliable culinary water sources are the City's four wells. The current water sources with the reliable capacity of each source is outlined in Table 2. Flows from the springs have historically varied widely from year to year, until they were contaminated and turned out of the culinary system and into the existing canyon channel a few years ago. Mapleton City is finalizing a plan to rehabilitate the springs, but they are not included in the computations for existing source capacity.

Table 2 also shows the water sources used in the secondary water (pressurized irrigation) system. Those sources include three wells that are pumped continuously to clean the water bearing aquifer as discussed previously. In addition to the wells, Mapleton City has acquired shares of stock in the Mapleton Irrigation Company, the East Bench Irrigation Company, the East Jordan Irrigation Company and the Utah and Salt Lake Canal Company, as well as Strawberry Project Water shares. The irrigation water corresponding to those water shares is



currently being used in the pressurized irrigation system and is delivered to the Mapleton storage pond by the Central Utah Water Conservancy District (CUWCD) through the Mapleton Lateral Canal. The City has also been allocated irrigation water from the Utah Lake Drainage Basin Water Delivery System (ULS), but has currently deferred use. Therefore, ULS water is also not included in the existing source capacity.

Table 2
Mapleton City
Water Sources, Supply and Capacity

Source	Use	2020 Water Supplied (acre-feet)	2020 Water Supplied (gpm)	Reliable Capacity (gpm)
Mapleton Springs	Culinary	722.57	448	None ⁽¹⁾
Carnesecca Well	Culinary	424.79	263	1,000
Seal Well	Culinary	593.46	368	1,650
Westwood Well	Culinary	758.36	470	1,800
Crowd Canyon Well	Culinary	405.81	252	1,750
City Well No. 1	P.I.	318.07 ⁽⁴⁾	387 ⁽⁵⁾	1,000
Orton Well	P.I.			250
Whiting Well	P.I.			50 ⁽²⁾
Mapleton Lateral Canal	P.I.	1,611.00	1,960 ⁽⁵⁾	10,100 ⁽³⁾

(1) Water from Mapleton Springs is used to supplement other sources as the capacity varies from year to year based upon climate.

(2) Whiting well not available at all times.

(3) Mapleton Irrigation is allocated up to 45% of the estimated 50 cfs capacity. Water is ordered and delivered from CUWCD based upon need.

(4) Combined total of all wells less water discharged to Hobbie Creek.

(5) Gallons per minute for P.I. based upon 186 calendar days.

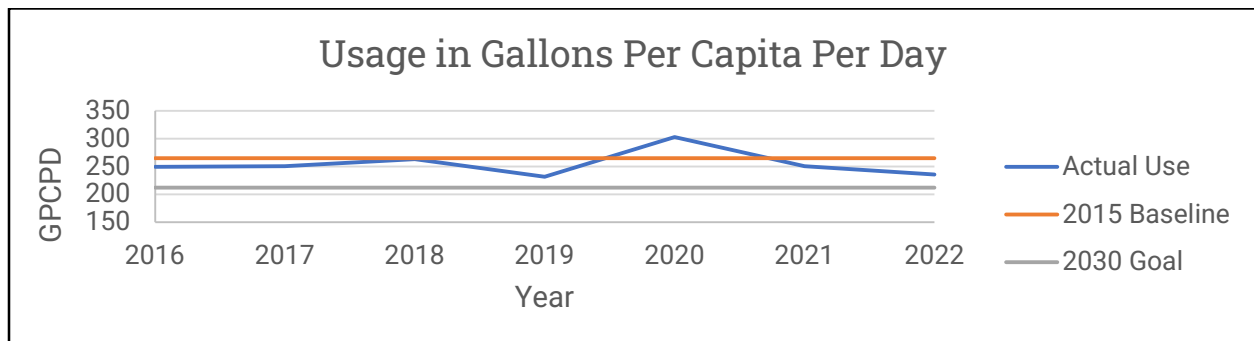
IV. Water Usage

Mapleton City's active secondary water system, which is primarily located in the north and central areas of the City, operates from approximately April through October to meet the outdoor irrigation needs for those residents who have it available to them. The remaining residents irrigate from the City's culinary water system. Water usage has been summarized from 2005 to 2022 and is presented in Table 3. The daily gallons per capita usage is also shown on the subsequent graphic.



Table 3
Mapleton City
Summary of Water Use in Acre-Feet

Year	Residential/ Domestic	Commercial	Industrial	Institutional	Pressure Irrigation	Total
2005	1,308.81	6.46	0	5.09	552.78	1,873.14
2006	1,672.27	9.37	0	67.16	643.75	2,392.55
2007	618.50	0.8	0	13.61	729.65	1,362.56
2008	1,877.32	5.19	0	69.17	685.59	2,637.27
2009	2,807.69	5.44	0	116.10	675.30	3,604.53
2010	1,566.88	4.46	0	32.34	595.99	2,199.67
2011	1,667.67	4.81	0	47.62	529.23	2,249.33
2012	1,409.24	31.58	0	422.27	839.17	2,702.26
2013	1,971.10	5.99	0	56.00	740.44	2,773.53
2014	1,770.62	3.90	0	36.87	783.20	2,594.59
2015	1,638.68	4.13	0	17.57	812.71	2,473.09
2016	1,795.17	4.75	0	17.57	974.76	2,792.25
2017	1,665.55	95.50	1.25	100.83	1,053.54	2,916.67
2018	1,738.04	86.91	1.15	142.34	1,184.54	3,152.98
2019	1,609.80	95.74	0.89	79.28	1,066.18	2,851.89
2020	2,155.00	95.70	1.00	111.20	1,542.10	3,905.00
2021	1,986.95	77.78	0.90	80.84	1,332.43	3,478.88
2022	1,940.75	72.71	1.02	86.01	1,430.30	3,530.80





It may be observed from the graph that, with the exception of the 2020 calendar year, per capita water usage in Mapleton City has been below the 2015 baseline. It should be noted that the per capita usage for 2020 can in some measure be attributed to the Covid-19 pandemic as more people were in their homes rather than being away during the day. During the 2020 calendar year, the City has also been flushing waterlines as a maintenance effort to improve flow and water quality. That water is also included in the above summary. Since 2020, the per capita water usage has trended downward. It is anticipated that this trend will continue as the City grows and as water conservation efforts are implemented.

The usage shown in the figure includes water supplied to all types of connections, such as residential, commercial, industrial, institutional, agriculture and secondary. Table 4 shows the amount of per capita use by type of connection for the year 2022.

Table 4
Mapleton City
Per Capita Water Use (2022)

Type of Connection	Indoor (Winter Use) (gpcd)	Culinary Outdoor (gpcd)	Pressurized Irrigation (gpcd)	Total (gpcd)
Residential/Domestic	50.4	77.9	87.8	216.1
Commercial	2.5	2.3	1.0	5.8
Institutional/Churches	0.7	5.0	5.7	11.4
Agriculture	0.1	0	0	0.1
City Owned	0	0	0	0
Other	0	0	0.0	0.0
Total	53.6	85.3	94.6	233.5



V. Water Measurement

With the exception of City-owned buildings and parks, all water connections, both culinary and pressurized irrigation, within Mapleton City are metered. City parks and building connections are not metered. The City uses electronic meters that are read on a monthly basis, even through the winter months for those on the culinary system. Several of the City parks use electronic observation for water conservation, but the usage is not included in the reported meter measurements.

Over the past several years, the City switched to electronic meters, which has made reading of the meters easier and more economical. The meters on the pressurized irrigation system have all been installed in the past 12 years, so they are also relatively new. Meters are replaced by City crews whenever necessary or when anomalies are observed.

By City ordinance, new developments are required to provide water rights for future use as a condition of approval. This will ensure that the City will have an adequate supply of water into the future.

There are no known sources of leakage within the City distribution system. Maintenance to the system is performed on a daily basis. When leaks are identified, they are immediately repaired to conserve water and maintain high water quality. Beginning in the year 2020, the City started an ongoing flushing program to remove sediment from the existing distribution lines. Water used in this program is not metered and is included in the percentage of loss from the system. The average loss over the past five years is estimated at 15%.

VI. Water Conservation Goals

In 2019, the State of Utah established regional M&I water conservation goals for nine regions throughout the State¹. Mapleton City is part of the Provo River region, which includes Utah, Wasatch and Juab Counties. The new regional goals replaced the Governor's statewide goal to conserve "25% by 2025." The document includes goals for each of the nine regions as well as timelines to accomplish the goals

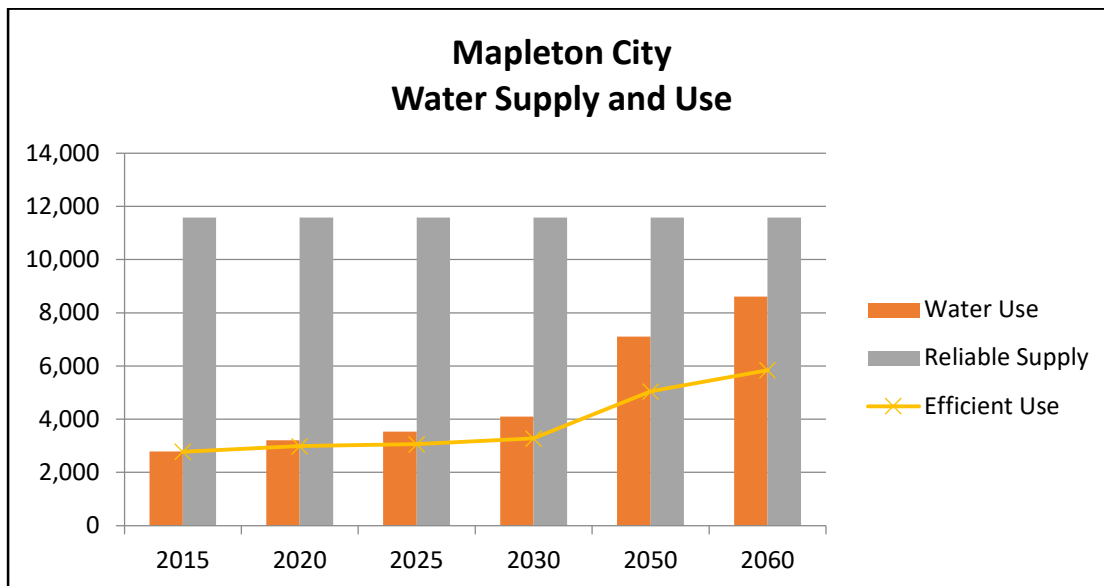
The goal for the Provo River conservation region is to reduce gallons per capita per day water usage by 20% from the 2015 baseline value by the year 2030. In

¹ Utah's Regional M&I Water Conservation Goals, Utah Division of Water Resources, November 2019.



developing its conservation goals, Mapleton City has used a baseline usage value of 265 gallons per capita per day and has applied the 20% conservation reduction by 2030. Thus, the City's conservation goal is to reduce usage to 212 gallons per capita per day. The 2040 future projection, although not a specific goal, would add another 7 percent reduction to reduce usage to 193 gallons per capita per day.

The below graphic compares the City's reliable supply through 2060, water usage based upon estimates in increased population with 2015 as a baseline, and efficient use through implementation of the conservation goals outlined above. It is anticipated that by 2060, Mapleton City will have essentially been built out to its final land use and population capacity. As the conservation goal is achieved, Mapleton City will save approximately 820 acre-feet of water per year by 2030 as compared to the baseline condition.



VII. Tiered Water Rate Structure

Mapleton City has adopted a tiered water rate structure for both culinary and pressurized irrigation water. The rate structure is presented in Table 5.



Mapleton City Water Rate Schedule

TABLE A Culinary Water Rates for users w/out PI Access

Base	\$ 30.00	3/4 inch & 1 inch Meters				
	Rate per 1000 gal	Rate per Gallon	Gallons From To		\$ Dollar Min \$ Max \$	
1st Tier	\$ 1.25	0.001250	-	8,000	1.25	10.00
2nd Tier	\$ 1.50	0.001500	8,001	100,000	11.50	138.00
3rd Tier	\$ 1.75	0.001750	100,001	200,000	139.75	175.00
4th Tier	\$ 2.25	0.002250	200,001	300,000	177.25	225.00
5th Tier	\$ 2.75	0.002750	300,001	100,000,000	227.75	274,175.00
6th Tier	\$ 3.25	0.003250	100,000,001	+	274,178.25	+

TABLE B Culinary Water Rates for users with PI Access

Base	\$ 15.00	3/4 inch & 1 inch Meters				
	Rate per 1000 gal	Rate per Gallon	Gallons From To		\$ Dollar Min \$ Max \$	
1st Tier	\$ 1.25	\$ 0.001250	-	8,000	1.25	10.00
2nd Tier	\$ 2.75	\$ 0.002750	8,001	100,000	12.75	253.00
3rd Tier	\$ 3.75	\$ 0.003750	100,001	200,000	256.75	375.00
4th Tier	\$ 4.75	\$ 0.004750	200,001	300,000	379.75	475.00
5th Tier	\$ 5.75	\$ 0.005750	300,001	100,000,000	480.75	573,274.99
6th Tier	\$ 6.75	\$ 0.006750	100,000,001	+	573,281.74	+

TABLE C Pressurized Irrigation Rates for users with PI Access

Base	\$ 15.00	3/4 inch & 1 inch Meters				
	Rate per 1000 gal	Rate per Gallon	Gallons From To		\$ Dollar Min \$ Max \$	
1st Tier	\$ 1.00	\$ 0.001000	-	8,000	1.00	8.00
2nd Tier	\$ 1.25	\$ 0.001250	8,001	100,000	9.25	115.00
3rd Tier	\$ 1.50	\$ 0.001500	100,001	200,000	116.50	150.00
4th Tier	\$ 2.00	\$ 0.002000	200,001	300,000	152.00	200.00
5th Tier	\$ 2.50	\$ 0.002500	300,001	100,000,000	202.50	249,250.00
6th Tier	\$ 3.00	\$ 0.003000	100,000,001	+	249,253.00	+



TABLE D Culinary Water Rates for users with PI Access that DO NOT Use it

Base	\$ 30.00	3/4 inch & 1 inch Meters			
	Rate per 1000 gal	Rate per Gallon	Gallons From To		\$ Dollar Min \$ Max \$
1st Tier	\$ 1.25	\$ 0.001250	-	8,000	1.25 10.00
2nd Tier	\$ 2.75	\$ 0.002750	8,001	100,000	12.75 253.00
3rd Tier	\$ 3.75	\$ 0.003750	100,001	200,000	256.75 375.00
4th Tier	\$ 4.75	\$ 0.004750	200,001	300,000	379.75 475.00
5th Tier	\$ 5.75	\$ 0.005750	300,001	100,000,000	480.75 573,274.99
6th Tier	\$ 6.75	\$ 0.006750	100,000,001	+	573,281.74 +

It may be observed that Mapleton City's rate structure encourages connection to the pressurized irrigation system when it is available in order to reduce usage of high-quality culinary water. The rate structure also economically encourages conservation through lower rates for lower usage.

VIII. Conservation Practices

As outlined in Section VI of this plan, Mapleton City has established a goal of 20% reduction in water usage by the year 2030 from the 2015 baseline. Achieving the goal will require implementing the existing and proposed conservation measures to educate and encourage water conservation by Mapleton City, the Nebo School District and all residents within the water service area. Conservation programs are overseen by the Public Works Director and the Public Works Operations Manager. The contacts for these individuals are shown in the following table.

Name	Position	Phone Number	Email Address
Rob Hunter, P.E.	Public Works Director	801-806-9154	rhunter@mapleton.org
Brad Roundy	Public Works Operations Manager	801-806-9156	broundy@mapleton.org

Existing Conservation Measures

Over the past several years, Mapleton City has developed and implemented the following conservation measures. The impacts of the identified conservation measures have not been quantified in the past, so their effectiveness is unknown at this time.



Public Education:

Mapleton City includes suggestions for efficient use of water resources several times each year as part of the monthly City newsletter. The City's website is also set up to include a Water Conservation Page (see proposed conservation measures below).

Replacement Program for Old Pipelines:

The Mapleton City Water Resources Master Plan, last adopted in 2018, is currently in the process of being updated. The Master Plan will include identifying waterlines to be replaced based upon being undersized or a history of leaking or breaks. The annual City Public Works budget includes costs to replace old and undersized waterlines in accordance with the City's long-range plans to improve the water system.

Water Meters:

All culinary and secondary water connections, with the exception of some City-owned properties, are currently metered. Electronic meters were installed in the secondary water system with improvements and expansion over the past 10 years. The culinary water system has also been upgraded to include electronic meters over the past several years. Therefore, all meters within the system are relatively new, and the City has it in their planning and budgeting to quickly replace faulty electronic meters.

Smart Controllers:

Smart irrigation controllers have been installed in several Mapleton City Park irrigation systems that allow modifications to the irrigation schedule to be made remotely. City staff can change irrigation in response to changes in weather so that an appropriate amount of water is applied.

Utility Rate Structure:

The City's current rate structure, included in Section VII, encourages residents to switch from the culinary water system to the lower quality secondary water system when it becomes available to their property. The tiered levels of the structure economically penalize those who choose to use large quantities of water, thus encouraging conservation.



Proposed Conservation Measures

Mapleton City intends to continue the conservation efforts outlined above. Furthermore, the City proposes the following additional conservation measures to be implemented over the next five years:

Finalize this Water Conservation Plan (adopted Aug 2023):

This water conservation plan has been prepared and will be publicly noticed and adopted at a Mapleton City Council Meeting.

Create a Water Conservation Page on City Website (due Dec 31, 2023):

A Mapleton City Water Conservation page will be created as part of the existing City website. Links have already been created on Mapleton City Public Work's Drinking Water and Pressurized Irrigation web pages. The Water Conservation page will include a PDF version of this Water Conservation Plan, information on City initiatives, links to other helpful conservation websites, suggestions for water wise landscape materials, and an appeal for City residents to implement water conservation measures. This web page is currently being prepared by City staff and will be on the City's website by the end of 2023.

Create a Water Conservation Committee (due March 31, 2024):

The proposed committee will consist of the Public Works Director, Public Works Operations Manager, Parks Director, at least one elected official, and other city staff and local residents. It will meet at least twice a year to help research, coordinate, create and implement public education and information campaigns and water conservation programs and incentives. This committee will also review the implementation plan, as specified below. This committee will be created and have their first meeting by March 31, 2024.

Encourage Water-Wise Landscaping (due Jun 30, 2024):

Mapleton City will prepare flyers identifying water-wise landscape materials and methods. Mapleton City Public Works, Community Development, and Parks staff will be consulted in the development of these flyers. The information will be available at the City's main office and Public Works building, and will also be made available to residents at various City activities and functions. A water conservation booth will be set up at appropriate community events to provide education and materials to residents. These flyers will be prepared by City staff by June 30, 2024.



Include Water Conservation Information with Building Permits (due Dec 31, 2024):

A packet will be prepared and included with building permit application forms that encourage the use of high water efficiency appliances, fixtures and water-wise irrigation and landscaping for all new construction and remodels. Mapleton City Public Works, Community Development, and Parks staff will be consulted in the development of this information packet. These packets will be prepared by City staff by December 31, 2024.

Rebates for Irrigation Equipment and Fixtures (due Dec 31, 2025):

The City will investigate the potential to provide rebates to residents for implementation of water-wise irrigation equipment and low water use fixtures. Initial discussions and information gathering will include the City Administration, Finance Department, Public Works Department, Community Development Department, and Parks Department. The findings and any associated recommendations will then be presented to the City Council by December 31, 2025.

Meter Water for all City Properties (due Dec 31, 2025):

Water meters will be installed at all City properties, including parks, City buildings and other facilities that use water. Mapleton City Public Works will be in charge of installing the meters. Information gathered from the meters will be used to determine what additional water efficient practices may be required at City properties. Meters will be added to all City properties by December 31, 2025.

Create a Local Water Wise Garden (due Dec 31, 2027):

Mapleton City will plan and construct a water-wise garden within the City that demonstrates the use of appropriate local water wise plants. Residents will be able visit the garden and learn about the types of plants that do well and conserve water in our climate. The garden can become a key educational focal point for individuals and families within the community. The Public Works Department will meet with City Administration and the Parks Department to determine the best location for the garden. Upon completion, the City web page and informational flyers will be updated to highlight the garden. This garden will be completed and open to the public by December 31, 2027.

Evaluation and Implementation

Mapleton City is committed to ensuring the stated measures are implemented with the stated goal of reducing water use by 20% by 2030. The Public Works Director and Operations Manager will prepare yearly water conservation credit



reports that summarize that year's water use, how that compares to the goal and where water use is trending, the implementation status of conservation measures, and conservation-related plans for the following year.

The Water Conservation Committee will meet at least twice a year to review the implementation status of conservation measures and the ongoing trends in the City's water use. Based on how those trends compare to the goal of reducing water use by 20% by 2030, the Committee will evaluate the need to move up implementation timelines, revise proposed conservation measures, or add new proposed conservation measures and timelines.

IX Water Conservation Plan Adoption

In accordance with the Utah Code Section 73-10-32(2)(a), the Mapleton City Council shall devote part of at least one regular meeting every five years for discussion and adoption of the City's Water Conservation Plan. Minutes of the meeting shall be included as an appendix to the plan. The discussion shall take place in a regular public meeting which provides access to the media and will permit public comment on the Plan. The meeting will serve to increase awareness of the plan and encourage public involvement in its implementation, resulting in a more effective water conservation effort.

Appendix

Copy of Public Notice

Resolution for Adoption by Mapleton City Council

Aug 16, 2023 City Council Meeting Minutes



City Council Staff Report

Date:

8/16/2023

Applicant:

Rolf Walpole

Location:

1185 W 2400 S

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

No

Attachments:

1. Application information.
2. Correspondence.
3. Platted & Unplatted lots exhibit.
4. CC & PC minutes.

REQUEST

Consideration of an ordinance to apply a Transferable Development Right Receiving Site Overlay (TDR-R) to a property located at 1185 West 2400 South.

BACKGROUND & DESCRIPTION

The subject property is approximately 2.5 acres in size and is developed with a single-family dwelling and some outbuildings. The property is considered a "metes and bounds" lot, meaning it has not been platted as part of a subdivision. The majority of the developed lots in the area are part of platted subdivisions and are 2.5 acres in size or larger.

In 2020, a five acre parcel just to the northwest of the subject site had applied to be rezoned to RA-1 with a TDR-R. The Planning Commission recommended denial of the rezone to RA-1, but approval of the TDR-R. The Council subsequently denied both the RA-1 and TDR-R requests. Many of the neighboring property owners at that time expressed a desire to maintain the two acre minimum lot size.

The applicant is requesting approval to apply a TDR-R Overlay to the property with the intent of creating one additional building lot. If the TDR-R Overlay is approved, the applicant would then need to submit an application for the proposed subdivision.

The Planning Commission held two public hearings on this item. The first hearing was continued because of a tie vote. At the second meeting on May 11, 2023 the Commission recommended approval of the TDR-R Overlay. The City Council held a public hearing on June 21, 2023, received public comment and then closed the public hearing. After Council discussion it was continued to a future meeting.

EVALUATION

Rezone requests are considered legislative actions. The City Council generally has broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community, and is supported by city ordinances and policies.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing rezone requests:

1. *Public purpose for the amendment in question.*
2. *Confirmation that the public purpose is best served by the amendment in question.*

3. *Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
4. *Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
5. *Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
6. *Adverse impacts on adjacent landowners.*
7. *Verification of correctness in the original zoning or general.*
8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

General Plan: The Future Land Use Map designates the site as "*Rural Residential*". This designation corresponds to the A-2 zone and allows for two acre lots, or one acre lots with TDRs. All of the abutting properties have the same Rural Residential designation. Some of the goals and policies of the Land Use Element of the General Plan that the Council should consider while reviewing this application include:

- *Goal 1: Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and the preservation of open space.*
- *Goal 2: Continue the established focus on large-lot, single-family residential uses as the primary means for preserving Mapleton's rural character.*
- *Policy 2.1: Maintain and protect established residential districts and neighborhoods.*
- *Goal 3: Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility.*
- *Goal 9: Continue to implement the Transferable Development Rights (TDR) program by ensuring that there are sufficient areas that can qualify as TDR-Receiving sites.*

Zoning: The A-2 zone requires two acres per lot, or one acre per lot if part of a TDR-R. MCC Section 18.76.070 indicates that properties in the A-2 zone are eligible to apply for a TDR-R, but states that "*in no case shall a receiving site rezone be approved in any previously platted subdivision*". The project site is somewhat unique in that it is not part of a platted subdivision, but all of the adjacent lots are. Staff has included an exhibit showing which lots in the vicinity are platted and which are not (see attachment "3"). Based on the ordinance, the applicant is eligible to apply for a TDR-R because it is not a platted lot and is in the A-2 zone. Whether the application is approved depends on the Council's findings according to MCC Section 18.76.080, which states the following regarding the review of TDR-R requests:

"The City Council, after receiving a recommendation from the Planning Commission, shall approve a request to utilize development rights on a receiving site if the request:

1. *Does not exceed the density limitations permitted by subsection [18.76.070B](#) of this chapter;*
2. *Is in accordance with the provisions of this chapter;*
3. *Is in accordance with the subdivision and site plan regulations contained in title 17 of this Code and this title;*
4. *Is consistent with other recommendations of the Mapleton City General Plan; and*
5. *Achieves a desirable development compatible with both site conditions and surrounding existing and proposed future development."*

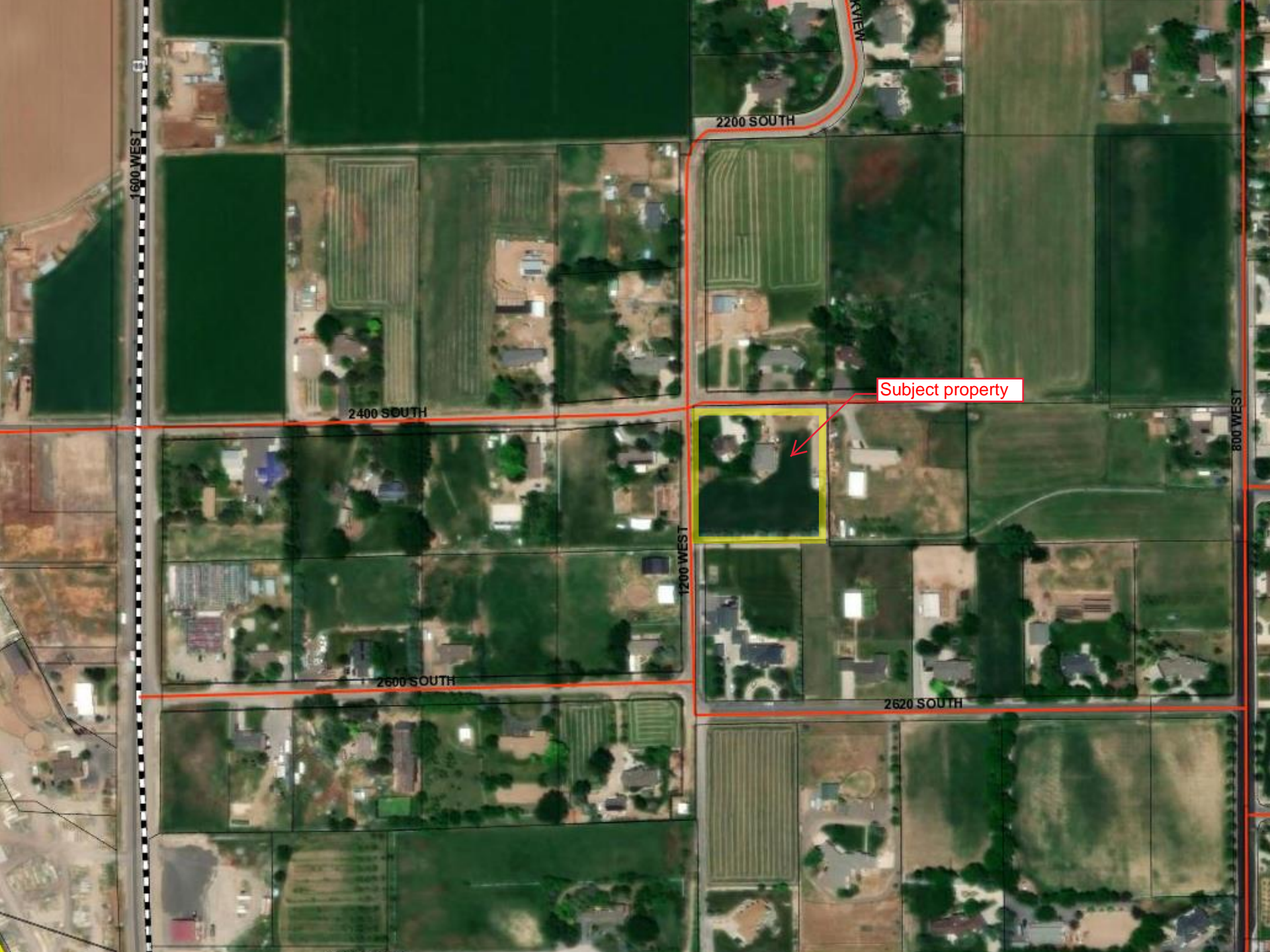
The main focus of the Council's review should be on whether allowing a TDR-R on this parcel achieves a desirable development compatible with existing and future development in the area. Because many of the surrounding developed properties are part of platted subdivisions, they could not utilize TDRs to be divided below two acres. However, it is possible that some or all of the non-platted parcels could request to become receiving sites in the future.

RECOMMENDATION

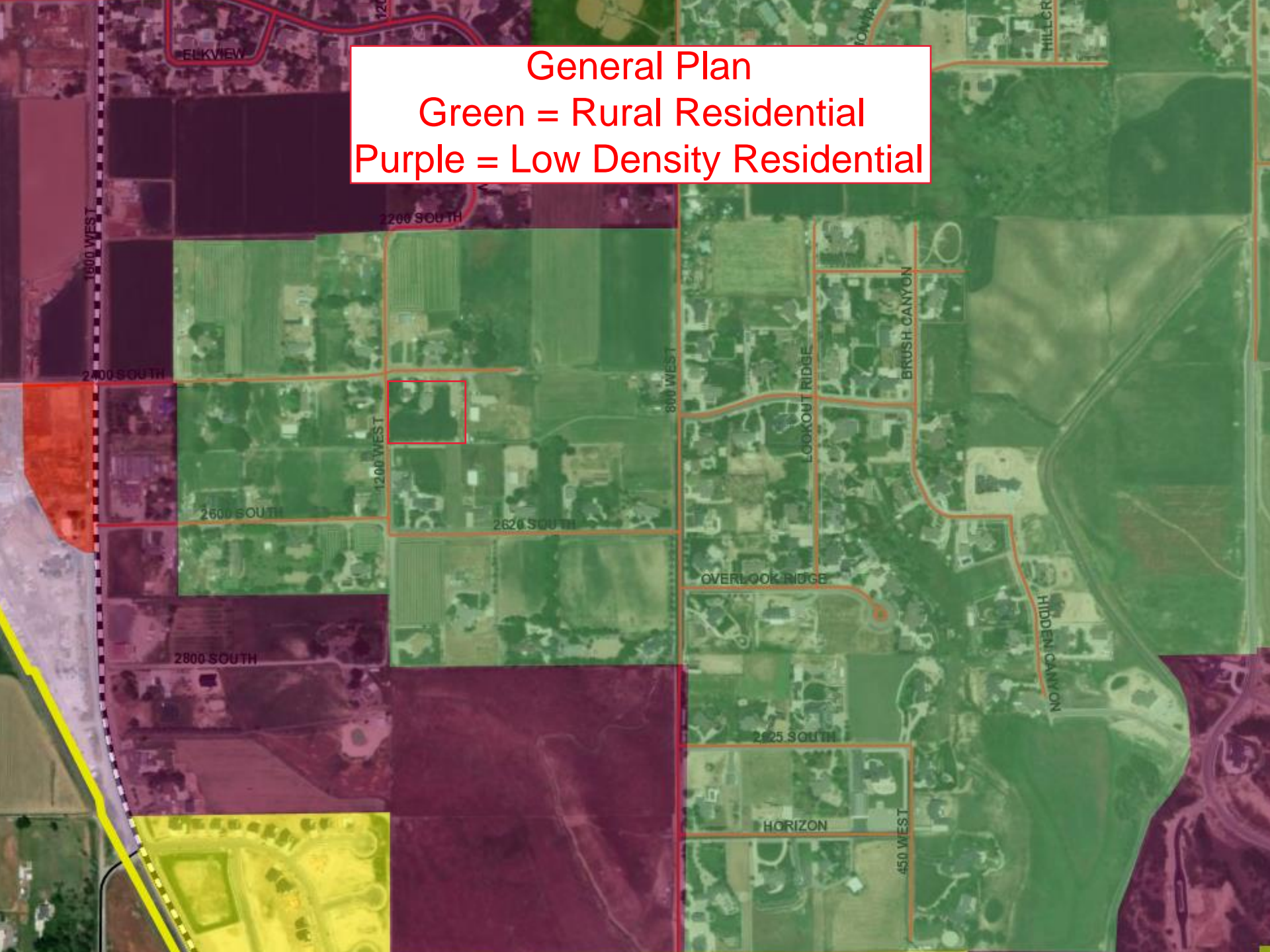
Determine if a TDR-R Overlay is appropriate at this location.

Attachment "1"
Application Information

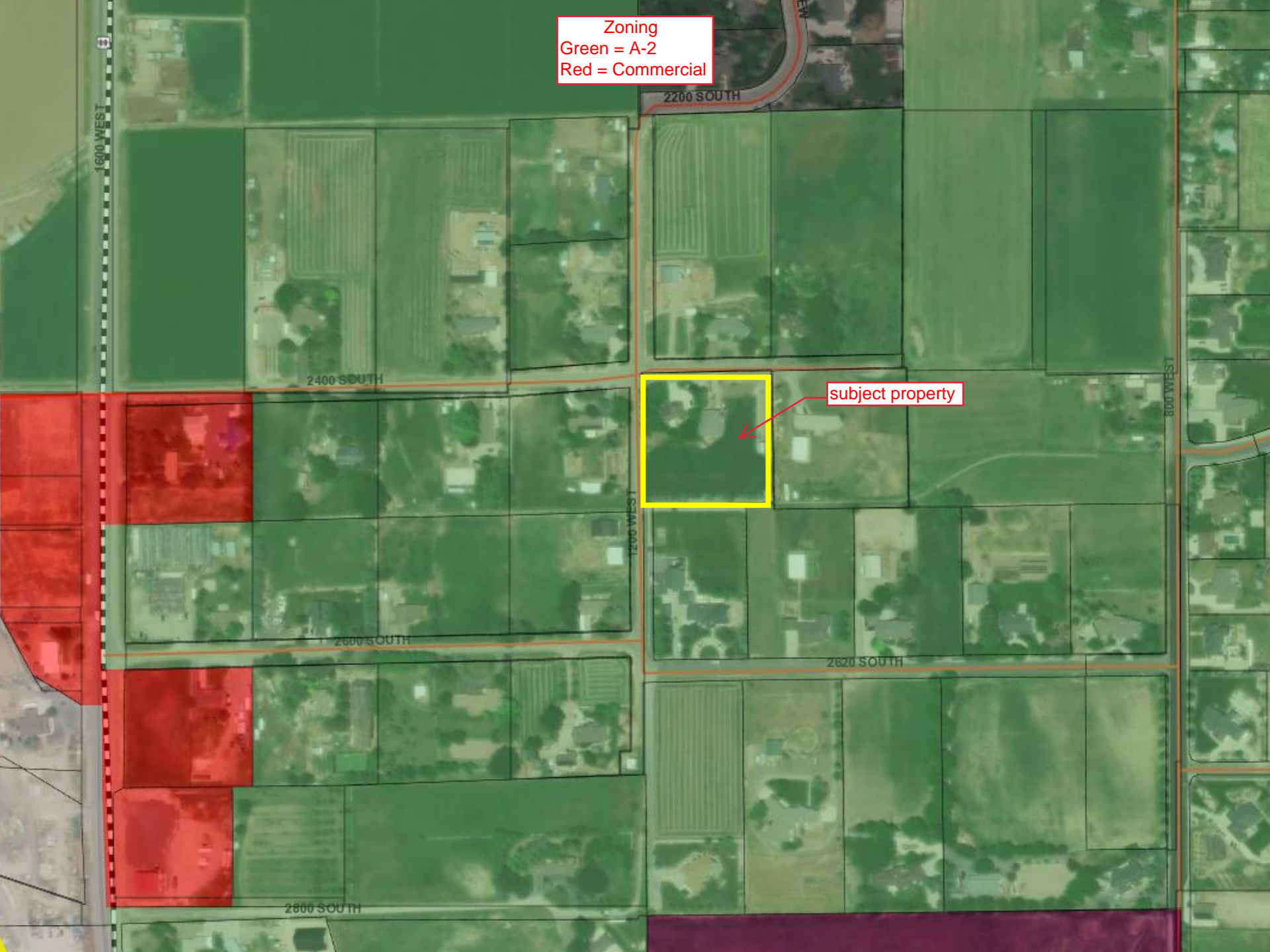




General Plan
Green = Rural Residential
Purple = Low Density Residential



Zoning
Green = A-2
Red = Commercial



TO THE MAPLETON PLANNING COMMISSION AND CITY COUNCIL

34 years ago, my wife and I bought property southeast of the Westwood Subdivision. A couple of years later we built our home, and our property became known as 1185 west 2400 south. As the next few years passed each property owner around us exercised their rights and either developed their property or sold to others who developed it.

We now find ourselves completely surrounded by 4 different subdivisions, with a combined total of 26 lots or neighbors whose development rights have been executed. As we exercise our rights to develop and under Mapleton City's T.D.R. (Transferable Development Right) Ordinance, to divide our property we are grateful for the fact that our approval isn't based on a popular vote but on our property rights and Mapleton City's Ordinances. Otherwise, our rights would be abused. With our approval the integrity of the surrounding subdivisions will not and cannot be compromised.

T.D.R Ordinance:

Section 18.76.040 In no case shall an area be designated as a receiving area within any previously platted subdivision or land that has previously received a change in zone designation. With a total of 80 acres in the 4 Subdivisions that surround us we are literally an Island, an Island in the A-2 T.D.R. receiving zone. -Island Definition (Isolated, Detached, or surrounded in some way.

T.D.R. Ordinance:

Section 18.76.040b Receiving areas shall be located exclusively within the A-2, RA-1, zones unless otherwise authorized by the city council as part of an annexation agreement.

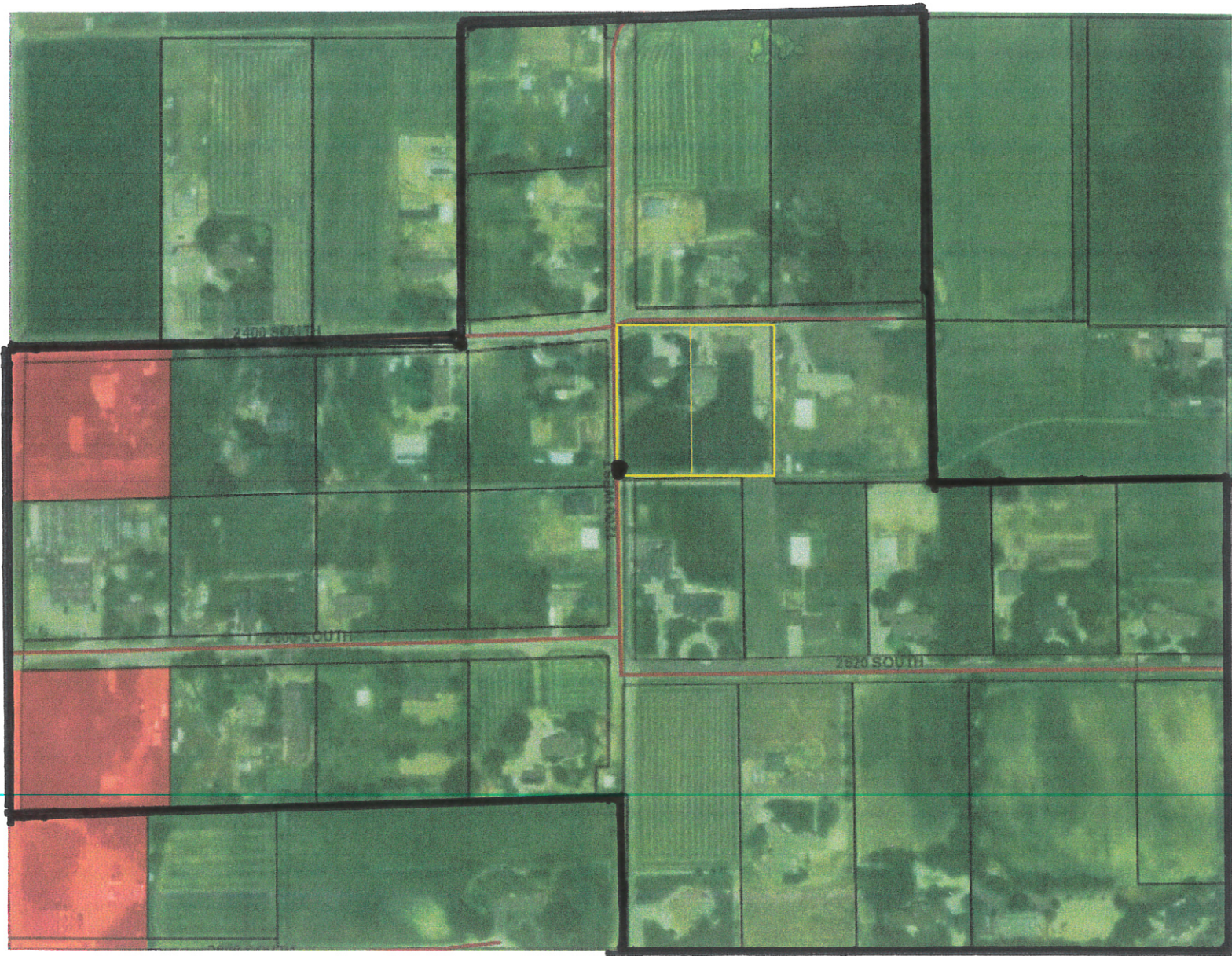
It is the perfect spot for a T.D.R. to be received completely locked in by subdivisions and is in no way able to set a president for surrounding property. We should all see great value in each T.D.R. transfer approval knowing that each one represents 1.6 acres of designated open space, and that thru the T.D.R. Ordinance, 780 acres of open space has been set aside mostly on the foothills and the Bonneville bench. To not only to be enjoyed by us but by future generations.

The T.D.R. Ordinance has been an Ordinance for more than 22 1/2 years much longer than any of our opposing neighbors have been around, each moving here long after these Ordinances were set in place therefore accepting them by becoming our neighbors and Mapleton City Citizens.

This request will be recognized as completely compliant and in line with City Ordinances as one becomes knowledgeable of this request and Mapleton City Ordinances, it in no way needs to look for loopholes or to try to persuade to be compliant.

Rolf and Tangie Walpole

↑
NORTH



MY PROPERTY OUTLINED IN YELLOW.

THE BLACK DOT IS THE SOUTHWEST CORNER OF MY PROPERTY, THE EXACT CENTER OF THE 4 COMBINED SUBDIVISIONS OUTLINED IN BLACK. 1,320' EACH WAY EAST AND WEST TO SUBDIVISION BORDER AND 990 FEET EACH WAY TO NORTH, SOUTH BORDERS.

Attachment "2"
Correspondence

Letters Opposing the application

Kau Family Trust

1151 West 2620 South, Mapleton, Utah 84664

5 April 2023

Community Development Director, Mapleton City
125 West Community Center Way (400 North)
Mapleton, UT 84664

Dear Sir:

**RE: Request to apply a TDR-R overlay to property at
1185W 2400S**

We purchased our property in 1993 and built our retirement home in 2004 with the desire that it become a legacy property for our children and grandchildren. The zoning designation (A-2) permits our property and home to be in a very desirable community. Most of our neighbors live in subdivisions of similar zoning designations and we all enjoy the physical separations that also provide for farming, animal rights, and many recreational activities which require larger areas than a smaller house lot.

The application of a TDR adjacent to or within established subdivisions could have detrimental impacts to the overall long term ambience to such subdivisions. In your deliberations it is requested that this matter be at the forefront of your discussions, deliberations, and consideration to ensure that all parties involved directly and indirectly are assured of your previously implied insights to preserve the neighbor environment provided by the zoning designation currently in place for our neighborhood.

Sincerely,
Julian M. F. Kau
Captain, Civil Engineer Corps,
U. S. Navy (Retired)

To Members of the Mapleton Planning Commission and City Council:

RE: Application for use of TDR at 1185 W 2400 S

We are the property owners that live directly south of Rolf and Tangie Walpole. Our address is 1140 West 2620 South. We have lived here for 5 years, and we love our 2+ acre lot, 2+ acre neighborhood and 2+ acre lifestyle. Rolf and Tangie Walpole's property is located at 1185 W 2400 S. The Walpole's are requesting that their 2.5-acre lot be approved as a TDR receiving site for 1 acre development.

Neighborhood History:

In 2018, a new property owner at 1320 W 2400 S (same street, 400 feet away from the Walpole's property in this application) applied for a zone change with TDRs to develop their 5-acre lot into multiple smaller lots. Most of the neighborhood opposed. The application was denied by the Planning Commission and not brought to the City Council.

In 2020, a (different) new property owner of the same property at 1320 W 2400 S tried again to rezone and / or use TDRs to develop their property into 1 acre lots. Most of the neighborhood opposed. This application was denied by the Planning Commission and the City Council.

In both the above applications the neighborhood was united and an overwhelming majority of residents on our two streets signed letters in opposition to less than 2 acre lots in our neighborhood. If you have time, we ask that you please review the letters and who signed from our neighborhood regarding those two similar applications. In doing so you may better understand the way of life, priorities, and values we as a neighborhood together hold.

Now in 2023 again our 2+ acre neighborhood is having to oppose higher density development but this time not from a new outside owner but this time from an inside long-term member of our established neighborhood. This has complicated the matter personally for some.

No matter who is asking for the higher density development in our neighborhood this time, it is still not appropriate for our neighborhood. We have something special in our two-street neighborhood. We have a way of life that is different from most of Mapleton and our two streets of 2+ acre lots is a lifestyle worth keeping whole and intact. Our way of life is worth preserving, protecting, and celebrating. The heritage, charm, and unity of

our neighborhood hinges on us having a consistent density a consistent land use across our two-street neighborhood.

We ask that you our community leaders reject the TDR application by considering the following issues:

- City Policy Loophole- Current city policy does not allow the use of TDRs in established subdivisions. The reasoning is that it would increase the density on a single lot(s) and would change the feel and way of life in an established neighborhood / subdivision creating island development. Unlike most lots in the neighborhood, the Walpole's 2.5-acre lot is not part of a subdivision, but it does touch established subdivisions of 2+ acre lots on all four sides. While this home somehow isn't technically in a subdivision, it is in and is a part of the 25+ year established neighborhood of our four 2+ acre subdivisions. This TDR request does not violate the letter of the law, It attempts to exploit a loophole and attempts to circumvent the spirit of the law and why this city policy was created in the first place. Allowing the Walpole's to use TDRs to develop into 1 acre lots creates non-harmonious island development in a very well-established neighborhood of four subdivisions with one common theme... 2+ acre lots.
- Inconsistent Zoning- Our neighborhood was very active in participating in the latest General Plan workshops and were vocal in stating that we request our neighborhood stay zoned A2 with 2-acre minimum lots to preserve our unique way of life. When others have attempted 1 acre lots a majority of the neighborhood opposed. While the applicant is not requesting a zone change, the TDR use would essentially change the density / zoning and allow 1 acre lots in this new subdivision that will touch and clash against the consistency of the A2 lots in our neighborhood as a whole.
- Inharmonious Situation- Our neighborhood is one of the few intact and whole A2 zoned neighborhoods in Mapleton that allows for rural living. By allowing for two smaller lots, situations may arise where future occupants of the smaller lots may not appreciate the sight, smells, and sounds of animals. Tractors are often being used and night irrigation happens which are all things that could upset someone who isn't into rural living. We ask that you preserve our 2+ acre established neighborhood whole and intact with consistent zoning to promote harmonious living amongst all our neighbors.

Mapleton leaders from 2020 and 2018 rejected development of less than 2 acre lots in our neighborhood and made several statements that the previous site 400 feet away from the Walpole's, although technically allowed, was not an appropriate site for the use of TDRs.

While we and many others are friends with the Walpole's and recognize the value, they have provided to the community over their many years in Mapleton, we cannot support the TDR request that would forever alter the 2+ acre established neighborhood and lifestyle we all cherish and have tried to protect. The General Plan intended to keep "like" neighborhoods whole and intact; please keep us whole and intact and prevent island development inside our established neighborhood.

Sincerely,

Nicholas and Ashley Glasgow

1140 West 2620 South

801-687-7686 Cell

Dear Mr. Conroy,

I own the property with the address 1005 W. 2620 S. in Mapleton. I have had the property for 29 years. Several years ago a proposal was submitted to the planning commission for development of the property south of me. The original proposal was a mixed development of commercial, and varied density of homes. They proposed to have one acre lots adjacent to our neighborhood (Merrill Gappmayer, Leland Hendrix, Ron Madsen, and Julian Kau) All of our lots are in excess of three acres. Because we opposed such small lots, the developer changed the proposal to include two acres lots adjacent to our properties. Ultimately, the development never materialized, but nevertheless, our concerns were listened to.

My concern has not changed. My property is 3.36 acres, and no property in our immediate area is less than 2 acres. It is my understanding that Mr. Walpole's proposal would create a lot less than this size. It would be a bad precedent to approve such a proposal. I thus voice my strong objection to such action.

Sincerely,

Leland Hendrix

1005 W. 2620 S.

Mapleton, Ut 84664

hendrix@byu.edu

801-380-5612

Sean,

Regarding: Rolf Walpole request for TDR at 1185 West 2400 South, Mapleton, Utah

Please distribute our letter to the members of the Mapleton City Council.

We will not go through details of this TDR request; you can access all the records from 2020, 2018, and earlier. You can review and refresh yourself in the history of this neighborhood and decisions made by the Mapleton City Council.

I have been involved and requested consideration from Council since 1998. Decision by council in 2020 put our mind at ease just to be challenged again by this new development. There are many options are available to home owners in this neighborhood. Many elected major remodeling, some decided to tear down the old house and build new, they are many available lots in Mapleton, and Mr. Walpole has other options. Certainly there is more than enough property south of 1185 West 2400 south to add a tasteful addition. Granting a TDR is not an option. Neighbors in this neighborhood worked very hard to stop any development of less than 2 acres and prohibit use of TDR's.

We are friends with Walpole's and wish them the best. But this is not about friendship. We want to preserve our lifestyle from crazy world out there. If Council grants this TDR they are going against promises made in 2020 and opening Pandora's box which will certainly destroy this little piece of very precious neighborhood.

We vote No to TDR's request by Mr. Walpole. As matter of fact 2400, 2600, and 2620 streets should be one subdivision. This mufti subdivision, subdivision one house or two houses must stop. It is problem and it creates unfairness. We need to have continuity and equal application of zoning/regulation for everyone and that is not possible with the current structure.

Fred and Peggy Mostashari
1210 West 2400 South
Mapleton, Utah 84664
509-528-0392
04/08/2023

To: Mapleton Planning Commission and City Council

From: Larry and Vickie Pincock, 1075 W 2620 S Mapleton, UT

Subject: TOR Applicaton Use for Walpole 1185 W 2400 S Mapleton

We have only lived here about a year, so we don't feel like we should have a whole lot of say, but we enjoy the feeling of this area and would like it to stay the same.

Thank you.

To Members of the Mapleton Planning Commission and City Council:

We live at 1225 W 2400 S, one property to the west of the 1185 W 2400 S.

In 2018, the property owner at 1320 W 2400 S (400 feet away from the property in this application) applied for a zone change and using TDRs to develop their 5 acres and was denied by the Planning Commission and not brought to the City Council. In 2020, a different property owner of the same property again tried to rezone and use TDRs to develop their property and was also denied by the Planning Commission and the City Council. Here we are in 2023 and our again our neighborhood is having to unitedly fight off development. We ask that community leaders reject the TDR application for the following reasons:

- City Policy- Current city policy does not allow the use of TDRs in established subdivisions. The reasoning is that it would increase the density on a single lot and would change the feel and way of life in an established neighborhood/subdivision. Unlike most lots in the neighborhood, 1185 W is not part of a subdivision but does touch platted subdivisions on all four sides while not being in one. While this property isn't technically in a subdivision it is in the established neighborhood. The TDR request does not violate the letter of the law, it does violate the spirit of the law and why this policy was created in the first place. This application was able to go through to the Planning Commission/City Council because of a loophole.
- Island Developments- City policies and the General Plan were made to avoid island developments. Allowing 1185 W to develop creates this island development.
- Domino Effect- Once one property subdivides and develops, others in the neighborhood could follow. Future city councils or planning commissions could alter the General Plan and determine that our neighborhood has A1 lots and could allow step down zoning which could mean one acre and half acre lots in the neighborhood and undeveloped land adjacent to our neighborhood.
- Inconsistent Zoning- Our neighborhood was very active in participating in the latest General Plan workshops and were vocal in stating that we request our neighborhood stay zoned A2. While the applicant is not requesting a zone change, the TDR would essentially change the zoning and allow one acre lots that conflict against the consistency of A2 lots in our neighborhood.
- Inharmonious Situation- Our neighborhood is one of the few A2 zoned neighborhoods in Mapleton that allows for rural living. By allowing for two smaller lots, situations may arise where future occupants of the A1 lots will not appreciate the sight, smells, and sounds of animals. Tractors are often being used, night irrigation happens, all things that could upset someone who isn't into rural living. Community leaders should foresee this and keep consistent zoning in neighborhoods to promote harmonious living amongst neighbors.

Mapleton leaders from 2020 and 2018 rejected development in our neighborhood and made several statements that the site of 1320 W was not an appropriate site for TDRs. Why would a property 400 feet away be treated any differently? It shouldn't. While we love the Walpoles and recognize the value they have provided to the community, we as a neighborhood cannot support the TDR request that would forever alter the neighborhood. The General Plan intended to keep neighborhoods intact; approval of this TDR request would go against the General Plan.

Sincerely,

Emily and Kasey Beck

Letters Supporting the application

Tamy Daybell

July 6, 2023

I live across the street from Tangie & Rolf Walpole they have done more for this Community than any one ever will.

I have no objection to Rolf Building a home across the street from me so that tangie will have a easier time not having to climb stairs.

I have talked to Mont Pierce & the Kittlefelds & they told me they have no objection. We are the most impacted by Rolf Building because It is a dead end street

From what I understand Rolf has conformed to all the Regulations to get a building Permit He is not Part of any Subdivison.

We the People ^{in the} Subdivisions Around Rolf have no right to tell him what he can do with his own Property.

(If so we no longer have the right to) own Property

Counselmen uphold the Law.

Thank
you

Tamy Daybell 1180 W 2400 St

July 5, 23

To whom it may concern,

We have lived in Mapleton over 50 years and have loved it here.

Rolf and Tangie Walpole have lived here almost as long as we have.

They have given much service to our community, serving in city government, on the water board, in the city activities, and church callings. They have been great neighbors and friends to all.

Rolf is one of the only people in town to help people farm their hay which make this a rural community. That service make him special and keeps our city from growing into a large town.

When Tangie developed knee problems and couldn't get up her stairs to get to the bedroom they talked about maybe building a new home more able to fit the needs of getting older.

Because Rolf + Tangie are not part of a subdivision they should not have to go by subdivision rules.

Please help them to be able to build a new home that will solve there problem.

I'm all for doing that

Sincerely,

Ann Daybell
1180 W 2400 South

15 July 2023

Community Development Director, Mapleton City
125 West Community Center Way (400 North)
Mapleton, UT. 84664

RE: PROPERTY AT 1185 W 2400 S, OWNERS ROLF AND TANGIE WALPOLE

Dear Sir:

I want to declare my support for Rolf and Tangie Walpole regarding their property.

1. I have known them for almost 20 years and find them to be the best kind of neighbors one could hope for. They are kind, generous, hardworking, honest, and always ready to help others.
2. I find it disingenuous for some members of our community to say the Walpoles are not considering the impact on the rest of the neighborhood. They are claiming to know the outcome of something that has not yet happened in order to protect their self-interests.
3. Anyone driving past the home and property where the Walpoles now reside would be favorably impressed by the attractive and well-maintained home and landscaping, including the farmed acreage. There are people who do not want to lose the look of a farming neighborhood. Not all properties in the neighborhood are "farmed" and they do not need to be.
4. The Walpole property is not part of a subdivision and is not subject to zoning requirements regarding the size of a lot. If the Walpoles were to build a new and smaller home on a one-acre lot, I am sure it would be as, or even more, attractive than their current home and lot.
5. Rolf and Tangie have the skills and knowledge to enhance the value of what they own. I do not see how an attractive addition of a neighbor's new home because it is on a one-acre lot would decrease the value of my property now or in the future.
6. To deny the Walpoles the right to plan for their future is an action based on fear. Ironically, this action by some neighbors reflects their own fear of the future. No one can be certain of what the future holds, but why be afraid of it and why deny those who are wanting to prepare now?
7. It is disheartening and sad to see our once close-knit neighborhood now unraveling because we are forgetting to be kind, to have integrity, and to respect each other.

Sincerely,



Momiilani S. Kau
1151 West 2620 South
Mapleton, UT 84664

Lynette Cornaby
2445 South 1600 West

I am grateful for this process and the careful consideration the planning commission gives each issue. I am grateful for beginning each meeting with prayer.

We live in a great neighborhood. Each family in our neighborhood has a story of how they came to the area, how they chose their house and why they want to stay. We like our neighbors and our space and our rural atmosphere. We naturally don't want someone messing things up. No one likes change. I believe very few of us have seen as much change in our area as the Walpoles have. They know the history and watched the process that allowed our neighborhood to be built. They know and we know things change.

We have felt the contention in our neighborhood these past couple months. I'm hoping that whatever the outcome our peace and good feelings for each other will return.

I have a few reasons why I chose not to sign the letter opposing Rolf and Tangie splitting their lot. I'll briefly share them.

- First, I can't base my decision on future unknowns or future assumptions. The fear that having smaller lots on our street will set a precedent for future dense housing has been repeated often here. That is truly a possibility, but our decision today is about one lot, one more house on the street, not the future developments that may or may not come to pass. One more house, one more family in the neighborhood will not change my way of life. I trust completely our ability as a community to band together as we have in the past to fight any future developments we don't approve at the time they are proposed.
- Second, I trust God has a plan. I have heard multiple times from President Kelund Mills and other leaders that God is bringing people to Mapleton who need to be here, people who need our influence and people whose influence we or our families may need. I have prayed, and I'm sure most of us have prayed about the Walpoles' proposal and how to respond, and I trust God has heard our prayers and will continue to take care of us.
- Lastly, it's the people that are important. Several years ago, my husband and I found ourselves in a similar situation as the Walpoles are in right now. Our near neighbors didn't like the way we were using our property and made us feel unwelcome. We nearly uprooted our family and business and moved to North Dakota to start over. I don't want to make Rolf and Tangie feel unwelcome in their own neighborhood. Fortunately, in our case, my husband and I found a different solution that satisfied our neighbors and benefitted our family, so we didn't leave. And since then, we've had a pretty good relationship with those neighbors. So, no matter what decision is made tonight, I feel that people are more important.

Thank you

To the Mapleton City Council

7/ 15/ 2023

I am writing to you on behalf of Rolf and Tangie Walpole citizens and highly esteemed residents of Mapleton City, Utah.

As a true friend of theirs for many years, it was made known to us by them that they are requesting a building permit to build a new home on their property that they own at the address of 1185 West 2400 South Mapleton. That there have been other residents near and surrounding their address that have been vocal and vigilante in opposition to this request. And they are trying to succeed in persuading you to deny them this right to build a beautiful custom home that will enhance the neighborhood and beautify the landscape, all the while still retaining the rural-ness of the area in which they live.

We are so grateful to know that there are just, and merciful men and women in the Mapleton City council who will objectively look over this permit request and see that it will not harm or hinder or restrict any of the oppositional neighbors' property.

Please allow our friends to build a home that will be more conducive to them in their elderly years, they have given so much to the residents of Mapleton, and they donated time and energy and the building of the Ira Allan Park. And they've established stability, building and growth in Park Meadows next to the Ira Allan Park. They have beautified everything they have touched over the years. Out of all the hundreds of homes, condos and townhouses that is being built in Mapleton, why would you give yourselves regrets as you look back on your counsel ship in years to come at the possible sorry status that will potentially be, if you deny them this request? Which is primarily fueled by a few selfish people claiming to be friends and good neighbors but are secretly ganging up on two innocent, upstanding and stalwart citizens. Don't let yourselves be fooled by their deceiving tactics.

Do the right thing please give them their permit to build on THEIR property that they have had for 35 years.

Thank you!

Mrs. Becky Wright

Sean,

I have been a resident of Mapleton for 20 years. There have been many changes since my ancestors were town president and on the town council. I grew up in the area and am amazed at the growth and changes that have taken place since Mapleton has been "discovered" in recent years.

I am writing to add my support to Rolf Walpole and his desire to use the TDRs that should allow him to divide his property and build a new home for himself and his wife. I know that the quality of his desired project will only benefit his neighborhood, his neighbors and the city. I have seen the things that have happened on some of the neighborhood properties and question why he is having such a hard time getting approval from council to proceed with his desired project.

I appreciate those who have served in various city positions to help manage and control the growth of the city and the various infrastructure needs required by that growth. I have lived in other states and other countries and still call Mapleton home and I am proud to do so.

As I have seen the growth come and the various ideas of others to manage and control the land and properties of different sizes and uses in Mapleton. Some of the past decisions have been questionable but have been overcome. I have seen the attitudes of people change and try to have power over others' properties and land use.

This is a very complicated situation and we should be careful to not take away the freedoms from land owners to use their land how they see best for them and their family. While there are zoning and development guidelines that must be followed to make sure that the quality and use of the properties is monitored and managed, the rights of the owners to use their land should not be taken away.

Writing this as a concerned citizen and neighbor. Thanks for allowing this communication.

Sincerely,

Gary J Nielson

Park Meadows Resident

Mapleton, Utah

Dear sir,

My name is Reese Bastian and I live behind the Walpole property. We think that the Walpole's should be allowed to subdivide their property as allowed by the zoning code. We have lived by the Walpole's for 29 years and consider them to be good neighbors.

Sincerely yours,
Reese Bastian

Sent from my iPhone

Jack & Suzanna Perry

400 East 1600 South

Mapleton, Utah, 84664

lillieash@aol.com

801.420.4442

8/9/2023

Mr. Sean Conroy

City Manager, Mapleton City

Mapleton City

Subject: Support for Rolf and Tangalene Walpole's TDR Application for Subdivision

Dear Mayor Conroy,

I hope this letter finds you well. I am writing to express my enthusiastic support for the TDR (Transferrable Development Right) application submitted by Rolf and Tangalene Walpole, long-time residents and esteemed farmers in our beloved community of Mapleton City.

The Walpoles have been an integral part of Mapleton City for many years, contributing significantly to our community's growth and prosperity. Their dedication to sustainable farming practices and their commitment to preserving the rural character of our town are commendable. I believe that their proposal to subdivide their property into 1-acre lots, utilizing the TDR mechanism, aligns perfectly with these values.

As we all know, responsible urban development is a crucial factor in maintaining the delicate balance between progress and the preservation of our environment and heritage. The use of TDRs allows landowners like the Walpoles to achieve their goals of property subdivision while safeguarding open spaces and promoting sustainable land use. By choosing this route, Rolf and Tangalene are demonstrating their proactive approach to community development, one that respects our town's history and landscape.

Moreover, subdividing their property as 1-acre lots offers numerous benefits to our community. It not only allows for controlled growth but also encourages a diverse and vibrant neighborhood. I believe that the Walpoles' proposal will contribute positively to the overall aesthetics of Mapleton City and enhance its reputation as a desirable place to live for both current and future residents.

In conclusion, I wholeheartedly support Rolf and Tangalene Walpole's TDR application for the proposed subdivision in Mapleton City. I trust that your office will consider their application with the same dedication to our community's welfare that you have consistently shown throughout your tenure. Please do not hesitate to reach out if there is any way I can further assist in this matter or if you require additional information in support of the Walpoles' proposal.

Thank you for your time, dedication, and commitment to making Mapleton City a wonderful place to live.

Sincerely,

Jack & Suzanna Perry

Mapleton City Council.

My Name is Ryan Schramm, I've been a resident of Mapleton for the last 26+ years. I writing in regards to Rolf and Tangie Walpoles request for the use of a TDR to divide a property they reside on. I recently moved to a new home just a little North of the Property that they are requesting to be divided. Prior to that I lived in the Park Meadows Development which is next to the Walpole's property. I have been to Council meetings and given input on some developments over the years I have lived in Mapleton including one meeting that took place about 4 years ago about developing some different property in the area down the street from the Walpoles.

After attending some planning meetings and reviewing the footage online about the Walpole's TDR and development of his property I am starting to think many neighbors think this is the same scenario-which it is not. The Walpoles are asking to use a legal TDR, that is in a TDR receiving zone, which meets all the requirements in the TDR ordinance and was purchased for that very reason. While the other developer, four years ago was trying to change the zoning with multiple smaller lots.

So why do I write this email? I am a neighbors of the Walpole's, I am a long time resident of Mapleton and I have a concern that at some point while I live in Mapleton some of the ordinances may not be adhering to the ordinances as set in place.

So I ask all of you this:

1. What is the purpose of the planning commission? My understanding is that they are here to make recommendations to the city council. At the last meeting, when the Walpole's went before the commission the vote 4 yes's and 1 no was decided. There was a previous meeting where only 4 of the commissioners were in attendance. The vote was split 2-2. A few on the commission members changed their vote because they took the time to review the laws and ordinances of the city and realized to uphold the law (that was put in place years ago) 2 on the commission board switched their vote to yes, and the fifth vote was the commissioner who had not attended the first meeting. So undecided, they didn't know which way to vote. I don't know if you have reviewed footage from that meeting but it was clear she was very unsure which way to vote. So first, I ask, have you done your homework on what areas in the city can truly be a receiving zone for a TDR? The Walpole property is the perfect place and meet the requirements put in place for a TDR.
2. Two individuals who have been raising most the concerns over this TDR have close ties to the city. One is a city employee and the other one is a council member. My understanding is that you as council members represent all residents of Mapleton with equality and should obey and uphold the laws and ordinances set forth by the city.
3. Many have said, "Some things need to be about the Spirit of the Law." But as I understand how the spirit of the law works- it means there can be an opinion that allows it to go both ways. But the LAWS make sure that it will be straight forward and correct. Unfortunately if it is decided that the Walpoles cannot use their TDR and build, the Mapleton council will have sided on behalf of the spirit of the law allowing a resident of Mapleton that has lived here for over 50 years, and 26 years of those were lived on a parcel of ground that he built on before any of the neighbors around him built because it wasn't developed, and the other 24 years he lived 500 yards away from his existing home. If we are talking "Spirit of the Law" Where is the spirit of the law in telling the Walpole's that they can't use their TDR and have to move to another place/town to live out their older years or add on to their existing home when they are at a point in their life they are ready to down size.
4. The City Council should do their job in upholding the laws and ordinances of the city and state. As a resident and voter in this city, I would hope you would remember that and allow the Walpole's to use their TDR and split their undeveloped 2.5 acre parcel according to the cities existing ordinance.

Thank you for your service and the time you put in to our

wonderful city.

Ryan Schramm

Schramm's Landscaping & Sprinkler LLC

801-372-2234

sscaping93@gmail.com

April 7th, 2023

Petition Submitted by neighboring property owners

TO: Members of the Mapleton Planning Commission and Mapleton City Council

RE: Application for use of TDR at 1185 W 2400 S

We are property owners who live in the established 2+ acre lot neighborhood made up of the streets 2400 S, 2600 S, and 2620 S in Mapleton.

We are writing you to oppose the use of TDRs at 1185 W 2400 S in Mapleton that would create 1 acre lots in our established 2+ acre lot neighborhood.

We prioritize and desire to maintain our neighborhood land use as:

- 2 + acre lot minimums in our neighborhood
- A-2 zoning

We request:

- Our two-street established neighborhood be kept whole and intact with our common land use and density.
- The prevention of island development.

We value:

- The integrity of our established 2-block neighborhood.
- The harmony of use in our shared rural lifestyle and land density.
- The common theme of large lot single family homes / estates with animal rights, farms, and irrigation.

We ask that you preserve our neighborhood heritage, way of life and our identity as an established rural sub-community of Mapleton.

Thank you,

Property Owners

Ashley Glogowski 951-923-9392
140 W. 2620 S. Mapleton UT 84064 ashleglogowski@yahoo.com
Ashley Glogowski

Beland Hendrix 801-380-5612
1005 W. 2620 S. hendrix@byu.edu
Mapleton, UT 84664
Beland Hendrix

Jane M. Little 801-489-4208
930 W. 2620 S. little871@rftburst.com
Mapleton UT 84664

Jane M. Little
Donald W. Little 801-489-9208
930 W. 2620 S. DWL@digis-net
Mapleton, UT 84664
Donald W. Little

FRED MOSTASHARI 809-528-0392
1210 W 2400 S
Mapleton, UT 84664
Fred Mostashari

Peggy Mostashari 509-528-0392
1210 W. 2400 S
Mapleton UT 84664
Peggy Mostashari

Helga D. Friedman 801-489-0580
1325 West 2600 South
Mapleton UT 84664
Helga D. Friedman

Richard Dart 435-650-2119
1225 W 2600 S Flying from bone @ oak park. com
Mapleton UT 84664
Richard Dart

Dede Dart 435-650-2894
1225 W 2600 S dartdede@netmail.com
Dede Dart

Michelle Wickes
1224 W 2600 S
Mapleton, UT 84664
Michelle Wickes

801-448-2825

Kellie Duncan

1420 W 2400 S

Mapleton, UT 84664

Kellie Duncan

801-358-7594

(2 Parcels)

Kasey Beck

1225 W 2400 S

Mapleton, UT 84664

Kasey Beck

801-709-8920

BREY HANSON

1325 W 2400 S

Mapleton, UT 84664

Brey Hanson

461-913-5018

Jarica Hanson

1325 W 2400 S

Mapleton, UT 84664

Jarica Hanson

801-836-5199

Jessica Vincent

2373 S. 1200 W.

Mapleton UT 84664

Jessica Vincent

401-400-5094

Chris Vincent

801-472-6327

Herri Griggs
951 W. 2620 S.
Mapleton UT 84664
707-489-3702
(2 Parcels)

Herri Griggs

Darren Tukey
850 W 2620 S
Mapleton UT 84664
801-422-7072

Darren Tukey

STUART RIDING
990 WEST 2620 SOUTH
MAPLETON, UT 84664
214-519-1019

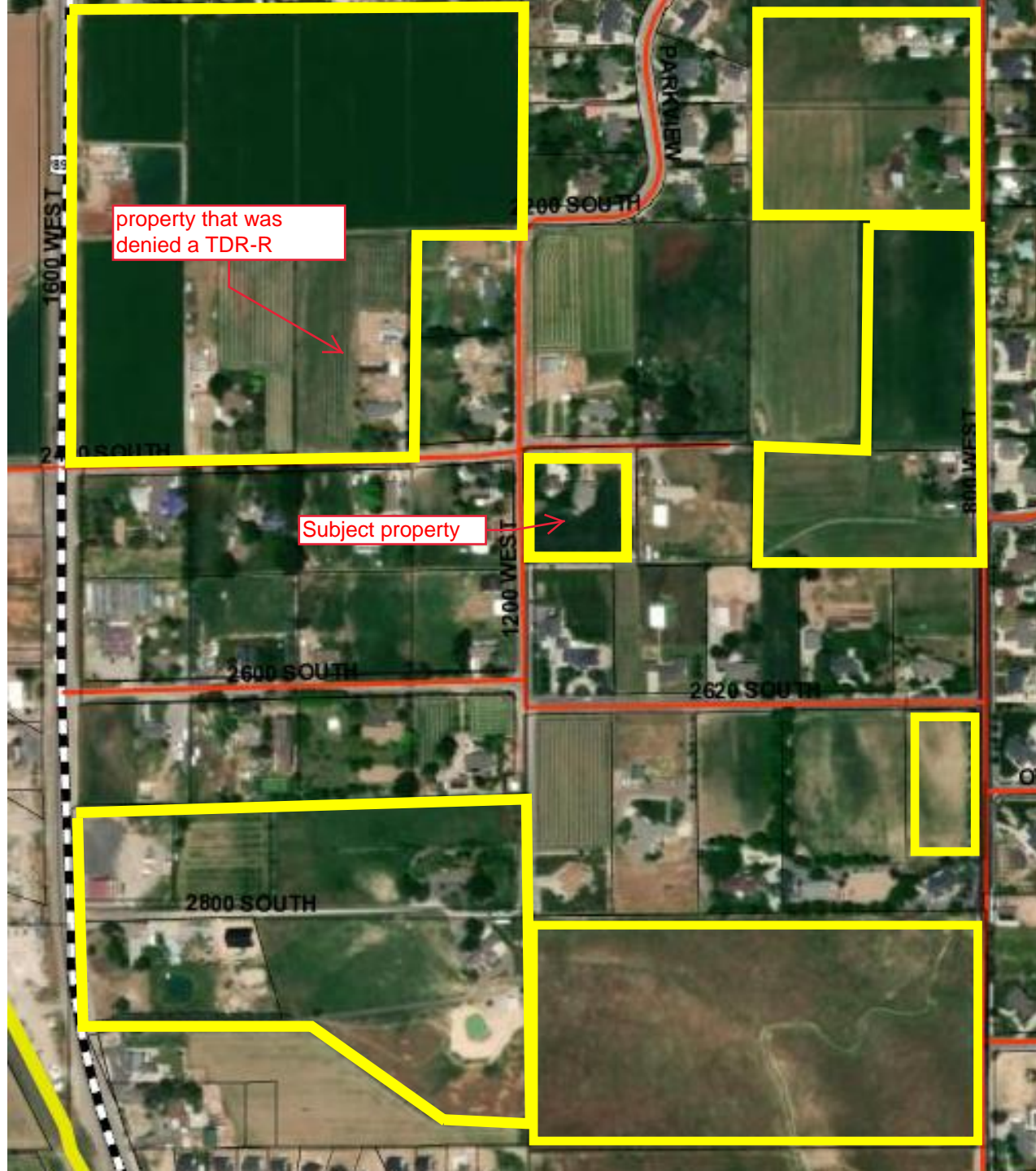
Stuart Riding

CELA RIDING
990 W. 2620 S.
MAPLETON, UT 84664
214-519-1019

Cela Riding

Math Gause
1580 W. 2600 S.
Mapleton UT 84664
801-561-8915

Math Gause



property that was
denied a TDR-R

Subject property

Attachment
"3"
Properties in
yellow are
not part of a
platted
subdivision

**MAPLETON CITY
CITY COUNCIL MINUTES
JUNE 21, 2023**

PRESIDING AND CONDUCTING:

Mayor Dallas Hakes

Members in Attendance:

Kasey Beck
Reid Carlson
Jessica Egbert
Therin Garrett- Excused
Leslie Jones

Staff in Attendance:

Cory, Branch, City Administrator
Sean Conroy, Assistant City Administrator/Community
Development Director
Rob Hunter, Public Works Director/City Engineer
John Jackson, Public Safety Director/Police Chief
Logan Miner, Parks and Recreation Director
Bryce Oyler, Finance Director

Minutes Taken by

Camille Brown, City Recorder

The items may not have been heard in the order below.

Mayor Hakes called the meeting to order at 6:00 p.m. Cl. Beck gave the invocation and Cl. Jones led the Pledge of Allegiance.

PUBLIC FORUM:

Bernell and Renae Taylor and Dave and LaRae Bushman thanked the council and staff for all their help and hard work with the flooding topic the last few months. Bernell said that he has never worked with anyone so great in the city like this. Their support was amazing.

Mayor Hakes thanked them for their nice approach and appreciated the way they asked for help. They respectfully came to the city with a plan and staff helped execute the plan they had.

Wendy Osborne with Tabitha's Way gave an overview of the type of work that they do. They are a food pantry and also provide many other services. She asked the council if the city would be willing to hold a food drive as they are running low on food over the last year. They are also holding their annual backpack event on July 29th from 9-11 am. Currently with inflation there is a 56 % increase of families that need assistance. In conjunction with the day of service on September 11th, she suggested that would be a good time for a food drive. Leslie asked if they would pick it up. She said yes they have the means to pick up the food.

CONSENT AGENDA

Item 1. Approval of City Council meeting minutes- June 7, 2023

Item 2. Consideration of a Resolution granting an Electric Utility Franchise and General Utility Easement to Rocky Mountain Power. **Resolution No. 2023-16**

Motion: Cl. Jones moved to approve the consent agenda.

Second: Cl. Carlson seconded the motion.

Vote:

Cl. Carlson	Yes
Cl. Egbert	Yes
Cl. Beck	Yes
Cl. Jones	Yes
Vote:	Passed 4:0

PUBLIC HEARING ITEMS:

Item 3. Consideration of a request to apply a Transferable Development right Receiving Site Overlay (TDR-R) to a property located at 1185 West 2400 South.

Kasey Beck recused himself during this item as he lives in the neighborhood.

Sean Conroy, Assistant City Administrator/Community Development Director, reviewed the staff report for those in attendance. This lot is not part of a platted subdivision. TDR applications are legislative in nature. It is in the A2 zone and is eligible to apply for a TDR-R if it is not part of a platted subdivision, which it is not.

Rolf Walpole stated that he would like to divide the parcel north and south. The house lot would have 1 acre, and the other lot would have been an acre and a half. He circulated a picture of a field when his house was being built. They built their home over 50 years ago. They built knowing that it may be hard to take care of the 2 acres and want to use their development rights and divide the property. They are surrounded by 4 subdivisions. They are essentially an island, and he would like to use a TDR to divide the property. This cannot affect the zoning in the subdivisions. He believes there is not a better area for a TDR. There are 780 acres of open space due to the TDR program. They have done everything according to the city code. This has been his 20- year plan. The neighborhood thinks that this will open others to subdivide their land.

The public hearing was opened at 6:32 pm.

Brett Hansen stated that he lives 2 houses to the west. The Christensen's directly north of him asked for the same thing and it was denied. The Christensen are not in a subdivision as well as the Kofords. Cl. Jones clarified that they applied for a rezone and a TDR. Brett moved here 10 years ago. He said there are a lot of 1 acre lots, but you can't get 2 acre lots. He would like to adopt that the Walpole's, Christensen, Kofords are part of the subdivision.

Michelle Wigs stated that she lives on 2600 South and is located southwest of the Walpole's. The elephant in the room is awkward and we are speaking against our neighbor. The A2 zone needs to be protected. The general plan that was adopted protects the A2 zone. A TDR application does change the feel of the neighborhood and the usage between 2 and 1 acre lots is different. There is a lot of weight here. If it is approved it can't be rolled back. Everyone will be affected. They are not unsympathetic of aging neighbors, but how do you balance the neighborhood as it is established right now. You don't put it in the middle of where they are living. She thinks it would encourage increased density. The majority of the A2 zone is agricultural. When you have 1 acre lot it's a big house and half acre left.

Lynette Cornaby stated that she is grateful for this process. They like their neighborhood and no one likes change. They have felt contention and hope the peace will return. She did not sign the petition letter. This decision is about one lot, not the future development that may or may not come to pass. One more house won't change this for her. She trusts that God has a plan, and it is the people that are important. Her neighbors didn't like the way they were using their property. She doesn't want to have the Walpole's feel the way they did.

Eric Moss stated that he doesn't live in the neighborhood, he owns property in Mapleton, but doesn't live here. As he has been sitting in this meeting listening and hearing that everyone wants to keep

Mapleton rural. Who is more rural than Rolf. He will still use tractors and farm some of the area. The things he is teaching his kids are priceless. You have got to look at this as a whole community. It is opening 780 acres. Rolf is rural.

Kasey Beck said that Rolf is Mr. Mapleton. He loves seeing the hay. He wants the same things for his kids. 3 ½ years ago the general plan was updated. This neighborhood expressed their opinions. Another neighbor applied for a rezone and a TDR in 2020 and a petition was submitted showing that they were against the project. The general plan was changed and their neighborhood was protected. He doesn't see a reason to approve this and deny the request 5 years ago. The Planning Commission stayed consistent and gave this to the city council. They aren't saying that Mapleton needs to stay this way but they are one of 3 that are in the A2 zone. If a future city council sees some 1 acre lots, they could rezone this whole area to 1 acre lots. There are 80 TDRs left and a lot of open space. Why disrupt a current neighborhood.

Fred Mostahari stated that he lives just west of Rolf. He has been here 2 year shorter than Rolf. In 2018 and 2020 there were requests for additional lots and he got 67 signature and in 2020 97 signatures against any development in this neighborhood. Rolf is his friend. He has the same property as Rolf why can't he divide his property.

Brandon Wicks stated that he drove through Mapleton when he was 17 years old. This is what drew him to Mapleton. This neighborhood is unique and there aren't any more 2 acre lots that have alfalfa and large animals. In 2018 and 2020 it was proposed to rezone this area. The council then said no to their request. They said that it was on the fringe of the neighborhood. Everyone uses their lots for agriculture and he would like to set the precedence on the edges not in the middle of the area.

Nick Glasgow stated that this happened in 2020 where another parcel asked for a rezone and TDR. 90 neighbors were against this at that time, they prefer the 2 acre minimum. There is a common theme in the neighborhood. In this neighborhood 22% of the lots are 3 plus acres. 25% are 4 plus acres. The Daybell's run an active sheep farm. Rolf runs the largest agricultural farm in the neighborhood. He uses his land and if this is approved he won't be able to do what he does now. This place is special and worth preserving.

Bill Gammell supports the TDR overlay application. A few things need to be in place with an application, this parcel is a meets and bounds lot. He deserves the right to do this. The other developments down the street are vastly different. They wanted a rezone not a TDR-R. Each one of these are case by case. You can't set a precedence by approving this and he is following the laws and ordinances of Mapleton City.

The public hearing was closed at 7:23 pm.

Cl. Egbert stated that this has been an interesting thing to watch. It is clear that there is a strong affection in this neighborhood. She is hopeful this will be resolved. There is the technicality of the neighborhood and a subdivision. The TDR ownership is not here or there. However, technically the property rights apply to all neighbors.

Cl. Carlson stated that he appreciates the professionalism of everyone involved. The hardest decision he has to make deals with TDRs. What is the best thing to do, it is always a challenge. Looking at both sides he would vote against this.

Cl. Jones stated that she remembers the 2020 item. She felt very strongly about this item. It would have changed the feel of the neighborhood. In all transparency one piece that she keeps thinking about, is the word conformity and cohesiveness. She is still trying to understand how a 1 acre lot in the neighborhood would prevent sheep or horses. The neighborhood part that is unique is the rural zone. No sidewalk or gutter, just to be clear no new house has to put curb or gutter. She is going to make a motion to continue until an additional council member is here.

Mayor Hakes added that the public hearing is closed, and Sean stated that if there is new information provided, the public could speak to that. Cl. Garrett will have to review the public hearing. Cory said that next meeting will be July 5th.

Motion: Cl. Jones moved to continue the item to the July 5th meeting.

Second: Cl. Egbert seconded the motion.

Vote:

Cl. Jones Yes

Cl. Carlson Yes

Cl. Egbert Yes

Vote: Passed 3:0

Item 4. Consideration of a Resolution amending the current Fiscal Year 2022-2023 Budget.

Bryce Oyler, Finance Director, reviewed the staff report for those in attendance. The vehicle replacement has been difficult. The trucks were purchased and other larger/specialty vehicles were not. Because of this the funds will be moved around. There will be a surplus of \$46,000 in this fund. Cl.

Carlson inquired what big trucks were not purchased. Bryce said the Vac Truck.

The public hearing was opened at 7:37pm, and no comments were made.

Motion: Cl. Beck moved to approve a Resolution amending the current Fiscal Year 2022-2023 Budget.

Second: Cl. Jones seconded the motion.

Vote:

Cl. Beck Yes

Cl. Jones Yes

Cl. Carlson Yes

Cl. Egbert Yes

Vote: Passed 4:0

Resolution No. 2023-17

Item 5. Consideration of a Resolution adopting the Fiscal Year 2023-2024 Budget, Position List and Fee Schedule.

Bryce Oyler, Finance Director, reviewed the staff report for those in attendance. He added that there are two positions that will be approved, but they will not hire those individuals until more research is done.

The public hearing was opened at 7:41pm and no comments were made.

Motion: Cl. Jones moved to approve a Resolution adopting the Fiscal Year 2023-2024 Budget, Position List and Fee Schedule.

Second: Cl. Beck seconded the motion.

Vote:

Cl. Jones Yes

Cl. Carlson Yes

Cl. Egbert Yes

Cl. Beck Yes

Vote: Passed 4:0

Resolution No. 2023-18



MAPLETON
U T A H
PLANNING COMMISSION MINUTES
April 13, 2023

PRESIDING AND CONDUCTING: Vice-Chairman Rich Lewis

Commissioners in Attendance: Jake Lake
Jesse McLean
TJ Uriona

Staff in Attendance: Sean Conroy, Community Development Director
David Stuenzi, Planner

Minutes Transcribed by: April Houser, Executive Secretary

Vice-Chairman Rich Lewis called the meeting to order at 6:00pm. A prayer and Pledge of Allegiance was given.

Item 1. Planning Commission Meeting Minutes – March 23, 2023.

Motion: Commissioner McLean moved to approve the March 23, 2023, Planning Commission Meeting Minutes

Second: Commissioner Lake

Vote: Unanimous

Item 2. Consideration of a request to apply a Transferable Development Right (TDR) Receiving Site Overlay to a property located at 1185 West 2400 South.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This project is about 2.5-acres in size and is not part of a platted subdivision. The applicant would like to apply a TDR-R Overlay to allow for one additional lot on the property. Most of the property in this area is zoned A-2, with most of the surrounding lots being part of a platted subdivision.

Rolf Walpole, the applicant, has lived in this area for 53 years. He went over some of the development history of this area. He developed Park Meadows Estates, along with the Ira Allan Sports Park. When the Transferable Development Right (TDR) came into play, he was very supportive of it to maintain the open space of the hillside. Mr. Walpole is hoping to downsize and build a smaller home on the new lot. He purchased his TDR many years ago, with the plan to utilize it on his property like he is requesting at this time.

Vice-Chairman Lewis opened the Public Hearing. **Colton Christensen** purchased the property in the area that tried to apply a TDR previously in this area. Although he does not like the thought of a rezone, he understands that Rolf has every right to do this. If 2400 South ever went through to 800 West, he sees nothing but trouble with safety, and wanted to put that comment on record. **Casey Beck** lives one house to the west of this property. He passed around a handout he had prepared. He asked that the Planning Commission ensure that all of the city ordinances, and property rights, are being met with regards to this rezone request. He feels that if this item is approved, it could affect future rezoning in the area, as it sets a precedence to do so. He would hope that the Planning Commission would recommend denial to the City Council of this rezone request. Mr. Beck is a member of the City Council, but will not be voting on the item, as he represents himself as a local resident against this rezone. There are lots of other areas in town that are more suitable for this zoning than the proposed parcel. The first goal of the General Plan is to enhance Mapleton's rural feel, and help to maintain this as future developments come forth. Casey stated that he would like to see wording put into the code that would require unplatted lots, that are surrounded by platted lots, to maintain the same type of zoning in the area. **Brandon Wickes** lives just down the street from the applicant. They purchased their home in 2011 and consider this area the best location in the city. These larger lots allow for more agricultural uses to take place on the property. There is a fundamental way of life that is different between 2-acre lots than those of 1-acre lots. Mr. Wickes does not feel that someone on a 1-acre lot would enjoy being surrounded by larger lots that are utilizing their agricultural rights to the fullest. He would recommend denial of this request. **Nick Glasgow** lives to the south of the Walpoles. He agrees with all the statements made by the other residents this evening. They are a family of people that have the same way of life. He does not feel this rezone is consistent with the neighborhood. All four corners of the property will touch parcels that are 2-acres or larger in size. He feels this area is worth preserving and asked the Planning Commission to recommend denial of this rezone to the City Council. **Chad Cornaby** lives down the street and loves this neighborhood. He feels like Rolf deserves the right to build what he wants to on his land. I do not feel like it would destroy the neighborhood, and that it would be okay. He hopes that after this rezone request further TDR's will not be applied in this area. **Brett Hansen** lives three lots down to the west. He agrees with everyone's comments this evening. Mr. Hansen feels that the mayor may have allowed other large developments to get approved with less than the typically required TDR's so his personal excavation business could do their work. He commented that the TDR's should have been used more in these larger developments and hopes more will not be utilized in his neighborhood. **Andy Ball** has a similar property in the northeast part of town. He is in support of this rezone. There is double frontage on the lot, which will cause less disruption to the area. Where the other platted lots can't be changed, he does not feel this will be an issue regarding setting a precedent and believes the Walpoles have the right to develop their property. **Chad Koford** lives to the west and wanted to speak about the safety in this area if the street was to be continued through. The burden it would put on all these residents would be catastrophic. They would ask the city to please look at this when considering future planning in the area. No additional comments were made, and the public hearing was closed.

Commissioner Lewis asked if 2400 South was proposed to go through on the Transportation Master Plan. Sean stated that it was, and a recommendation to change it could be made,

but it would not take place with the rezone request this evening. It would need to be a separate item to amend the Transportation Master Plan. If approved, this rezone would not affect 2400 South, nor the concerns that have been brought up about it this evening. **Commissioner McLean** asked if the improvements would be required to go in, and Sean stated that it would be developed under the rural residential guidelines, which would not require any additional street improvements such as curb, gutter, or sidewalk. Commissioner McLean stated that about ½ of the properties in this area are not platted, so this rezone will likely not be the only one requested in this area in the future. Rolf Walpole felt that they had held this TDR for many years, believing they would have the right to utilize it on their property when they decided to. He does not feel the arguments given this evening are justifiable. Sean stated that the commission should be considering if this rezone would still be compatible with the existing city code. **Commissioner Uriona** felt that it may be more appropriate to hold off at this time, until potential future smaller lots are developed in this area. Sean clarified that the mayor has not had anything to do with the required number of TDR's required on developments that have taken place in Mapleton, and that one of the developments referenced (Mapleton Heights) received their zoning at their time of annexation. Commissioner Lewis spoke to the fact that many people have purchased TDR's with the understanding that they would be able to utilize them on their property. This leaves the rights of developers and existing citizens expectations to be met in different ways. The commission is here to try and ensure the city ordinances are being met. Commissioner Uriona feels this may be more appropriate down the road, but not at this time.

1st Motion: Commissioner Uriona moved to recommend denial to the City Council for the request to apply a Transferable Development Right Receiving Site Overlay to a property located at 1185 West 2400 South.

Second: Commissioner McLean

Vote: 2:2:0 with Commissioners Uriona and McLean voting aye and Commissioners Lake and Lewis voting nay.

Commissioner Lake stated that this area does meet the standard for a TDR-R Site, and other parcels in this area could also be approved for 1-acre lots because they are not in a platted subdivision. **Commissioner Uriona** felt that allowing this rezone would create the precedent that 1-acre lots would appropriate in this area. Sean stated that the item would need to be continued until there is an additional commissioner in attendance to vote if it is tied at 2 and 2.

2nd Motion: Commissioner Lewis moved to continue the request to apply a Transferable Development Right Receiving Site Overlay to a property located at 1185 West 2400 South until an additional Planning Commissioner could be in attendance to break a tie if needed.

Second: Commissioner Lake

Vote: Unanimous

Item 3. Consideration of a Preliminary Plat approval for the Pommerening Subdivision consisting of four 1-acre lots at 1285 West 1600 South in the Residential Agricultural (RA-1) Zone.



PLANNING COMMISSION MINUTES May 11, 2023

PRESIDING AND CONDUCTING: Chairman Killpack

Commissioners in Attendance: Jake Lake
Rich Lewis
Jesse McLean
TJ Uriona

Staff in Attendance: Sean Conroy, Community Development Director
David Stuenzi, Planner

Minutes Transcribed by: April Houser, Executive Secretary

Chairman Killpack called the meeting to order at 6:00pm. A prayer and Pledge of Allegiance was given.

Item 1. Planning Commission Meeting Minutes – April 13, 2023.

Motion: Commissioner Lewis moved to approve the April 13, 2023, Planning Commission Meeting Minutes

Second: Commissioner McLean

Vote: Unanimous

Item 2. Consideration of a request for a Home Occupation Permit for a small piano lesson business located at 1443 West 1400 North. The applicant is Lauren Pollock.

Motion: Commissioner Lewis moved to approve the Home Occupation Permit for a small piano lesson business located at 1443 West 1400 North as proposed.

Second: Commissioner McLean

Vote: Unanimous

Item 3. Consideration of a request to apply a Transferable Development Right (TDR) Receiving Site Overlay to a property located at 1185 West 2400 South.

Rolf Walpole, the applicant, went over a handout that had been distributed to the Planning Commission prior to the meeting. He reiterated that he is not located in a subdivision, and

41 that his request is in line with the General Plan for this area. Lynette Cornaby lives west of
42 Rolf. She is grateful for this process and loves where she lives. Lynette stated that she
43 cannot base her opinions on possible future requests that may or may not happen. She
44 believes that people are more important than any decision that could be made this evening.
45 Kasey Beck stated that Transferable Development Rights (TDR's) are not assigned to any
46 certain location. He does not feel this request is in line with the City's Vision and asked
47 that the Planning Commission vote no on this request. Ryan Schramm used to live next to
48 Walpole's. He believes that within the letter of the law this request should be approved.
49 There are ordinances in place for this request and this rezone would fall in line with those.
50 Eric Moss owns property in Mapleton and plans to move here someday. He believes the
51 subject property falls within the guidelines of what is being requested. Mr. Moss stated that
52 the city needs to follow the letter or the law, and not the spirit of the law. Grant Daybell has
53 been in Mapleton for 80 years. He can't say he is happy with the population growth but
54 feels there is more to this request than right and wrong. The Walpole's have been an asset
55 to the City and believe the right of the Walpole's should be to subdivide their lot. Rolf
56 Walpole stood again and stated that the TDR ordinance Section 18.76.040B states that
57 receiving areas shall be located exclusively within the A2 and RA-1 Zones, which is in line
58 with the zoning of his property. There is nothing in his request that is against the city
59 ordinance.

60
61 Sean Conroy, Community Development Director, stated that Mr. Walpole is right and that
62 nothing in his request violates the city ordinances. The surrounding property owners are
63 also within their rights as well to oppose the request based off their feeling that this is not
64 an appropriate location for a TDR-R site. The City Council and Planning Commission have
65 to ability to determine if the request meets the guidelines for a TDR-R site, as well as to
66 determine if it is compatible with the surrounding properties and future development. The
67 Planning Commission is not violating the City ordinance whether they vote to recommend
68 approval or denial. Commissioner Lewis stated that his position is the same as it was at
69 the previous meeting and that this request is black and white and should be approved.
70 Commissioner Lake agreed with this and felt the TDR-R Zone should be allowed as well.
71 Chairman Killpack asked why this property was not located in a subdivision. Sean stated
72 that it was a remnant parcel that had enough acreage to be built upon. Commissioner
73 McLean believes most people see this as an isolated event, along with the potential for
74 future precedence being set. Sean stated that precedence is kind of contextual. If there are
75 different scenarios with each request, they would not be considered something that a
76 precedence could set because they would not be the same exact situation as previous
77 requests. This decision won't bind a future decision based off the situation and location of
78 the property. Commissioner Uriona, in further reviewing this request, no longer feels it is
79 inappropriate to allow for the use of a TDR on this property. It has been mentioned that
80 other properties in this area were denied the right to utilize TDR's on their property, which
81 should be a reason for denying the ability to use them here. Commissioner Lewis clarified
82 that those parcels were trying to rezone to a higher density zoning, and then utilize the TDR
83 program to future decrease the required lot size, essentially double dipping. That is not the
84 case regarding this request this evening. Chairman Killpack feels this area is surrounded
85 by 2-acre lots and that this parcel should remain in line with that size requirement. She
86 respects all the points made this evening and is torn on this request.

87
88 Motion: Commissioner Lewis moved to recommend approval to the City Council to

apply a Transferable Development Right (TDR) Receiving Site Overlay to the property located at 1185 West 2400 South.

Second: Commissioner Lake

Vote: 4:1:0 with Commissioners Lewis, McLean, Lake and Uriona voting aye and Commissioner Killpack voting nay feeling a 1-acre lot should not be located next to 2-acre and 5-acre lots.

Item 4. Adjourn.

April Houser, Executive Secretary

Date

City Council Staff Report

Date:

August 16, 2023

Applicant:

Colette Dahl

Location:

288 N 500 W

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

No

Attachments:

1. Application
Information.

REQUEST

Consideration of a Resolution amending a condition of rezone approval for the Whiting Farms subdivision regarding the maintenance of existing trees on the site.

BACKGROUND & DESCRIPTION

In 2020, the City Council approved the rezoning of 55 acres located at 800 North and 800 West from A-2 to PRC-7 for the Niel Whiting Farms subdivision. One of the conditions of approval required that a small stand of existing trees on the east side of the project be maintained.

The applicants own one of the lots that includes the trees that were required to be maintained. They've recently completed a new home on the lot and are looking to complete the backyard landscaping. Their landscaping company is recommending removal of the trees as they appear to be dying from a disease called thousand canker. The landscaping company is recommending that the trees be removed before they begin losing large limbs or fall over completely.

EVALUATION

The condition to maintain the trees was an attempt to maintain the existing buffer for the neighbor to the east. Given the health of the trees and potential property damage and safety concerns, staff would be supportive of allowing the trees to be removed provided new trees were planted in their place. If the trees were removed, it doesn't appear that it would significantly impact privacy given the orientation of the houses.

RECOMMENDATION

Amend the rezone condition to allow the existing stand of trees to be removed provided they are replaced on a one for one basis with a tree of at least 1" caliper in size near the property line.

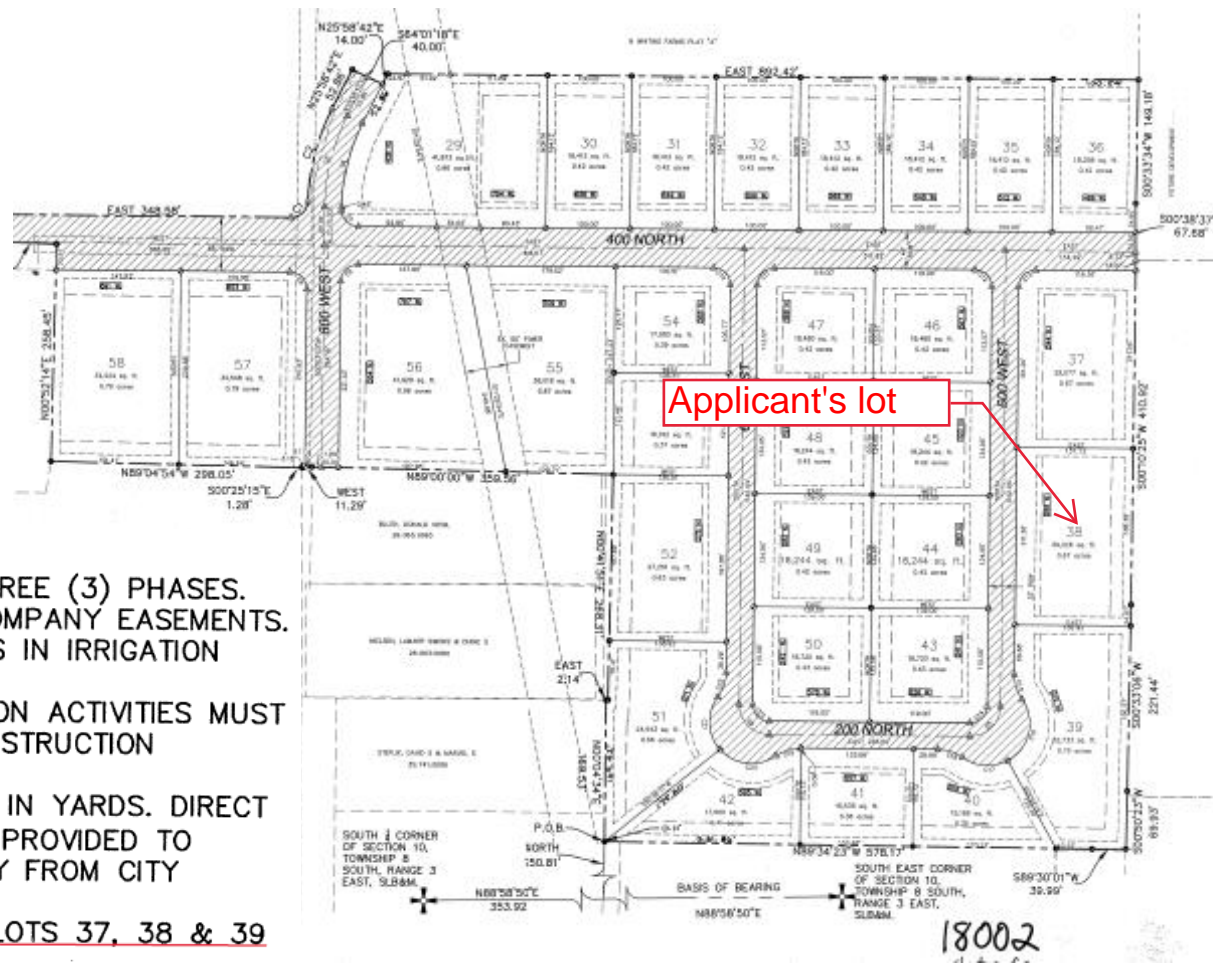


This is an aerial photograph of a residential development. In the upper center, a large golf course is visible, featuring a clubhouse with a dark, multi-gabled roof and a green fairway. To the left of the clubhouse is a small, dark-roofed building and a tennis court. A red oval highlights a row of trees along the boundary between the golf course and a large, undeveloped lot below. This lot is labeled 'Applicant's lot' and shows signs of recent excavation or clearing. To the right of the applicant's lot, the foundations of several houses are visible. The bottom of the image shows a large, flat, cleared area, possibly a parking lot or another undeveloped lot. A road runs along the left and bottom edges of the image.

Subject Trees

Applicant's lot

Recorded Subdivision Plat with approval notes



NOTES:

1. SUBDIVISION IS TO BE COMPLETED IN THREE (3) PHASES.
2. NO TREES OR SHRUBS IN IRRIGATION COMPANY EASEMENTS.
3. NO TELEPHONE BOXES OR POWER BOXES IN IRRIGATION COMPANY EASEMENTS.
4. FENCES DISTURBED DURING CONSTRUCTION ACTIVITIES MUST BE REPLACED AND RETURNED TO PRE-CONSTRUCTION CONDITION, OR BETTER.
5. IRRIGATION BOXES MAY NOT BE FENCED IN YARDS. DIRECT ACCESS (NOT THROUGH FENCES) MUST BE PROVIDED TO MAPLETON IRRIGATION DISTRICT & COMPANY FROM CITY STREETS.
6. EXISTING TREES ON THE EAST SIDE OF LOTS 37, 38 & 39 TO BE RETAINED.
7. LOTS 37, 46, 47, AND 54 SHALL NOT HAVE DRIVEWAY ACCESS OFF OF 400 NORTH.
8. IF FENCING ALONG THE EAST PROPERTY LINES OF LOTS 37-39 IS PROPOSED, IT MUST BE 6' WHITE VINYL PRIVACY FENCING.











City Council Staff Report

Date:

August 16, 2023

Prepared By:

Matt Hancock,
Director Mapleton
City Network

Public Hearing:

No

Attachment:

Feasibility Study
Update

REQUEST

Notice is hereby given by Mapleton City under the Utah Municipal Cable Television and Public Telecommunications Act, Title 10, Chapter 18 of the Utah Code making amendments to the April 28, 2021, feasibility study. Public hearings were called on July 5, 2023, and again on August 2, 2023, to receive input from the public regarding a city telecommunications system.

BACKGROUND & DESCRIPTION

On April 28th, 2021, Mapleton city passed a \$9.6 million dollar revenue bond to construct a fiber optic network throughout the community of Mapleton. This network system will provide high speed Internet access to residents and businesses within Mapleton City. This project consisted of a 3.5-year buildout and three phases of construction to effectively connect a customer base of 3344 properties.

PHASE I CONSTRUCTION

Phase I started January 1, 2022, and was completed December 30th, 2022, which consisted of building an extensive high availability fiber optic backbone and a network operation center.

PHASE II CONSTRUCTION

Phase II started January 1, 2023, and will be completed December 31, 2023. This construction phase consists of installing the last mile Fiber to the Home (FTTH). Bid estimates for this construction phase came in extremely high, approximately double the feasibility estimate of 2021. The staff proposed a rework of the deployment plan within the confines of the bid estimates. This new plan was designed to lower costs by purchasing materials directly from the vendors and by assigning Mapleton crews to complete some of the work on the project. However, this option would only complete 75% of the original estimated connections to each property in Mapleton. Additional funds were still needed to finish the project.

PHASE III CONSTRUCTION

Phase III is scheduled to start September 2023 and be completed in September 2024. The cost to construct Phase II and Phase III have increased substantially and have been tracking current inflation numbers. However, our customer base has also increased from 3344 to 4201. This increase in customer base will help support additional debt needed to complete the FTTH project.

CONSIDERATION OF ADDITIONAL BONDING

Mapleton City staff has completed their evaluation of the cost needed to complete the final phase of the Mapleton City FTTH network. The financial analysis of securing additional debt is supported by the potential revenue that will be generated by the Fiber optic network system. Please see the attached Mapleton City Broadband Feasibility Survey Update 7/27/23.

Mapleton City Broadband Feasibility Update

July 27, 2023

April 28, 2021, Mapleton City researched and approved a resolution to bond and build a fiber optic network to provide broadband services to Mapleton City residents and businesses. The total build-out time frame for this project was determined to be 3.5 years. The first phase of construction started January 1, 2022, and was completed December 31, 2022. As the bid estimates came in for the second phase of the project, it was evident that the cost for phase II had doubled. Staff reworked the project deliverables and shifted work assignments to save costs and finish phase II of this project. An additional 2 million dollars was approved November 2, 2022, to finish Phase II. Phase II is scheduled to be completed December 31, 2023.

The final phase of the Mapleton broadband project is scheduled to start in September of 2023 and will be completed in September 2024. Bid estimates for phase III are complete and have been tabulated. The results of the Phase III bid estimates came in extremely high and will require additional funding to complete this final phase.

There are many municipalities and businesses throughout our area and across the United States who have experienced exponential cost increases due to covid-19, labor shortages and the economics of inflation. Mapleton City staff have been very concerned about these increased costs and how they will impact the fiber to home project in Mapleton city. As a result, we have updated the critical factors to our original study presented to the city council in April of 2021.

April 2021 Feasibility

Mapleton City reviewed the results and findings of four comparable sized cities in our area who completed feasibility studies with regards to offering broadband services to their residents and businesses. Mapleton identified four critical components that were crucial to understand. As we compared these components to the Mapleton study prepared by Uptown consultants, we were able to refine the expected construction costs and penetration rates for Mapleton. These components and parameters are listed below.

- Community support for broadband service that is provided by the city (70% - 90 %)
- Average range in cost to construct per passing meter in our Utah County (\$1200 - \$1900)
- Estimated (take rate) in Utah communities (35% - 50%)
- Price per month Utah residents are willing to pay for 1gig internet services (\$59-\$99)
- Mapleton City Customer base 3,344

July 2023 Feasibility Update

- Community support for broadband service that is provided by the city (70% - 90 %)
- Average range in cost to construct per passing meter in our Utah County (\$5000-\$6000)
- Estimated (take rate) in Utah communities has increased (Mapleton 55%-60%)
- Price per month Utah residents are willing to pay for 1gig internet services (\$59-\$99)
- Mapleton City Customer base 4,201

As you can see, three components have changed with regards to the original feasibility survey, the cost per passing meter, the estimated take rate, and the customer base. These three components are directly related to the financial stability and feasibility of the project. The increased cost of construction per passing meter is unfortunate but not unexpected when considering today's increased economics of labor materials and interest rates. However, the increase in the take rate and the customer base are positive components and indicates that the system will support additional debt using Mapleton's current rates.

The Mapleton City staff has reviewed the updated cost to finish phase III of the Mapleton broadband fiber project. This evaluation resulted in the need to secure 10.9 million dollars of additional funds to finish the project. Please see the financial analysis below.

Financial Analysis Update

Financial Analysis			
	Phase I & Phase II (Series 2021 Bond)		\$9,600,000.00
	City Funding		\$2,000,000.00
	Phase III (Series 2023 Bond)		\$10,989,000.00
		Total project Cost	\$22,589,000.00
Revenue			
	Potential Customers	4201	
	Take rate	60%	
	Effective Customers	2521	
	Average Customer billing	\$95.00	
		Revenue per year	\$2,873,484.00
Operational Cost			
7/1/2025	Phase I & Phase II (Series 2021 Bond)	Annual cost	\$564,188.00
7/1/2025	City Funding	Annual cost	\$160,485.00
7/15/2027	Phase III (Series 2023 Bond)	Annual cost	\$825,500.00
2023 Budget	Operation Cost per year	Annual cost	\$883,000.00
		Cost per year	\$2,433,173.00
		Revenue -Expenditures	\$440,311.00

*This analysis included updated cost of \$5700 per passing meter.

*An estimated take rate of 60%

*Current customer base of 4201

City Council Staff Report

Date:

8/16/2023

Applicant:

Mapleton City

Location:

Approximately 100 N Main Street

Prepared By:

David Stuenzi Jr.,
Planner

Public Hearing:

Yes

Zone:

A-2

Attachments:

1. Applicant Information.
2. PC Minutes

REQUEST

Consideration of an ordinance to re-zone five properties located at approximately 100 North Main Street from A-2 to RA-2 to ensure that each parcel complies with minimum lot size standards.

BACKGROUND & DESCRIPTION

The subject parcels range in size between approximately .59 acres to .77 acres. Four of the properties are located alongside Main Street, while one is located alongside Maple Street. These lots are in the A-2 zone and are currently designated as "legal-nonconforming" lots.

The current classification of these five properties as "legal-nonconforming" is a result of their location within the A-2 zone without meeting the minimum requirement of two acres. The city is seeking to change the zoning of these parcels to RA-2, where a minimum lot size of one-third of an acre is required. This re-zoning would enable these lots to attain the status of legal conforming lots. Two of the lots are currently vacant and it is anticipated that these will be built on in the future. The Planning Commission recommended approval of the request on July 27th, 2023.

EVALUATION

Rezone requests are considered legislative actions. The Planning Commission and City Council generally have broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community and is supported by city ordinances and policies.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing rezone requests:

1. *Public purpose for the amendment in question.*
2. *Confirmation that the public purpose is best served by the amendment in question.*
3. *Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
4. *Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
5. *Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
6. *Adverse impacts on adjacent landowners.*
7. *Verification of correctness in the original zoning or general*
8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

General Plan: The Future Land Use Map designates the site as "*Medium Density Residential*". This designation corresponds to the RA-2 zone and allows for one-third of an acre lot. The proposed re-zone is consistent with the general plan.

Zoning: The properties are currently zoned A-2 which requires two acres per lot. As mentioned previously, the subject properties are all non-conforming, as they are smaller than two acres. The properties across the street to the west are all already zoned RA-2. The proposed re-zone will ensure that the subject lots are all considered legal conforming and will be consistent with neighboring properties.

RECOMMENDATION

Adopt the attached ordinance.

ORDINANCE NO. 2023-

CONSIDERATION OF AN ORDINANCE TO RE-ZONE FIVE PROPERTIES LOCATED AT APPROXIMATELY 100 NORTH MAIN STREET FROM A-2 TO RA-2 TO ENSURE THAT EACH PARCEL COMPLIES WITH MINIMUM LOT SIZE STANDARDS.

WHEREAS, the subject properties are currently zoned A-2, which requires 2 acres per lot;

WHEREAS, none of the subject parcels comply with the 2 acre minimum;

WHEREAS, the general plan designated these properties as medium density residential;

WHEREAS, the request to re-zone the properties to RA-2 is consistent with the general plan;

WHEREAS, the Planning Commission recommended approval of this request on July 27th, 2023.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone the subject properties from A-2 to RA-2 as described in exhibit "A".

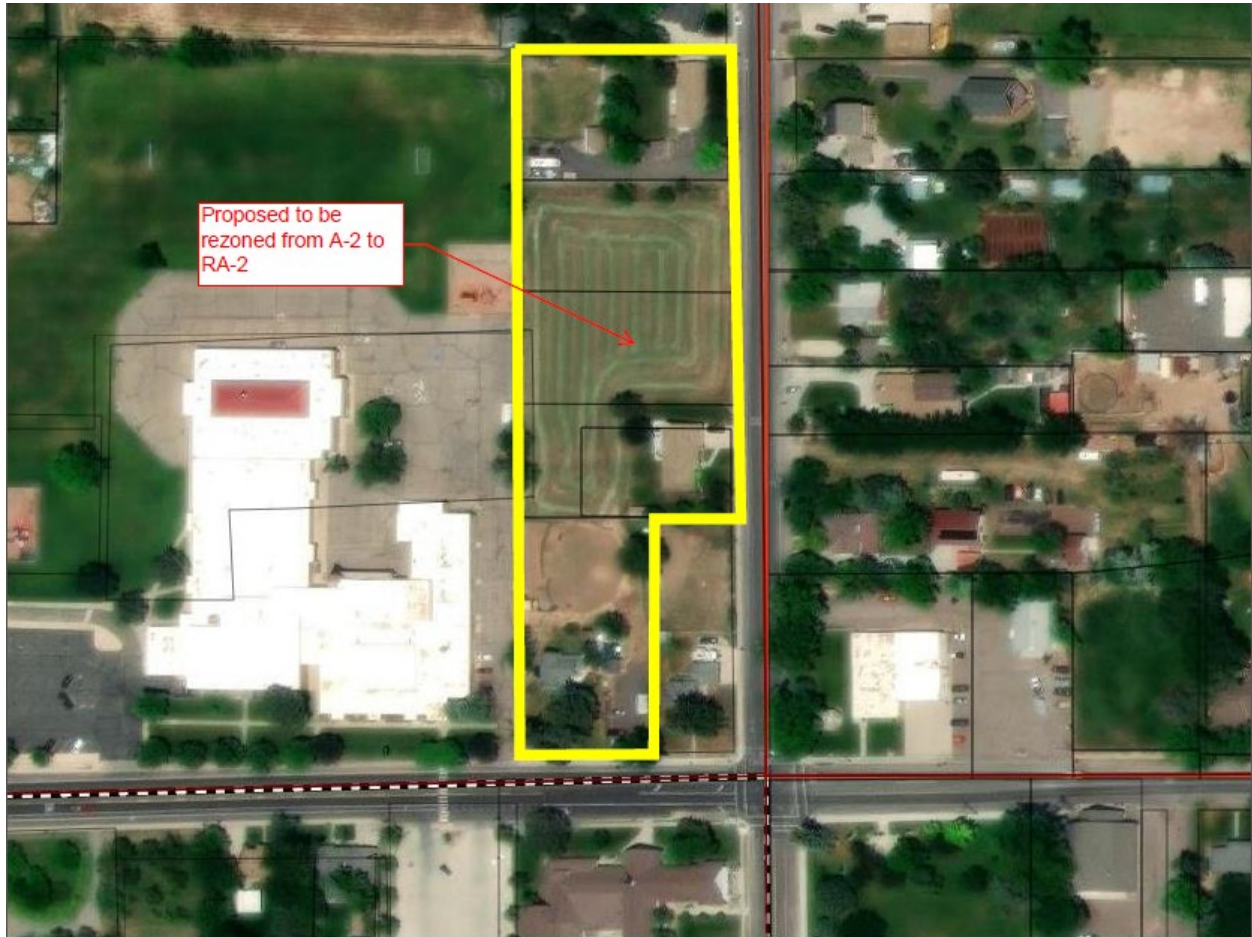
PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH, this 16th Day of August, 2023.

Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"



Existing Zoning

Green = A-2

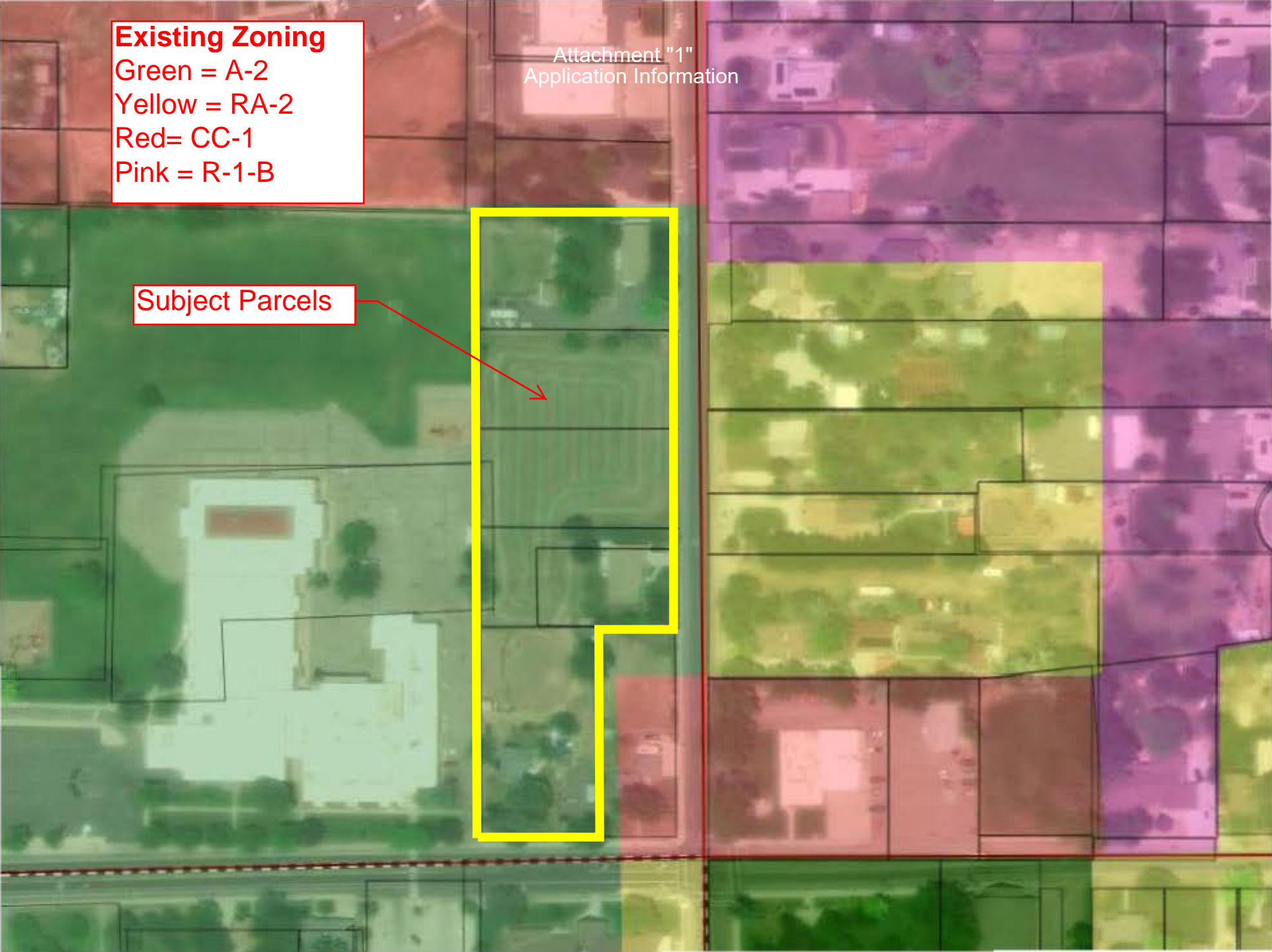
Yellow = RA-2

Red = CC-1

Pink = R-1-B

Attachment "1"
Application Information

Subject Parcels



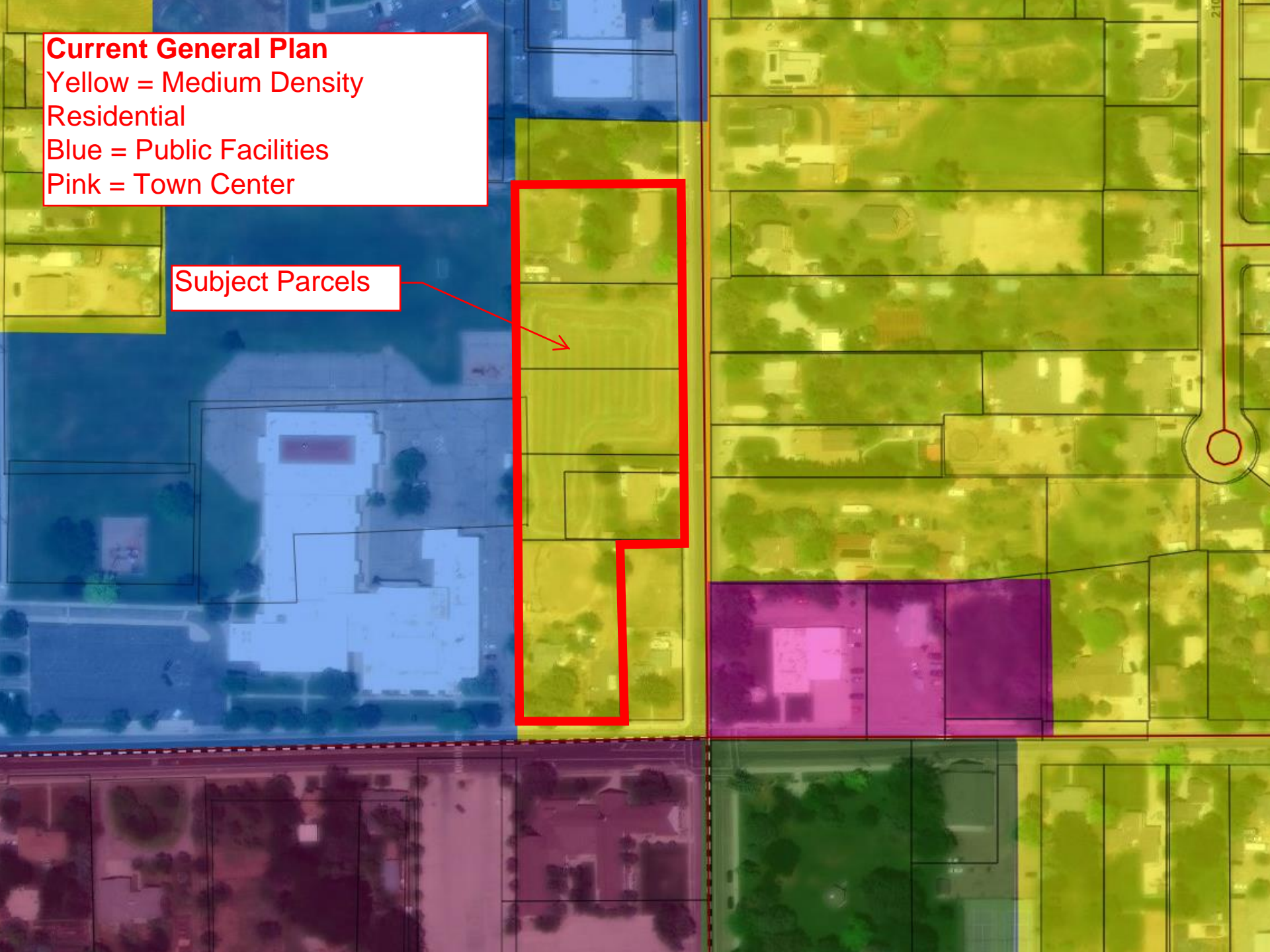
Current General Plan

Yellow = Medium Density Residential

Blue = Public Facilities

Pink = Town Center

Subject Parcels





PLANNING COMMISSION MINUTES

July 27, 2023

PRESIDING AND CONDUCTING: Vice Chairman Rich Lewis

Commissioners in Attendance: Jake Lake
Jesse McLean
Lewis Nuttall

Staff in Attendance: Sean Conroy, Community Development Director
David Stuenzi, Planner

Minutes Transcribed by: April Houser, Executive Secretary

Vice-Chairman Lewis called the meeting to order at 6:00pm. A prayer and Pledge of Allegiance was given.

Item 1. Planning Commission Meeting Minutes – July 27, 2023.

Motion: Commissioner McLean moved to approve the July 27, 2023, Planning Commission Meeting Minutes.

Second: Commissioner Nuttall

Vote: Unanimous

Item 2. Consideration of a Variance request from the required 30-foot corner lot setback for a new shed on a property located at 375 North Clegg Canyon Drive. The applicants are David and April Orgill.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This item had previously been discussed at the July 13, 2023, Planning Commission Meeting. The shed is currently about 8'-9' from the property line. Sean went over the criteria for a Variance to be approved. Commissioners Rich Lewis and Jake Lake were at the previous meeting. **Commissioner Lewis** felt the property does have a unique circumstance with the 60 foot wide storm drain easement on the west side of the lot to protect some buried storm water retention chambers.

David Orgill, the applicant, stated that they had received approval from the Homeowners Association (HOA), and thought they were doing everything correctly. He believes their lot does have a unique situation with the storm water retention chambers. They hope to keep

the current location where they have started constructing the shed. **Commissioner Nuttall** noted the 30-foot corner lot setback, which **Commissioner McLean** asked for clarification as to why that setback is in place. **Commissioner Lewis** felt the storm drain retention chambers could qualify for a special circumstance on this lot.

Motion: Commissioner McLean moved to approve the Variance request from the required 30-foot corner lot setback for a new shed on a property located at 375 North Clegg Canyon Drive feeling all five criteria had been met to qualify for a Variance.

Second: Commissioner Nuttall

Vote: 3:1:0 with Commissioners McLean, Nuttall and Lewis voting aye and Commissioner Lake voting nay feeling all five criteria had not been met.

Item 3. Consideration of a request to rezone five parcels from A-2 to RA-2 located at approximately 100 North Main Street.

David Stuenzi, Planner, went over the Staff Report for those in attendance. None of the current properties are 2 acres in size. The General Plan shows this area as Medium Density Residential, which the rezone would be in line with. All the property owners agree with this rezone. Staff would recommend approval to the City Council.

Vice-Chairman Lewis opened the Public Hearing. **Doug Howell** asked why the 20 West Maple Street property was zoned commercial? Sean stated that commercial zoning has been in place for years. Mr. Howell did not want the property rezoned because he preferred not to have homes built on this property. **Colene Miner** lives next door to the fire station. She was under the impression that the property was going to be developed with apartments. Sean stated that no multi-family units would be built there. It would be for single family homes only.

No additional comments were given, and the Public Hearing was closed. **Commissioner McLean** asked Sean to give a little description of what the RA-2 would allow for those in attendance.

Motion: Commissioner Lake moved to recommend approval to the City Council for a rezone of five parcels from A-2 to RA-2 located at approximately 100 North Main Street.

Second: Commissioner Nuttall

Vote: Unanimous

Item 4. Consideration of an ordinance amending Mapleton City Code Title 17 regarding subdivision requirements.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. Each year as the state wrestles with affordable housing to comply with State Bill (SB) 174. Some of these proposed amendments are to bring the code in line with SB 174. There are also a few clean up items as well, referencing the City's long-range plan. There will be a small reduction of water right requirements as part of this amendment. **Commissioner Lake** asked if the water right reduction is mandated by the state, which Sean



City Council Staff Report

Date:

August 16, 2023

Applicant:

Mapleton City

Location:

All

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Attachments:

1. Draft ordinance.
2. PC minutes.

REQUEST

Consideration of an ordinance amending Mapleton City Code Title 17 and 18.90.130 regarding subdivision requirements for new development and amending the Community Development Fee Schedule.

BACKGROUND & DESCRIPTION

During the 2023 legislative session, SB 174 was passed. The bill included several provisions that impact subdivision standards, including:

- Establishes specific timelines for review of subdivision applications;
- Indicates that cities must identify a “Land Use Authority” responsible for the review of preliminary subdivision plat applications and that the land use authority **cannot** be the City Council;
- The maximum width of a local residential roadway cannot exceed 32’ of asphalt (City’s standards already comply with this);
- Water rights dedication requirements must be based on actual usage data from the city; and
- Cities can no longer require a bond for front yard landscaping.

Mapleton City Code title 17 contains the City’s subdivision ordinance. The proposed ordinance is meant to update the City’s standards to comply with recently adopted state law as well as to make other updates to conform with current best practices and procedures. Exhibit “A” shows the proposed amendments in ~~strikeout~~ and underline and only contains those sections of the code that are being amended. Some of the more notable changes include:

- Identifies the Development Review Committee (DRC) as the land use authority for subdivisions of two lots or less;
- Identifies the Planning Commission as the land use authority for subdivisions of three lots or more;
- Refers to state code requirements for review timelines;
- Clarifies what technical reports and reviews are required;
- Updates engineering design standards;
- Ensures that requirements are consistent with other master plans (transportation, wastewater, water resources, etc.); and
- Updates water dedication requirements based on usage data (indoor requirement being reduced from .45 acre feet per lot to .3 for attached housing and .35 for detached).

In addition to the amendments discussed above, staff is also proposing an amendment to the slurry seal fee charged to developers. When a new plat is

recorded, the developer pays a fee that the City then uses to do a slurry seal after the road construction has been completed. The proposed amendment ensures that the City is collecting enough money to cover the cost of the work.

Finally, the amendments to the fee schedule also includes adding a fee to purchase water from the City's ULS water allocation.

RECOMMENDATION

Approve the attached ordinance.

ORDINANCE NO. 2023-

**AN ORDINANCE ADOPTING AMENDMENTS TO MAPLETON CITY CODE TITLE 17 AND 18.90.130
REGARDING SUBDIVISION REQUIREMENTS FOR NEW DEVELOPMENT**

WHEREAS, Mapleton City Code (MCC) title 17 is the City's subdivision ordinance; and

WHEREAS, the proposed amendments to title 17 and section 18.90.130 are intended to ensure that Mapleton City Code is consistent with state code requirements and to follow current best practices; and

WHEREAS, the City charges a fee to all new subdivisions to cover the cost of a high density bond seal to the roadways after construction has been completed. The proposed fee amendment will ensure the City is collecting sufficient fees to cover the cost of the seal; and

WHEREAS, the Planning Commission recommended approval of the proposed amendments on July 27, 2023.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to adopt the amendments to MCC title 17 and section 18.90.130 as described in Exhibit "A", to change the high density bond seal fee to \$.30 a square foot of asphalt added, and to establish a \$5,100 fee per acre foot of ULS water purchased from the City.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH,

This 16th Day of August, 2023.

Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder
Publication Date:
Effective Date:

EXHIBIT "A" – SUBDIVISION ORDINANCE AMENDMENTS

(Changes shown in strikeout and underline. Only those sections that include amendments have been included)

TITLE 17

DEVELOPMENT CODE, PART II; SUBDIVISIONS

Title And Intent 17.01

Subdivision Plans And Plats Required 17.02

Condominiums 17.03

Procedure For Approval Of A Subdivision 17.04

Documentation Requirements 17.08

Design Standards And Criteria 17.12

~~Standard Specifications And Drawings~~ Public Works Design Standards 17.14

Landscape Standards 1 (Rep. by

Ord. 2016-01, 5-18-2016, eff. 6-16-2016) 17.15

Subdivision Improvements 17.16

Trail Location And Construction Standards 17.18

Performance Guarantees 17.20

General Requirements 17.24

Fees And Charges 17.28

Definitions 17.32

Administration And Enforcement 17.36

Constitutional Takings Appeal Procedure 17.37

Cleanup, Public Rights Of Way 17.42

17.02.010: SUBDIVISION PLATS REQUIRED; TO BE RECORDED:

No person shall subdivide, as defined by section 17.32.010 of this title, any tract of land within the incorporated limits of the city; nor shall any person sell, exchange, purchase or otherwise convey a parcel of land which is part of a larger tract, if such sale or agreement

would have the effect of creating a "subdivision" as defined by this title, unless and until a final plat, prepared in accordance with the provisions of this title, shall have been reviewed and approved by the appropriate ~~land use authority decision-making body~~ consistent with chapter 17.04 of this title and recorded in the office of the county recorder. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.02.020: EXEMPTION FROM PLAT REQUIREMENTS:

A. Agricultural lot splits that comply with the following standards are exempt from plat requirements:

1. The property qualifies as land in agricultural use under section 59-2-502 of the Utah code; and
2. Each lot will comply with the minimum lot size requirement of the applicable zone in which the property is located; and
3. The property does not contain any existing residential units and will not be used for nonagricultural purposes; and
4. The boundaries of each lot or parcel shall be graphically illustrated on a record of survey map that is presented to the city. Upon approval by the community development director or his/her designee the record of survey map shall be recorded with the Utah County recorder.

B. Parcel boundary adjustments are exempt from plat requirements. A "parcel boundary adjustment" means a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

- ~~1. No additional parcel is created; and~~
- ~~2. Each property identified in the agreement is unsubdivided land, including a remainder of subdivided land. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)~~

Formatted: Border: Bottom: (No border)

17.03.080: APPROVAL AUTHORITY:

Preliminary condominium plats shall be reviewed by the planning commission, ~~which shall make a recommendation to the city council~~. Upon approval of the preliminary plat ~~by the city council~~, a final plat and construction drawings shall be submitted for review and final approval by the development review committee. If an applicant contests any requirements imposed by the DRC as part of the final plat approval, the applicant may request that the application be referred to the ~~planning commission city council~~ for a final decision. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

CHAPTER 17.04
PROCEDURE FOR APPROVAL OF A SUBDIVISION

SECTION:

17.04.010: Development Review Committee

17.04.020: Prepare And Submit Plans To City

17.04.030: Submission Of Preliminary Plat Application

17.04.040: ~~Planning Commission~~ Review Of Preliminary Plat

17.04.050: ~~City Council Review~~ Reserved

17.04.060: Prepare And Submit Final Plat, Engineering Drawings, And Documents To The Development Review Committee (DRC)

17.04.070: Reserved

17.04.080: Reserved

17.04.090: Amending And Vacating A Subdivision Plat

17.04.100: Nuisance Strips And Remnant Parcels

17.04.110: Applicant Completes Improvements Or Submits Performance Guarantee

17.04.120: Final Plat Recorded In Office Of County Recorder

17.04.130: Availability Of Adequate Public Facilities

17.04.140: Unavailability Of Adequate Public Facilities

17.04.020: PREPARE AND SUBMIT PLANS TO CITY:

The applicant shall prepare and submit a land use application, including fees, in accordance with this code and community development department policy. The applicant may submit a concept plan. While the concept plan is optional except under the circumstances stated below, a preliminary and a final plat are required. The submission shall be in accordance with the following standards and guidelines:

A. Concept Plan:

1. The concept plan shall include the drawings and documentation set forth in the concept plan application maintained by the community development department.
2. Where the applicant owns or controls more territory than he proposes to submit for preliminary or final approval, or under circumstances where the proposed subdivision is part of a larger project or territory which the applicant owns or controls and which includes property in more than one planning district or zone as defined in the Mapleton

City general plan, the city may require that a concept plan covering the larger area be submitted. The concept plan for the larger area shall show how the immediate development relates: a) to possible development of the remaining territory, b) to the city's major street plan, and c) to the provision of other public services, utilities and facilities.

3. An applicant may submit a concept plan if the applicant desires to obtain input from city staff or the ~~planning commission city council~~ prior to undertaking the preparation and submission of a complete preliminary plat. ~~If the concept includes a request for a rezone or a zoning text amendment, the concept may be referred to the city council.~~

~~4. If the community development director concludes that, because of the scope or complexity of a proposed project, the proposal should be reviewed by the city council at the concept plan stage, he may direct that the plan be forwarded for review by the city council prior to the preparation of the preliminary plat.~~

~~54.~~ Any review of a concept plan ~~by the city council~~ shall be considered as advisory only and shall not constitute a commitment of approval of a subsequent preliminary plat or final plat.

B. Preliminary Plat:

1. The preliminary plat shall include the drawings and documentation set forth in the application form provided by the community development department as well as the requirements set forth in this title ~~and the Public Works Design Standards.~~

2. Where a subdivider proposes to submit a final plat containing less territory than shown on the preliminary plat (phased development) the preliminary plat shall identify each of the proposed phases. Any such final plat phasing scheme shall occur at logical "break points" in the project and provide access and utility services which will be adequate in the event that subsequent phases do not occur. The phasing scheme shall also incorporate the provisions of chapter 17.12 of this title.

3. No phasing scheme shall have the effect of leaving a residual lot, non-conforming parcel or previously divided land for which the required subdivision improvements have not been previously constructed. For purposes of this code a "residual lot" shall be defined as a zoning lot, created by the proposed subdivision, but which is not shown as a lot on the final plat of the subdivision project or as future development. A future development parcel must be developable into multiple lots meeting the area standards for the applicable zone. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.030: SUBMISSION OF PRELIMINARY PLAT APPLICATION:

A. An applicant shall submit a preliminary plat application to the community development department.

B. The application will then be reviewed by the DRC for completeness and consistency with Mapleton City standards. Multiple reviews and submittals may be required based on

the completeness and accuracy of the application consistent with Utah Code section 10-9a-604.1.

C. ~~Upon a determination that the application is complete, the DRC shall schedule the application for review by the planning commission. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016) The applicant shall also submit plans to the city's water consultant to be input into the water model. The cost for this review shall be the responsibility of the applicant.~~

17.04.040: ~~PLANNING COMMISSION~~ REVIEW OF PRELIMINARY PLAT:

A. The city shall provide notification to all property owners within three hundred feet (300') of the proposed subdivision. The city may require the applicant to reimburse the city for any expenses incurred by the notification.

B. The ~~DRC planning commission~~ shall be the administrative land use authority ~~final decision-making body~~ for all preliminary plat applications of two (2) ~~three (3)~~ lots or less (including all proposed phases) that do not include: 1) a legislative request (rezone, general plan amendment, TDR overlay, etc.), and/or 2) a request to amend or waive certain public improvement requirements per subsection 17.12.040B of this title. For all other subdivisions, the planning commission shall be the administrative land use authority ~~make a recommendation to the city council to: 1) approve the plat, 2) approve the plat with conditions, or 3) deny the plat. The commission may also continue review of the plat with a request for changes and/or additional information. When a subdivision includes a request to apply Transferable Development Rights, the review process outlined in section 18.76.080 of this title shall apply.~~

C. In reviewing the proposed subdivision, the administrative land use authority ~~planning commission~~ shall consider the following:

1. Are the plans, documents and other submission materials (including technical reports where required) sufficiently detailed for proper consideration of the project?
2. Do the submitted plans, documents and submission materials conform to applicable city standards?
3. Does the proposed development conform to city zoning ordinances and subdivision design standards?
4. Do any natural or manmade conditions exist on or in the vicinity of the site defined in the preliminary plat that, without remediation, would render part or all of the property unsuitable for development? Does the preliminary plat address these conditions?
5. Does the preliminary plat provide for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions?
6. Does the preliminary plat impose an undue financial burden upon the city?

7. Are the location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the preliminary plat consistent with the city's general street map and other applicable elements of the general plan? Does the preliminary plat recognize and accommodate the existing natural conditions?

8. Are the public facilities, including public utility systems serving the area defined in the preliminary plat adequate to serve the proposed development?

9. Will the project contemplated in the preliminary plat conform to the intent of this title as stated in chapter 17.01 of this title?

D. The ~~administrative land use authority~~ planning commission may direct that changes be made in the preliminary plat so that it conforms to the objectives of the applicable zone and this title, including, but not limited to, redesign of the road system, future extension of the road system into adjacent properties, relocation of lot boundary lines, and increase in water line size and other utilities if necessary for the proposed development or future development.

E. All preliminary plat approvals shall be valid for ~~three (3)~~ two (2) years unless otherwise specified by the final administrative land use authority or part of a master development agreement ~~decision making body~~. If an applicant fails to receive Final Plat approval in accordance with section 17.04.060 of this title within the time frame specified, the preliminary plat approval shall become null and void. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.050: ~~CITY COUNCIL REVIEW:~~ RESERVED:

~~—A. After the planning commission has made a formal recommendation, the preliminary plat shall be scheduled for review by the city council.~~

~~—B. The city council shall consider the recommendations from the DRC and the planning commission and shall review the application for consistency with applicable federal, state and local standards.~~

~~—C. The city council shall take action to: 1) approve the preliminary plat, 2) approve the preliminary plat with conditions, 3) continue review of the plat with a request for changes and/or additional information, or 4) deny the preliminary plat. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)~~

17.04.060: PREPARE AND SUBMIT FINAL PLAT, ENGINEERING DRAWINGS, AND DOCUMENTS TO THE DEVELOPMENT REVIEW COMMITTEE (DRC):

A. After receiving preliminary plat approval, the applicant shall submit a final plat and construction drawings consistent with the final plat application checklist provided by the community development department.

B. The DRC shall review the final plat and engineering drawings for consistency with applicable standards and with any conditions required by the administrative land use authority final decision making body for the preliminary plat.

C. Upon a determination that the application is consistent with applicable standards and conditions, the DRC shall provide a written letter of approval to the applicant.

D. If an applicant is proposing substantial changes to the preliminary plat, the applicant shall be referred to the administrative land use authority decision making body that approved the preliminary plat for final approval. Substantial changes shall include an increase in the number of proposed lots, changes to the location and/or configuration of streets including stub streets, and/or other changes deemed substantial by the DRC.

E. If an applicant contests any requirements imposed by the DRC as part of the final plat approval, the applicant may request that the application be referred to the planning commission city council for a final decision.

F. The following actions must be taken within two (2) one (1) years of final plat approval or the applicant must reapply for preliminary plat approval:

1. The subdivision plat shall be recorded in the office of the Utah County Recorder; or

2. A Site Restoration/Durability Bond shall be posted with the City and a preconstruction meeting has been held with the DRC.

G. The DRC may grant a one (1) year extension provided the final plans have been updated to address any changes to City ordinances and standards that may have been updated or changed since the time of the Final Plat Approval. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.04.090: AMENDING AND VACATING A SUBDIVISION PLAT:

A petition to vacate, alter or amend an entire plat, or to vacate a street in a subdivision shall conform to Utah code. Petitions to adjust lot lines between adjacent properties, or petitions to combine lots in a platted and recorded subdivision shall require approval from the community development director consistent with Utah Code section 10-9a-608, and the plat shall be signed by the planning commission chairperson, mayor, and all other applicable signatures. Said amendment shall be drawn in final plat format to meet Mapleton City code. The plat shall include the lot or lots to be vacated. If adjusting a lot line or combining lots, the previous lot(s) shall be considered "vacated" and the new lot(s) in their new configuration shall be shown on the amended plat. The plat shall be given the same name as the subdivision that is affected, and shall be given the next available plat alphabetical designation. Said amendments and lot line adjustments as herein defined, shall not create a new building lot, and the amendment or lot line adjustment shall not violate the lot requirements in the underlying zone. Appeals to decisions made to approve an amended subdivision plat shall be the same as described in section 18.84.460 of this code. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.04.110: APPLICANT COMPLETES IMPROVEMENTS OR SUBMITS PERFORMANCE GUARANTEE:

After final plat approval by the ~~administrative land use authority~~ appropriate land use authority, the applicant shall either complete the required improvements or post a performance guarantee in accordance with section 17.16.010 of this title. A preconstruction meeting with the DRC shall be required prior to the commencement of construction. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

CHAPTER 17.08
DOCUMENTATION REQUIREMENTS

SECTION:

17.08.010: Document Submittal Requirements

17.08.020: Technical Reports Required; ~~CE-1 Zone And Other Zones As May Be Required~~

17.08.020: TECHNICAL REPORTS REQUIRED; ~~CE-1 ZONE AND OTHER ZONES AS MAY BE REQUIRED:~~

All subdivision applications shall include the reports identified in subsections A1-A3 below. The reports described in subsections A4-A5 are also required for subdivisions in the CE-1 zone.

~~The technical reports are required for all subdivision applications in the CE-1 zone, floodplain zones A or B as defined by the U.S. department of housing and urban development flood insurance rate map and all other property in the fault buffer areas or debris flow areas indicated on the Utah County hazard map.~~

A. Technical Report: In addition to other materials required for submission, the preliminary plat shall be accompanied by copies of the following technical reports prepared by a professional engineer licensed by the state of Utah.

1. Geotechnical And Geology Report (Global And Site Specific): The report shall include, but is not necessarily limited to, identification and mapping of the location of major geographic and geologic features such as fault traces, surface ruptures, zones of deformation, potential slide and other high hazard areas such as mine shafts and avalanche paths, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, recommendations covering the adequacy of sites proposed for development, and any potential adverse impact on the natural environment. This report shall be completed by a geotechnical engineer or an engineering geologist. The geotechnical report shall contain a certification in accordance with section 18.30.090 of this code.

The geotechnical investigation shall include soil borings extended to a depth sufficient to define the soil stratigraphy, water table and other features within the zone of significant stress of the proposed structural footings of the proposed development. If the development needs evaluation of slope stability then the soil borings will extend deep enough to define all soil layers in the zone of possible slippage.

If published geologic maps show possible faults in the area or a surface geologic examination reveals signs of faulting then the geotechnical investigation will be supplemented by trenching in addition to the soil borings. The trenches will be so located as to intercept the apparent fault at a perpendicular angle to the trend of the fault. The trenching will extend a minimum of twenty feet (20') each side of the located fault. Developments of two (2) acres or more will require at least two (2) trenches to define the fault. One trench will be approximately where the fault enters the property and the other where it leaves the property. The trenches will be excavated to a depth that will define the fault and allow physical observation and measurement to be taken.

2. Soils Report: The report shall include, but is not necessarily limited to, information with respect to slope analysis, general soils classification, suitability for development, erosion potential, any recommendations for proposed methods of mitigating any constraints determined to be present as part of the development plan, and any adverse impact on the natural environment.

3. Stormwater, Grading And Drainage Plan: The plan shall include, but is not necessarily limited to, information on groundwater levels, identification and mapping of drainage channels and systems, floodplains, existing details and contours where modification of terrain is proposed, the direction of proposed drainage flow, proposed plans and the location of all surface and subsurface drainage devices to be constructed as part of the proposed development, erosion control measures during the course of construction, identification of any grading and drainage problems such as the alteration of natural drainage patterns and any other problems of the proposed development, and a plan to mitigate or eliminate such problems and any adverse impact on the natural environment.

4. Natural Conditions And Vegetation Analysis And Preservation Plan: This report and plan shall include a survey of existing trees, large shrubs and ground covers, a plan for the proposed revegetation of the site, detailing existing vegetation to be preserved, new vegetation to be planted and any modifications to existing vegetation, and the identification of any vegetation problems and recommendations as how to mitigate or eliminate such problems and avoid potential adverse impact on the natural environment.

5. Fire Protection Report: The report shall include, but not be limited to, identification of potential fire hazards, mitigation measures, access for fire protection equipment and proposed fire flow capability.

The scope and content of these required technical reports and plans shall be in accordance with city standards. The planning commission, subject to the prior recommendation of the city engineer, may waive the necessity for submitting one or more of the technical reports or any elements of a report where, in its opinion, conditions associated with the proposed

development do not require consideration of the subject matter covered. Also, where the lot is contained within an approved subdivision and the technical reports previously submitted as part of the subdivision approval process are sufficient in scope and detail to adequately address the issues required under this chapter, this requirement may be waived. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.010: SUBDIVISION DESIGN TO CONFORM TO STANDARDS:

The layout and design of all subdivision developments shall be in accordance with the standards as contained herein, including the Public Works Design Standards, or as may be adopted by the city pursuant to the provisions of chapter 17.24 of this title. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.020: STREETS AND ROADS; GENERAL CRITERIA:

A. Subdivision Plans To Be Consistent With Transportation Master Plan And Circulation Element Of The General Plan: Subdivision plans shall be consistent with the transportation and circulation element of the general plan as adopted by the city, as follows:

1. Arterial And Collector Streets: Where the area of a proposed subdivision includes any arterial or collector class streets, as shown on the transportation master plan and circulation element of the general plan, the subdivision plan shall incorporate such streets in the location shown on the transportation master plan and circulation element of the general plan and the approval of the final plat shall include the dedication of the right of way and its improvement in accordance with the applicable city standards.

2. Major Local, Minor Local and County Lane: Where the area of a proposed subdivision includes any minor- major class streets, as shown on the transportation master plan and circulation element of the general plan, the subdivision plan shall provide for such streets in the approximate location shown and the approval of the final plat shall include the dedication of the right of way and its improvement in accordance with the applicable city standards. Locations of minor local and country lane streets may vary from the locations shown on the master plan but must be approved as part of the plat approval process.

~~—3. Modifications: Subdivisions may include modifications to the locations and designations of streets shown on the transportation plan provided the modifications do not inhibit the implementation of the goals and policies of the plan.~~

B. Relationship To Adjacent Streets: The proposed street system shall properly align and be compatible with adjacent streets.

C. Access To Adjacent Properties: In order to facilitate the development of an adequate and convenient circulation system within the city and to provide access for the logical development of adjacent vacant properties, the city may, as a condition of approval, require

the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision. All such stub streets shall be fully developed to the boundary of the subdivision. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street.

D. Temporary Dead End (Stub Streets): Where a final plat includes a dead end stub street which is intended to be continued into adjacent property in the future and which serves as the primary access for one or more adjacent lots, said final plat shall make provision for temporarily accommodating vehicular movement and the extension of utility services by designating temporary cul- de-sacs, turnaround areas, travel easements connecting the end of the stub street with other streets in the vicinity or such other temporary measure as may be approved by the planning commission. Such temporary facilities required pursuant to this provision shall remain until such time as the street has been extended into the adjacent property and the improvements accepted by the city. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.12.030: STREETS AND ROADS; RIGHT OF WAY WIDTH:

Subject to the provisions adopted under section 17.12.040 of this chapter:

A. The minimum width of right of way for streets shown on the transportation ~~master plan circulation element of the general~~ plan shall conform to the width ~~shown on the applicable street cross section correlating with the street type~~ as designated on the ~~master~~ plan and/or based on the approved street cross sections for the subdivision. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.040: STREETS AND ROADS; WIDTH OF PAVEMENT; OTHER IMPROVEMENTS:

~~A. All streets within and adjacent to the subdivision shall be paved with hot mix asphalt concrete (HMA). The width of the hard surfacing and the location and type of other required street improvements shall be as set forth on the applicable street cross section standard adopted by the city council.~~

~~AB.~~ As part of the preliminary plat review process, if approved by the ~~planning commission city council~~, the curb, gutter, and sidewalk improvements otherwise required may be modified and specifically tailored to more effectively achieve the policies, goals, and objectives of Mapleton City. The modification shall be consistent with appropriate engineering measures to protect public safety and shall be made after the recommendation of the ~~DRC city engineer, the city staff, and the planning commission~~. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.12.050: STREETS AND ROADS; DESIGN STANDARDS:

~~A. Reverse Curves: Reverse curves shall have a tangent of at least one hundred feet (100'), unless in the opinion of the planning commission such is not necessary.~~

~~AB. Street Intersection: Streets shall intersect each other as nearly as possible at right angles. Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°). Offsets in street alignment ~~of more than~~ between fifteen feet (15') ~~and or less than~~ one hundred fifty feet (150') shall be prohibited.~~

~~BC. Street Grades: The minimum grade of any street shall be 0.4%. The maximum grade of any street in the subdivision shall be eight percent (8%) unless the street design has been approved by the city engineer based on site specific constraints. In no case shall the city engineer approve a street grade in excess of twelve (12%).~~

~~CD. Street Curves: Where the street lines within a block deflect from each other at any one point more than ten degrees (10°), there should be a connecting curve. The radius of the curve for the street centerline ~~should~~ be not less five hundred and ten feet (510') for arterial streets, than three hundred fifty feet (350') for ~~arterial and~~ collector class streets, two hundred ~~fifty~~ feet (250') for ~~a major~~ local streets, ~~and one hundred feet (100') for minor local and country lane streets.~~~~

~~DE. Curbs: Where curbs are required said curbs at intersections shall be rounded with curves having a minimum lip of curb radius of fifteen twenty feet (~~20~~15') for local minor streets, and twenty five feet (25') for collector and arterial streets. Property lines at street intersections shall be parallel to the curve where necessary to fit the curb radius.~~

~~EF. Street Names: New street names should not duplicate those already existing. A street obviously a continuation of another already in existence should bear the same name. Before the street is named, the proposed name must be submitted to and approved by the city.~~

~~FG. Cul-De-Sacs: Cul-de-sacs shall be discouraged. Cul-de-sacs may be appropriate in cases where the possibility of future adjacent development does not exist due to topography or existing development, where an additional through street would be unnecessary, or other special circumstances as determined appropriate by the land use authority final decision making body. When permitted, permanent cul-de-sacs shall be designed in accordance with adopted standard drawings, each cul-de-sac stem shall meet the standard street requirement including right of way, pavement width, gutter, curb, and sidewalk within residential subdivisions. The minimum pavement back-of-curb diameter in a cul-de-sac shall be ninety-~~eight~~ feet (~~98~~0'). Cul-de-sac returns shall have a minimum ~~back~~ lip of curb radius of twenty ~~five six~~ feet (~~25~~6').~~

The ~~land use authority decision making body~~ may require a sidewalk connection through a cul-de-sac to allow for pedestrian connectivity to existing or future adjacent development and/or public streets.

~~GH. Easements: Public utility easement shall be required along all sides of each lot ~~where necessary to allow~~ for poles, wire, conduits, storm or sanitary sewers, gas and water mains,~~

and other public utilities. They typical width of public utility easements shall be ten feet (10'), however these may be adjusted by the city engineer based on need.

H4. Road Edge Curbing: All Mapleton City streets shall be curbed unless specified by the city engineer. Consideration shall be given to the transportation master plan, nature of the zone and adjacent properties when determining whether high back (Type E), low back (Type H) or no curbing will be required.

H5. Street Thickness: All Mapleton City streets shall be hard surfaced (asphalt) with a minimum of three inches (3") bituminous coat even with the lip of the curb applied over eight inches (8") of untreated road base consistent with the Mapleton City standard plans addendum to APWA standard drawings and specifications. The minimum may be increased based on recommendations of the site specific geotechnical report. In addition, the developer shall be required to pay a fee to be determined by the City Engineer, for a seal coat to be applied one to three years after development. The City will then be responsible for the application of the seal coat.

I4. Vehicle Access: Subdivision projects of thirty (30) lots or more shall provide at least two (2) points of vehicular access.

K4. A traffic impact study shall be required for all residential subdivisions of thirty (30) lots or more. A traffic impact study shall be required for all non-residential or mixed uses subdivisions or projects that require fifty (50) parking spaces or more.

L4. Where street design standards are not specified in the Mapleton City Municipal Code, street design shall conform to the latest edition of the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets." Other published professional standards, i.e. ITE, ASCE, may be considered at the sole discretion of the City Engineer. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021; Ord. 2022-10, 9-21-2022)

17.12.055: ALL LOTS TO ABUT ON AN APPROVED STREET:

A. Each lot in a subdivision shall abut upon and have access to a street which is:

1. Dedicated to the City by the subdivision plat, or
2. An existing publicly dedicated street, or
3. An existing private street that has been approved by the City prior to 2016, or

4. A private street that has been approved under the criteria outlined in subsection B of this section.

B. The administrative land use authority City Council may approve a request for a private street that complies with the following criteria: (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

1. The street must be part of a planned unit development in the Planned Development (PD), Specific Development Plan (SDP), or Residential (R-2) Zones. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2019-03, 3-6-2019, eff. 4-2-2019)

2. Private streets will only be allowed for streets that have no public interest for traffic circulation and connectivity.

3. The final design and cross section of any private street shall be determined by the ~~administrative land use authority~~ City Council based on recommendations from the DRC and Planning Commission. ~~Unless otherwise authorized by the City Council, p~~ Private streets shall be no less than twenty feet (20') in width.

4. The maximum length of a dead end private street shall not exceed five hundred feet (500').

5. A note on the plat shall be included indicating that Mapleton City has no responsibility to improve or maintain the private streets contained within, or private streets providing access to, the property described in the plat, nor does the City have responsibility for any of the infrastructure associated with the roadway such as sidewalks, drainage facilities, streetlights, curbs, and/or landscaping.

6. The applicant shall provide a maintenance plan outlining how the private streets will be maintained. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.12.070: LOTS; DESIGN STANDARDS:

A. Building Sites: The lot arrangement, design, and shape shall be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography and conform to requirements set forth herein. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage which would be unusable for normal purposes.

B. Size of Lots: All lots shown on the subdivision plat must conform to the minimum requirements of the zone in which the subdivision is located. The ~~administrative land use authority final decision-making body~~ City Council may require lots to be larger than the minimum size established in the zone if it makes the following findings:

1. Larger lots are necessary when abutting existing lots or parcels on adjacent properties to achieve a mutually compatible relationship between the proposed lots and adjoining land uses; and

2. Requiring larger lots will implement the goals and policies set forth in the Land Use Element of the General Plan regarding land use compatibility and buffers.

C. Corner Lots: Wherever possible corner lots shall have ten feet (10') extra width to accommodate the additional setback requirements.

D. Angle Of Lot Lines: Side lot lines should be approximately at right angles, or radial to the street line, except where topographic conditions make it advisable to have side lot lines deflect at sharper angles.

E. Parts Of Lots: All remnants of lots below minimum size left over after subdividing of a larger tract must be attached to adjacent lots rather than allowed to remain as unusable parcels.

F. Multiple Ownership Of Lots: Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the subdivision shall be considered as a joint project and the final plat shall be signed by all affected property owners.

G. Conformance To Standards: Any lot that contains a portion of ground within the CE-1 Zone shall conform to the CE-1 Zone standards. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

H. As part of the building permit application for each lot, a lot specific soils report shall be submitted to ensure that the soils are suitable for construction and to identify the high water mark in areas with a high water table.

17.12.090: DESIGN STANDARDS FOR MULTI-FAMILY AND SPECIFIC DEVELOPMENT PLAN (SDP) ZONES:

The following minimum standards shall apply to all proposed multi-family and specific development plan (SDP) zone projects. This section may apply to other zones and developments as dictated by a development agreement prior to the rezoning of a property. Additional design standards may be added during the execution of a development agreement.

A. Single-family detached homes shall have the following design standards:

1. A variety of architectural styles shall be required. No two (2) homes of the same exterior architectural design shall be situated next to, or across the street from, another.

2. The developer/builder shall provide Mapleton City with no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials. Exceptions shall be granted if the lots or pads are sold to individuals who will build custom homes. If the lots are purchased by one builder or multiple builders who have purchased a "block" of lots or pads, then these design standards shall apply.

B. Attached buildings, such as duplexes, twin homes, condominium units, or similar, shall be approved by the administrative land use authority planning commission and city council as part of the project plan approval.

C. Building materials shall be approved by the administrative land use authority Mapleton City council, with recommendation from the planning commission.

D. Colors shall reflect the natural surroundings in Mapleton City. Bright colors shall not be permitted.

E. Building height shall be the same as allowed in the original zone.

F. Garages shall not be the main feature of the home. Garages shall either be detached to the rear of the home, set back from the facade of the home, flush with the home, or extended out from the home no more than four feet (4'). Garages may be located off of an alleyway in the rear of the home. Said alleyway may only be allowed as part of the overall design, and shall be sufficient to allow for one-way traffic, or two-way traffic if the alley does not connect to another public street.

G. Carports shall only be allowed in the SDP zone, but shall not be permitted in front of the building. Therefore, it is the intent of this section to have carports, for attached buildings only, located in back of the home or building. Other appropriate locations may be permitted ~~with recommendation from the planning commission to the city council by the~~ administrative land use authority.

H. Orientation:

1. The front elevation of every building shall face a street or small park or be visible and directly accessible from a street. Where units are across the street from a park, the front elevation shall face the park. Rear yards which occur along local or collector streets shall be buffered by nonsee-through barriers of a permanent structure with a minimum of six feet (6') in height pending compliance with a fencing ordinance.

2. The front elevation and primary entrance of every building shall face:

- a. A street, or
- b. A plaza, or
- c. A small park, or
- d. A landscaped walkway that is visible and directly accessible from a street.
- e. Buildings used to meet the minimum frontage requirements must have front elevations and primary entrances facing a street.

3. Orientation for all multi-unit buildings:

- a. At least seventy five percent (75%) of the front yard frontage shall have buildings within the minimum and maximum setback.
- b. Buildings that are located within thirty feet (30') of a side property line facing a street shall have at least twenty five percent (25%) of the wall in window or door areas.
- c. Parking areas shall not be located between buildings and the street. Parking lots may be located on one side and behind the buildings.
- d. Buildings shall be directly accessed from the street and the sidewalk.

e. Ground floor pedestrian entrances must be oriented toward the street and an open space accessible from a street.

4. Setback requirements:

a. Porches may project up to six feet (6') into required setbacks. Bay windows, fireboxes and balconies may extend up to three feet (3') into required setbacks.

b. Every primary entry shall be accompanied by a porch or covered area. (Ord. 2003-02, 1-15-2003, eff. 1-29-2003)

CHAPTER 17.14

~~STANDARD SPECIFICATIONS AND DRAWINGS~~ PUBLIC WORKS DESIGN STANDARDS

SECTION:

17.14.010: Adopted

17.14.010: ADOPTED:

The city hereby adopts by reference the ~~Public Works Design Standards-standard specifications and drawings regulations~~ as if fully set forth herein. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016)

17.16.010: IMPROVEMENTS REQUIRED:

A. The improvements hereinafter set forth shall be required to be constructed for all areas shown on the final plat and at all off site locations designated at the time of final approval. All subdivision improvements shall meet minimum city standards and specifications as directed by the city engineer.

B. The following two (2) options are available to an applicant regarding the installation of the improvements required by this chapter:

1. The improvements shall be completed prior to the plat being recorded in the office of the county recorder. The following requirements apply to this option:

a. No construction activity shall begin until:

(1) Final construction drawings have been approved by the city engineer that address any and all outstanding issues as identified by the development review committee and any and all conditions of approval as adopted by the land use authority;

(2) A preconstruction meeting to include the city engineer and the applicant has been held. During the preconstruction meeting the city engineer shall outline the city standards that will be used during the inspection of the improvements;

(3) The applicant has submitted the following bonds:

(A) A site restoration bond shall be in cash equal to the amount of the durability bond. This bond shall be released upon plat recording.

(B) A right of way (ROW) excavation permit and associated fee for any work that may be required in an existing city ROW. The amount shall be based on the city engineer's estimate for the work to be done in the ROW;

(4) All engineering inspection fees have been paid;

(5) The applicant has obtained approval of a stormwater pollution prevention plan and a land disturbance permit; and

(6) The applicant has submitted a utility notification form signed by all applicable utility companies.

b. If the improvements do not comply with city standards, the plat shall not be recorded in the office of the county recorder until such time as all deficiencies are corrected.

c. A durability bond in accordance with the provisions of section 17.20.050 of this title shall be established prior to plat recording.

d. Prior to plat recording, the applicant has submitted a lien waiver release for each contractor, subcontractor and supplier.

2. A performance guarantee and a durability bond securing the installation of any required improvements shall be submitted to the City in accordance with the provisions of chapter 17.20 of this title prior to recording of the final plat at the Office of the County Recorder. The following requirements apply to this option:

a. No construction activity shall begin until:

(1) Final construction drawings have been approved by the City Engineer that address any and all outstanding issues as identified by the DRC and any and all conditions of approval as adopted by the decision making body;

(2) A preconstruction meeting to include the City Engineer and the applicant has been held. During the preconstruction meeting the City Engineer shall outline the City standards that will be used during the inspection of the improvements;

(3) All project fees have been paid; and

(4) The applicant has obtained approval of a stormwater pollution prevention plan and a land disturbance permit.

C. Exemption to the requirement for improvements:

1. Upon application by the landowner, the City Engineer may waive the requirement for curb, gutter, sidewalks when required by the approved street cross sections ~~and/or pressurized irrigation lines~~ as a one-time exception provided the following findings can be made:

- a. The subdivision would create no more than one additional lot; and
- b. There are no more opportunities to create additional lots in the future based on the current zoning.

2. If multiple lots are proposed on an existing street that does not include curb, gutter and sidewalk within six hundred sixty feet (660') of the proposed lots, the applicant may request a waiver from the installation of these improvements. The waiver may be granted for only existing streets designated as "minor local" or "major local" according to the current Mapleton Transportation Plan. New streets to be constructed within the project area are not eligible for a waiver. The waiver must be approved by the final decision-making body reviewing the preliminary plat. In granting the waiver, the decision-making body should consider the development potential of other properties within six hundred sixty feet (660').

3. Any waiver or modification of the requirements must be based on a determination that the waiver more effectively achieves the policies, goals, and objectives of Mapleton City. The modifications shall be consistent with appropriate engineering measures to protect public safety.

4. No other waiver of any of the minimum level of improvements required by section 18.84.390 of this Code is authorized under this subsection. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2019-01, 1-16-2019, eff. 2-20-2019; Ord. 2021-17, 7-7-2021)

17.16.025: STREETS TO BE DEDICATED; PARTIAL WIDTH STREETS; RETAINER STRIPS NOT PERMITTED:

All streets within and adjacent to the subdivision shall have been previously conveyed to the City by deed or dedication or shall be shown on the final plat for dedication to the City for street purposes. All streets shown on the final plat for dedication to the City shall conform to the minimum standards for both street right-of-way width and street improvements for the entire width of street, except that the ~~administrative land use authority-City Council, subject to the prior recommendation of the Planning Commission,~~ may accept the dedication and/or improvement of a partial width street provided:

- A. That the proposed partial width street is located at the border of the subdivision and the land abutting the uncompleted side is not owned by the subdivider;

B. That the width of right-of-way of the proposed partial street shall be not less than one-half (1/2) of the total width for the class of road, plus an additional seven feet (7') of width or twenty feet (20'), whichever is greater. Where a new development is completing a partially completed road, the applicant will be responsible to install new pavement to the proposed centerline of the road. This may be achieved by reconstructing the paved surface using Mapleton City Standards or with a two inches (2") grind and overlay;

C. That the improvements constructed on the partial width street shall include:

1. The curb, gutter and sidewalk improvements on the side abutting lots in the subdivision, where applicable,

2. All required utilities, and

3. A hard surfaced travelway portion having a width not less than one-half (1/2) that required for the specific road classification plus an additional seven feet (7') or twenty feet (20'), whichever is greater;

D. That there are no existing conditions which would have the effect of preventing the subsequent development of the remaining portion of the street;

E. That, in the opinion of the City, construction of a partial width street at the proposed location will not create an unsafe or hazardous condition; and

F. No final plat shall be approved where access to a proposed or existing street from adjacent property is proposed to be prohibited through the use of an access retainer strip. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021)

17.16.030: CULINARY WATER:

A. The subdivider shall be responsible for installing all off site and on site water mains necessary for the proposed subdivision. All on site mains shall be installed in such a way that each lot may be served therefrom. All mains shall extend to the boundaries of the subdivision. Dead end lines may not be approved unless in the exception of a cul-de-sac or stub to adjacent development for future connection.

B. All water mains shall be sufficient in size to provide a volume of flow and level of pressure adequate for culinary use (in accordance with State and City standards) and fire protection purposes, provided, that no water main shall be less than eight inches (8") in diameter. Proposed sizes and locations of water mains shall be consistent with the Mapleton City Water Resources Master Plan.

C. Water service laterals shall be installed to each lot from the main line to the outer edge of any road proposed to be dedicated to the city. The service laterals shall be not less than one inch (1") diameter and shall consist of: 1) the corporation stop adjacent to the main line, 2) the lateral pipe running from the main to the edge of the adjacent lot, and 3) the stop and waste valve, meter box and meter setter located in the park strip where applicable or other location specified by the city engineer.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements.

E. Each lot shall be served by a water lateral connected to an in service city water trunk line.

F. Prior to final plat approval, the project plans shall be submitted to the city engineer or designee to be included in the city's water model. Based on the water model results, the applicant may be required to make system upgrades to ensure reliable water service. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.035: PRESSURIZED IRRIGATION:

A. The subdivider shall be responsible for installing all on site pressurized irrigation mains. If an existing pressurized irrigation main lies within six hundred (600) linear feet of the subdivided property, following the course of any city street the subdivider shall also be responsible to install off site mains and to connect them with the existing pressurized irrigation main. All mains shall extend to the boundary of the subdivision.

B. All pressurized irrigation systems shall conform to the pressurized irrigation master plan of the city, provided that no main shall be less than eight inches (8") in diameter.

C. Pressurized water service laterals shall be installed from the main irrigation line to the lot line proposed. The service laterals shall be not less than one inch (1") in diameter and shall consist of: 1) the corporation stop valve adjacent to the main line, 2) the lateral pipe running from the main to the edge of the adjacent lot, 3) the corporation valve, meter box and meter setter located in the park strip where applicable or other location specified by the city engineer. The corporation stop valve adjacent to the main line is part of the city's pressurized irrigation system, and may not be accessed, or used by the property owner without prior approval of the city.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.050: SEWAGE DISPOSAL:

A. The subdivider shall be responsible for installing all off site and on site sewer mains necessary for the proposed subdivision and consistent with the Mapleton City Wastewater

Master Plan. All on site mains shall be installed in such a way that each lot may be served therefrom. All mains shall extend to the boundaries of the subdivision and should terminate in a manhole.

B. All sewer mains shall be sufficient in size to provide an adequate flow. No sewer main shall be less than eight inches (8") in diameter.

C. Sewer service laterals shall be installed from the main line to the outer edge of any road proposed to be dedicated to the city. The service laterals shall be not less than four inches (4") in diameter, and shall be located ten feet (10') inside the property line.

D. All mains and laterals shall be constructed prior to the installation of road base and hard surfacing of the road and the construction of curb, gutter and sidewalk improvements.

E. Each lot shall be served by a sewer lateral connected to an in service city sewer trunk line. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.16.075: FIBER CONDUIT:

The subdivider shall be responsible for the installation of a two inch (2") conduit across the frontage of each lot for future city use as well as fiber pedestals as indicated on the final approved fiber plans. The requirements for installation, trenching, backfill, and materials shall be identified in the Mapleton City Construction Standards and Specifications as maintained by the city engineer. (Ord. 2020-12, 10-7-2020; amd. Ord. 2021-17, 7-7-2021)

17.16.085: STREET LIGHTING:

~~A. Prior to plat recording, the applicant shall pay a streetlight fee based on the adopted fee schedule to allow for the installation of streetlights within the subdivision. The city will coordinate the purchase and installation of the streetlights with the applicable power company.~~ The developer shall be responsible for the cost to install street lights within the subdivision based on the city's adopted specifications.

B. The number and location of residential street lights shall be determined by the city engineer but will typically be required as follows:

1. At entrances to subdivision and at intersections;
2. One light every three hundred feet (300') on collector roads;
3. One light every six hundred feet (600') on major and minor residential roads; and
4. No lights are required on a country lane.

C. For subdivisions that abut a major collector road or greater, and/or are designated as "Flex Use" in the Land Use Element of the General Plan, the City may require the developer to install additional street lights in accordance with section 18.92.050.B of this code.

D. Trail lighting, separate from street lighting, may be required along trail corridors. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021; Ord. 2021-22, 9-15-2021)

17.16.090: ENVIRONMENTAL HAZARDS:

If any of the following conditions exist, technical reports in accordance with section 17.08.020 of this title will be required. Adverse environmental conditions must be eliminated or accommodated as follows:

A. Soils:

1. The placement of streets, buildings and the designation of building sites on areas of unstable soil shall be prohibited.
2. Soils with a significant erosion hazard shall be protected. Revegetation or other erosion control measures may be imposed as a condition of subdivision approval.

B. Stormwater Disposal:

1. ~~To the maximum extent possible s~~Stormwater produced from the subdivision development up through the one hundred (100) year flood shall be properly disposed of within the limits of the subdivision.
2. Pipes, sumps and other facilities for the collection and disposal of stormwater shall be installed where required by the city. The location, size, and design of said facilities shall be in accordance with the city's stormwater disposal plans and standards or as directed by the city engineer and shall be designed for the one hundred year (100) flood.
3. Stormwater inlets within defined Zone 2 drinking water source protection zones must be installed with pre-treatment as determined by the City Engineer.

C. Flooding:

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. The subdivision layout shall make adequate provision for natural drainage channels and floodways.
3. All water, sewer and other utility systems and facilities located in designated flood areas shall be designed and constructed to minimize flood damage including the infiltration of floodwater into the system, or discharge of the system into the floodwaters.
4. Base flood data shall be provided by the developer as part of the preliminary plat.

D. Other: Where applicable, other adverse environmental conditions must also be eliminated or adequately accommodated. The additional conditions shall include, but not

be limited to, seismic, landslide, groundwater, and noise or blasting impact. (Ord. 2016-01, 5-18-2016, eff. 6-16-2016; amd. Ord. 2021-17, 7-7-2021)

17.24.080: DEDICATION OF WATER RIGHTS TO THE CITY:

A. Water Rights Dedication And Conveyance Requirements: Any applicant requesting approval ("applicant") for a development, subdivision, annexation, or any other new connection to the city's culinary or secondary water system ("development"), which increases the need for water service from the city, shall dedicate and convey to the city water rights ("water rights"), in a sufficient quantity and type to satisfy the anticipated culinary water and secondary irrigation water needs of the proposed development. Satisfaction of this water rights dedication section and the accompanying conveyance requirements shall be a condition precedent to and requirement for approval of all development applications.

B. Water Rights Required To Be Conveyed:

1. The city may, in its discretion, accept any water right, water company share, or water interest, it determines meets the dedication requirements of this section.

2. With respect to the water to satisfy the culinary needs of the proposed development, the water must be legally authorized to be diverted from city's municipal wells or other sources of municipal water supply, on a year round basis, for municipal and industrial purposes in the entire service area of the city ("municipal rights").

3. With respect to the water to meet the secondary water needs of the proposed development, the water must be legally authorized to be diverted from city's sources of irrigation water, on a seasonal basis, for outside irrigation use in the entire service area of the city ("irrigation rights").

4. A change application is required if a change in the nature of use, point of diversion, period of use, or place of use of water rights or shares is necessary to meet the dedication requirements of this section. The City may deny a request for a change application at its discretion. If a change application must be filed with the Utah division of water rights to make any water right or share able to meet the dedication requirements herein, the following shall apply:

a. If an applicant is dedicating water rights or water shares from an irrigation company outside the area, the applicant shall process the change application prior to plat recording.

b. If an applicant is submitting water shares from inside the area from an acceptable source, as determined by the city engineer, prior to the recording of a final plat the applicant shall either process a change application or submit the shares in the name of Mapleton City in a sufficient amount to meet the requirements outlined in subsection B5 of

this section after any reduction which the state engineer may require to be returned to the hydrologic system. The applicant shall submit a fee to the city based on the most current fee schedule adopted by the city council for the city to process a change application to convert the shares to municipal use.

5. The amount of water rights to be conveyed to the city shall be determined as follows:

a. Water Rights For Municipal Use:

(1) Inside Residential Use: The amount of water rights to be conveyed to provide an adequate supply of water for inside residential use based on the needs of the development, shall be ~~0.45~~ 0.30 acre-feet per residential unit for townhomes, condominiums or other multi-family units, and 0.35 acre-feet per unit for single family detached units, equivalent residential unit ("ERU").

(2) Industrial And Other Municipal Uses: The amount of water rights to be conveyed in order to provide an adequate supply of water for industrial and other municipal uses based on the needs created by the development, shall be determined by the city engineer on a case by case basis according to the anticipated demand of the development.

b. Water Rights For Outdoor Secondary Irrigation Uses: The amount of water rights to be conveyed to provide an adequate supply of outdoor secondary irrigation water based on the needs of the proposed development, shall be 2.5 acre-feet per maximum potentially irrigable acre within the proposed development. The maximum irrigable acreage shall be determined by deducting the maximum allowed building coverage allowed in the zone in which the development is proposed from the total lot size of each lot included in the project area. Any common open space or conservation easement property shall also be included in the irrigable land when calculating the water dedication requirement. The City may require applicants that are developing within any pressure zone above zone one as identified in the Water Resources Master Plan to purchase water from the City from the City's Utah Lake Drainage Basin Delivery System (ULS) allocation. The purchase amount shall be set in the adopted fee schedule.

6. The city shall have the authority to require the transfer of more residential or secondary irrigation water than is required herein when the city engineer determines that the development will consume more water than is required herein.

C. Approval Of Water Rights By The City: Water rights proposed by the applicant to be dedicated to the city must first be reviewed and formally accepted by the city. Prior to acceptance of such water rights, the city shall evaluate the rights proposed for conveyance based on any relevant criteria, and may, in its sole discretion, refuse to accept any water right, water company share, or water interest as enumerated in subsection B of this section which it determines to be: 1) defective with respect to legal title, 2) insufficient with respect to annual quantity, priority, reliability, or flow rate, 3) unsuitable for municipal use, 4) not reasonably likely to be approved for change by the state engineer for municipal and secondary irrigation purposes within the entire service area of the city, or 5) defective in any other respect that makes the water rights unusable by the city to deliver water to the development. The city's refusal to accept a proposed water right shall not constitute a

waiver of, and shall not relieve the applicant from its obligation of complying with the requirements of this section as a condition to development approval.

D. Conveyance Of Water Rights To The City:

1. Subsequent to review and approval of the water rights proposed to be dedicated by applicant to the city, the developer shall convey the water rights to the city, without cost, by deed, assignment, water dedication agreement and/or such other applicable and appropriate instrument of conveyance in form and substance as shall be approved by the city.

2. All conveyances of water rights shall be free and clear of all liens, encumbrances and adverse claims, except as may be expressly approved and accepted by the city in writing.

3. The water rights shall be conveyed to the city prior to the recording of a final plat in connection with each phase of the development. An approved final plat shall not be signed or recorded prior to conveyance of the accepted water rights.

E. Effective Date: The city hereby specifically finds that it is necessary for the immediate preservation of the health, safety, and welfare of the present and future inhabitants of the city that this section shall take effect July 25, 2014. (Ord. 2014-09, 7-1-2014, eff. 7-25-2014)

~~**18.90.130: BONDING:**~~

~~Bonding shall be required for all landscaping improvements prior to obtaining a building permit or commencing work on any project where landscaping is required by this title. Bonds shall be subject to the requirements as outlined in the adopted Mapleton City bond form.~~

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PLANNING COMMISSION MINUTES

July 27, 2023

PRESIDING AND CONDUCTING: Vice Chairman Rich Lewis

Commissioners in Attendance: Jake Lake
Jesse McLean
Lewis Nuttall

Staff in Attendance: Sean Conroy, Community Development Director
David Stuenzi, Planner

Minutes Transcribed by: April Houser, Executive Secretary

Vice-Chairman Lewis called the meeting to order at 6:00pm. A prayer and Pledge of Allegiance was given.

Item 4. Consideration of an ordinance amending Mapleton City Code Title 17 regarding subdivision requirements.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. Each year as the state wrestles with affordable housing to comply with State Bill (SB) 174. Some of these proposed amendments are to bring the code in line with SB 174. There are also a few clean up items as well, referencing the City's long-range plan. There will be a small reduction of water right requirements as part of this amendment. **Commissioner Lake** asked if the water right reduction is mandated by the state, which Sean stated that it was. That applied to the culinary water requirements. The outdoor water requirement will stay the same.

Vice-Chairman Lewis opened the Public Hearing. No comments were given, and the Public Hearing was closed. **Commissioner McLean** felt the City Council should still be aware of subdivisions coming forth since they are elected officials.

Motion: Commissioner McLean moved to recommend approval to the City Council for an ordinance amending Mapleton City Code Title 17 regarding subdivision requirements.

Second: Commissioner Lake

Vote: Unanimous